

	State of Alaska Department of Corrections Policies and Procedures	Index #: 818.06	Page 1 of 5
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	Chapter: Release, Preparation, and Temporary Release		Subject: Release Procedures

I. Authority

In accordance with 22 AAC 05.155, the Department will maintain a manual comprised of policies and procedures established by the Commissioner to interpret and implement relevant sections of the Alaska Statutes and 22 AAC.

II. References

Alaska Statutes

Alaska Administrative Code

III. Purpose

To establish procedures for releasing of prisoners from State and Contract Facilities.

IV. Application

To all employees and prisoners.

V. Policy

- A. The Department will release all prisoners in a timely manner using the procedures described below.
- B. The Department will ensure that all released prisoners have proper outer clothing at the time of their release. Each Superintendent shall develop and maintain Standard Operating Procedures (SOPs) that address the purchase, provision and return of this clothing.
- C. The Department will provide gate money to prisoners released from custody when appropriate under this policy.

VI. Procedures

A. Bail/Bond Releases

1. Booking

- a. The institution shall complete the identification and booking process before releasing a prisoner on bail. (See Policy 811.02, Booking.)
- b. Every newly remanded prisoner may make telephone calls to contact an attorney, relatives, or associates in an effort to make bail or bond. (See Policies 810.01, Prisoner Access to Telephone; 811.12, Prisoner Posting Bail or Otherwise Released Within One Hour of Completing Booking; and 808.01, Legal Rights of Prisoners.)

2. Acceptable Bail/Bond

The institution shall only accept cash (U.S. currency), surety bond, or bond (unless the court has specified cash only) for bail and bond before releasing prisoners from custody. The institution shall not accept personal checks.

3. Posting Bail

When a prisoner posts bail, staff shall:

- a. Complete the Release Form provided by the court in triplicate and give the original to the court, file a copy in the prisoner case record, and give the prisoner a copy; and

- b. Complete the Cash Appearance Bond Form provided by the court and have the individual posting bail sign the form. When the individual posts cash as bail, booking personnel shall complete a receipt from the court receipt book in triplicate and give the original to the individual posting the bail, attach the second copy to the court's copy of the Release Form with the currency, and keep the third copy in the receipt book.

4. Posting Bond

Booking personnel shall complete the Release Form provided by the court when a prisoner posts bond. The bondsman shall prepare a Bond Certificate that indicates the bond's limit and the amount covered. The prisoner must sign the bond, and the bondsman and the shift supervisor must sign as witnesses. The bondsman must provide a Surety Form to accompany the Bond Certificate. Staff shall attach this form to the Release and forward it to the appropriate court.

5. Filing Documents with Court

Booking personnel shall place all such items (bail or bond) for the court in an envelope with the court, prisoner's full name, case numbers, charges, amounts of bail (or bond), date, and shift supervisor's initials on it, and then place in distribution. The Transportation Officer or other authorized courier shall transfer the bail or bond documents to the appropriate court.

- B. Notification to Health Care Personnel

1. Notification/SOPs

The Superintendent shall develop SOPs to ensure that the Superintendent or designee routinely notifies institutional health care personnel before releasing any prisoner from custody.

2. Written Notice

When the Superintendent or designee cannot give health care personnel the advance notice above, (e.g., during periods with a high volume of releases or at times when health care staff are not on duty, etc.), the Superintendent or designee must give the Institutional Health Care Officer or designee written notice of all prisoners released from custody within the past 24 hours.

3. Records Review

The Institutional Health Care Officer or designee shall complete a records review, document any follow-up care needed by the prisoner upon release, and close the prisoner's health care file before the prisoner's release (or within 24 hours, if exigent circumstances exist).

4. Hospitalized Prisoner

If the prisoner is hospitalized, the Institutional Health Care Officer or designee shall contact appropriate hospital staff by telephone upon learning that the prisoner will be released from custody to inform them that the prisoner is responsible for his or her own medical treatment after the release date subject to VI.C. below. The Institutional Health Care Officer or designee shall record the date, time, and person contacted at the hospital in the prisoner's health care file.

- a. The Institutional Health Care Officer or designee shall also notify the Medical Director or designee as part of the daily "Hospitalization and Emergency Visit Reports" whenever the Department releases a hospitalized prisoner from custody.

- b. The Medical Director or designee shall follow up the Institutional Health Care
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Officer's hospital contact with a written letter to the hospital. The letter must indicate the prisoner's effective release date and time, and the fact that the Department is no longer responsible for the prisoner's health care.

C. Before Release

The on-duty shift supervisor must complete the Pre-Release Checklist (Form #818.06A) and verify that the prisoner's release is legal and proper, (e.g., court-ordered, sentence completed, conditions for release satisfied, bail or bond posted, etc.) Thereafter, staff shall take the steps described below:

1. Advanced Notice of Release

Verify that the Department has completed the required 30-day or other advance notice of release for all prisoners released to probation and parole supervision. (See Policy 818.01, Prisoner Pre-Release Planning.) The probation officer shall notify the shift supervisor of any failure to complete the required advance notices and in turn, the shift supervisor shall notify the Superintendent or designee. This deficiency must not interrupt the prisoner's release.

2. Formal Conditions of Conduct

Confirm that the prisoner has signed any formal conditions of conduct appropriate to the prisoner and give the prisoner a copy before his or her release. (See Policy 818.01, Prisoner Pre-Release Planning.) Immediately, or on the next working day, notify the shift supervisor of any prisoners being released to supervision that have not signed and do not have copies of documents, such as conditions of probation, mandatory parole, or discretionary parole. The shift supervisor shall initiate steps to have the documents signed and distributed at or before the prisoner's release. Any deficiency must not interrupt the prisoner's release, except in discretionary parole cases.

3. Money and Personal Property

Disburse monies and personal property to the prisoner and obtain the prisoner's signature as receipt for the disbursement. (See Policies 302.12, Prisoner Accounts and 811.05, Prisoner Personal Property.)

- a. Circle any items listed on the prisoner's property inventory that are missing and make a notation that the items were missing at the time of release processing;
- b. Review the record to determine if the items were previously disbursed, and, if not, complete a Report of Lost or Damaged Property (Form 811.05C). (See Policy 811.05, Prisoner Personal Property.)
- c. Route the Lost Property Report to the Superintendent or designee for investigation and disposition.

4. Outer Clothing

Provide the prisoner outer clothing adequate for the weather conditions, if the prisoner does not have proper clothing. The institution may obtain this clothing from charitable or surplus sources, such as the Chaplaincy Coordinator, Salvation Army, Government Surplus, etc. The institution must purchase this clothing by the most economical means available.

- a. The prisoner must sign a receipt and agree to return the clothing to the Department within 30 days of release. The prisoner may return the clothing to the supervising probation and parole officer or the nearest Department office, institution, or unit.
 - b. The Superintendent shall establish SOPs for the recovery or reimbursement
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billing for clothing issued and not returned under this policy.

5. Gate Money

Gate money is any of the prisoner's earnings that the Department has retained for the purpose of being available to the prisoner at the time of release.

6. Individual Finance Ledger

Close the prisoner's Individual Finance Ledger and disburse all money and gratuities due at the time of release. Enter the releasing prisoner's name, OTIS number, and monies disbursed in the Finance Control Ledger. Retain the closed individual Finance Ledger in the Closed Finance Binder. (See Policy 302.12, Prisoner Accounts.)

7. Remove Photograph

Remove the prisoner's photograph from the manning board.

8. Commitment Card/Release Card

Pull the appropriate Commitment/Release Card (Form 811.02B) and close it out by entering the date, time, reason for release, and prisoner's forwarding address. The Department must retain the card under facility policy.

9. Prisoner Case Record

Enter the release date, time, reason for release, and initials of releasing officer in the appropriate places on the Prisoner Case Record. (See Policy 602.01, Prisoner Case Record Management.)

10. Daily Count Sheet

Enter the prisoner's name, booking number, race, gender, and release codes in the appropriate space on the daily count sheet.

11. Completed Case Record Jacket

Place the completed case record jacket in the proper depository for processing under Policy 602.01 - Case Record Management.

12. OTIS Entries

Make the appropriate entries in OTIS releasing the subject from the institution count and note the appropriate case transfer or closure information.

D. Prisoners Serving A Sentence Without Specific Hours

The institution shall release prisoners who are not serving a sentence of specific hours at 0700 hours on the last day of service unless extenuating circumstances exist and the Superintendent approves an earlier release. Extenuating circumstances do not include transportation away from the institution unless the scheduled transportation is at a time not available after 0700 hours, (e.g., a scheduled ferry or a flight out of a community).

VII. Implementation

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the directions outlined in this document into local policy and procedure. All local policies and procedures must conform to these directions; any deviation must be approved in writing by the Director of Institutions.

July 28, 2006
Date


Marc Antrim, Commissioner
Department of Corrections

Applicable Forms:

818.06A Pre-Release Checklist

811.02B Commitment/Release Card

811.05C Report of Lost or Damaged Property