

MARIN COUNTY SHERIFF'S DEPARTMENT
CUSTODY DIVISION POLICY AND PROCEDURE MANUAL

CHAPTER 3 - RELEASE
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DATE
8-03-94

RELEASE ON PROMISE TO APPEAR

POLICY

Inmates who meet eligibility requirements will be released on a Promise To Appear.

PROCEDURE

If a misdemeanor booking has been accepted at the jail pursuant to California Penal Code Section 853.6(i) they are considered for a Promise to Appear (PTA) release. Bookings of misdemeanor crimes involving violence, weapons or sex are not to be released on a PTA. A person arrested on a warrant of arrest charging a misdemeanor violation that does not include a charge of violence, sex or weapons can be released on a PTA unless the warrant specifically states otherwise. The Bkg. Sergeant does have discretion on releases for charges of 148 PC and 647b PC.

Pursuant to Marin Superior Court order persons arrested on felony offenses charging 11350 H&S and 11377 H&S may be released without bail on a PTA providing they meet the conditions set forth in 853.5 PC. Persons arrested for 459 PC, commercial burglary, that is petty theft generated, may also be released on a PTA.

No person will be released without the prior approval of the Bkg. Sergeant, who reviews the paperwork to insure all paperwork is correct and a PTA release is applicable to the individual. No one is to be released on a PTA after they have appeared before a magistrate. A copy of the PTA form is placed in the released person's Jail File.

RELATED STANDARDS:

Penal Code, Section 853.5
Penal Code, Section 853.6(i)

DATE REVISED

None

By order of

DANIEL PAYNE
BUREAU COMMANDER