

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

CHAPTER
CUS – 04-25
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SAFE-KEEP

POLICY

It is the policy of the Sheriff that if an inmate in custody presents a danger that is beyond the ability of the Marin County Jail to safely house (e.g. extremely violent, danger to self or others, high escape risk, etc.) a petition to the court to have the inmate housed in State Prison per 4007 PC may be filed.

PROCEDURE

Once the decision has been made to seek a safe-keep order from the Marin County Superior Court, the following shall take place:

- The Marin County Jail Classification Unit or designee will contact the closest state prison and advise them of our intention to safe-keep an inmate; San Quentin State Prison.
- It will be the responsibility of the Classification Unit or designee to draft a declaration depicting the facts associated with the safe-keep request; all associated court case numbers should be included.
- The declaration should include but not be limited to the inmate's current charges, current behavior, demeanor towards staff, criminal history, etc.
- Once completed, County Counsel shall be consulted with respect to filing a safe-keep motion with the Marin County Superior Court.
- The author of the declaration will sign the declaration and then take the order to a magistrate and wait for signature.
- After a signature is received from the magistrate, the deputy shall take the declaration to the County Clerk to be filed.
- County Counsel will then be responsible for serving the District Attorney and defense attorney(s) who represent the named inmate.
- A hearing shall be calendared within 48 hours. If the inmate waves the hearing, the Sheriff's Office shall notify the inmate's attorney of the transfer within 48 hours, or the next business day.

It shall be the responsibility of the Sheriff's Office to transport the inmate to and from any court proceedings until all of the inmate's cases are adjudicated.

When an inmate is on a safe-keep, the inmate shall be re-housed as "temp-out" in the Tiburon System.

RELATED STANDARDS:

Penal Code section: 4007PC
By order of
DOUGLAS P. ENDY
BUREAU COMMANDER