

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b> <b>INMATE CUSTODY RECORDS AND FILES</b>	<b>Policy Number</b> <b>DB-1</b>
		<b>Effective Date</b> <b>12-14-21</b>
<b>Related Information</b> GJ-11, <i>Serious Injury, Illness, or Death of a Prisoner or Inmate</i>		<b>Supersedes</b> DB-1 (04-01-14)

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the secure maintenance, transfer, and storage of inmate documents, records, and files located in all custody bureau facilities.

## POLICY

It is the policy of the Office to establish procedures for maintaining, transferring, and storing inmate judicial and custodial records. The manner in which these documents are filed varies as the inmate's custody status changes.

## DEFINITIONS

**Classification File:** The file maintained by the Classification Section, which contains information relating to an inmate's classification status.

**Commitment File:** The file containing the inmate's judicial records pertaining only to charges, holds, or sentencing information.

**Custody File:** The file containing the inmate's judicial and custodial records. The Custody File consists of two files, the Commitment and Jail Files.

**Full-Custody:** Continuous custody until the inmate is judicially released on all charges, holds, or sentences. Inmates who have been temporarily released into the community and return, such as in the Work Furlough Program, or are serving a work release or weekender sentence, are not considered full-custody.

**Inmate:** A person who has been accepted for confinement into an Office jail facility.

**Jail File:** The file containing the inmate's custodial records pertaining only to jail-related information, exclusive of any judicial records.

**Litigation Hold Notice:** A written directive prepared by the Maricopa County Attorney's Office (MCAO) or any other party that requests preservation of relevant records, documents, and Electronically Stored Information (ESI) in anticipation of future litigation against the Office.

**Page Two:** The recording of additional charges based on outstanding warrants or new charges discovered since the time of incarceration.

## PROCEDURES

1. **Custody Files:** A Custody File shall be established at the Intake, Transfer and Release (ITR) facility for all newly booked inmates. The ITR facility shall be responsible for maintaining a Custody File for newly booked inmates pending the initial classification of an inmate and transfer to an Office jail facility.

2. **Separation of Files:** When a newly booked inmate has completed the intake process, or when an inmate's status changes to full custody, the Custody File shall be separated into two files; the Commitment File and Jail File.
  - A. The Commitment File: This file shall be transferred to Sheriff's Information Management Services Division (SIMS).
  - B. Jail File: This file shall be sent to the receiving Office jail facility.
3. **Page Two Exception:** When an inmate is being seen in Initial Appearance (IA) Court on a Page Two, the Jail File or the Commitment File shall not be transferred from its current Office jail facility unless the inmate's status has been changed to full custody, or the inmate has been reclassified.
4. **Jail File Transfers:** Jail Files shall only be transferred to:
  - A. Another Office jail facility, when the inmate is reassigned for housing;
  - B. SIMS, upon the inmate's release from custody; or
  - C. Legal Liaison Section (LLS) upon an inmate's in-custody or imminent death.
5. **Release:** After an inmate's release, SIMS shall combine the Commitment File with the Jail File to reestablish the Custody File.
6. **Storage:** The Custody File shall be forwarded to the records warehouse. Record warehouse personnel shall be responsible for ensuring that Custody Files are maintained and secured for a period of three years after the inmate's date of release, as specified by Arizona State Library, Archives and Public Records retention schedules, and then the file shall be authorized for destruction.
7. **Confidentiality:** To ensure confidentiality and privacy, inmate records and files shall be maintained in areas restricted to authorized personnel. All inmate records and files shall be located in an area inaccessible to inmates.
8. **In-Custody and Imminent Deaths:** The Commitment and Jail Files for an inmate who has been released due to death or imminent death shall be forwarded to the Legal Liaison Section (LLS) of the Administrative Services Division (ASD). The LLS is responsible for combining the Commitment File with the Jail File to reestablish the Custody File. LLS shall retain the Custody File and the Classification File for a period of three years after the inmate's year of death, unless otherwise directed by the Legal Liaison Section Commander, legal counsel, or a litigation hold notice. If the death of an inmate occurs at the ITR facility, the detention shift supervisor shall ensure the pertinent records and documents are placed in the Custody File and forwarded to the LLS, as specified in Office Policy GJ-11, *Serious Injury, Illness, or Death of a Prisoner or Inmate*.