

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

CHAPTER 7 – INMATE MARRIAGES
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DATE 6-19-00

INMATE MARRIAGES

POLICY

The purpose of this order is to establish a procedure by which an inmate incarcerated in the Marin County Jail may marry.

PROCEDURE

Subject to the laws of the State of California, when an inmate incarcerated in the Marin County Jail wishes to marry, he/she shall send a request to marry on a "Marin County Jail Inmate Request Form" to the Jail's Operations Lieutenant. The request must include:

1. The full name, address, and date of birth of the person the inmate wishes to marry.
2. The date of the planned marriage.
3. The name and telephone number of the individual who will be performing the marriage ceremony. (The named individual will be required to provide proof of his/her legal ability to perform marriage ceremonies in the State of California before the inmate's request will be processed further.)

In order to ensure the security and smooth operation of the Jail Facility, inmate marriages must meet the following criteria:

1. No inmate may marry another inmate who is also incarcerated in this facility.
2. Should the future spouse of the requesting inmate be a person identified by the District Attorneys Office as having been the victim of, or witness to, the inmates criminal case, the requesting inmate must advise the Operations Lieutenant of that fact in his written request to marry.
3. There will be no contact weddings performed. All weddings will be conducted in an Attorney Visiting Room located in the Pod in which the requesting inmate is housed.
4. Due to space limitations in the Attorney Visiting Rooms, only four (4) persons may take part in the visit during which the marriage ceremony takes place. Those four shall include the person performing the marriage, the future spouse of the inmate, and no more than two (2) witnesses.
5. All weddings will be performed on Saturdays, during routine visiting hours, and within established visiting time restrictions.
6. Requests to marry shall require at least seven (7) days prior written notice.
7. The inmate, or the inmate's family, must ensure all necessary licensing and ministerial arrangements have been made prior to the ceremony taking place.

8. Other inmates may not be used as witnesses in the marriage ceremony.
9. Inmates serving disciplinary time in any Pod may not participate in any marriage ceremony during that disciplinary period.
10. In the event of an emergency within the facility, the marriage ceremony may be canceled or postponed without prior notice.
11. Jail Chaplains are not allowed to perform Marriages within the Facility.
12. Marin County Judges have stated they too will not perform marriage ceremonies for incarcerated inmates.

Should the future spouse of the requesting inmate be a person identified by the District Attorneys Office as having been the victim of, or witness to, the inmates criminal case, jail staff shall notify the District Attorney's Office of the inmate's intention to marry before the marriage ceremony takes place. Notice of that advisement shall be recorded on the inmates original written "request to marry" form and shall include the name of the person contacted and the date and time the advisement was made.

Once approved, the written "request to marry" form shall be placed in the inmate's jail file for permanent retention.

RELATED STANDARDS
Penal Code Section 2601(e)

DATE OF REVISIONS:
03-05-96
03-27-97

By order of

DANIEL PAYNE
BUREAU COMMANDER