



Cumberland County Sheriff's Office Standard Operating Procedure

Title: Release Procedures	No: C-210
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Associated With: C-200 Release of Inmates	Approved by: Kevin J. Joyce Date: 07/25/2025 Sheriff's Signature

This directive is for agency use only and does not apply in any criminal or civil proceedings. This directive should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with the respect to third party claims. Violation of this directive will only form the basis for agency administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

- I. PURPOSE:** To establish release procedures for the Cumberland County Jail.
- II. POLICY:** The inmate accounting system will include records on admission, processing, and release of inmates (2A-15).

The Intake Shift Supervisor will implement procedures to ensure that the release of inmates from the Cumberland County Jail is both legal and procedurally correct. Release procedures include at a minimum:

- a. Positive identification of the inmate to be released;
- b. Authorization/verification of release;
- c. Completion of release arrangements, including notification of the Probation and Parole authorities in the jurisdiction of release, if required;
- d. Return of personal effects;
- e. Verification that no facility property leaves the facility;
- f. Arrangements for completion of any pending action, such as grievances or claims for damages or lost possessions;
- g. Medical screening and arrangements for community follow-up where needed;
- h. Instructions on forwarding of mail;
- i. Receiving of jail property;
- j. Release of inmate property and money;
- k. Documentation of the release. (5B-19)



An updated case file for any inmate transferred from one facility to another is transferred simultaneously or, at the latest, within 72 hours.

III. PROCEDURES:

A. Release Procedures

1. Release procedures will be carried out in Intake.
2. Intake Shift Supervisors will implement release procedures for inmates to be released during their respective shifts. Medical shall be notified of all inmate releases, and intake staff shall provide a daily release report to the nurse assigned to intake on the 11-7 shift. Medical should see the inmate in intake prior to release to provide medications as necessary, and discharge planning.
3. Appropriate sections of the Admission and Release Form shall be completed upon release for each inmate.
4. Inmates will, upon completion of the release process, be escorted to the release sally port.
5. Inmates serving sentences over 8 days in length will be processed and released at 0900 hours on the date their sentence is completed, unless a legal detainer has been received by the jail that prevents release. Inmates serving less than 8 days will be released at the same time as they were admitted to this facility.
6. Arrestees held pending bail, will be processed and released when a Bail Commissioner provides the Cumberland County Jail with a bail petition confirming that bail has been posted, or the court provides the jail with documentation requiring release, and that said documentation satisfies all conditions contained within [C-210-C Holds Form](#) or the [C-114 County Booking/Bail Form](#) (The former is a post arraignment document; the latter is a pre-arraignment document)
7. When an inmate is eligible for release on local and/or state charges through the bail process, but the facility has been notified by U.S. Immigration and Customs Enforcement (ICE) that an I-247A Immigration Detainer – Notice of Action is being placed, the following procedures must be followed:
 - The Intake Supervisor or designee must notify ICE of the pending release by both telephone and email.
 - Upon this dual notification, ICE will have a maximum of three (3) hours to respond in person.
 - The three-hour response window begins at the time the facility notifies ICE of the pending release.
 - An Immigration Officer must personally serve the inmate with the I-247A Immigration Detainer – Notice of Action.
 - A copy of the detainer must be provided to the facility and placed in the inmate's intake file.
 - The facility will proceed with releasing the inmate upon completion of the bail process unless the I-247A has been served.
 - If the I-247A detainer is served, the Intake Supervisor or designee will notify ICE of the pending bail release, within three (3) hours an Immigration Officer will respond in person to take the inmate into ICE custody.
 - For additional information, refer to Procedure D regarding the handling of inmates with an active I-247A Immigration Detainer – Notice of Action.
8. When facility staff verify that an inmate is pending release following a court appearance, and U.S. Immigration and Customs Enforcement (ICE) has indicated their intent to place a Department of

Homeland Security I-247A Immigration Detainer – Notice of Action on the inmate, the following procedures shall apply:

- The Intake Supervisor or designee must notify ICE of the pending release by both telephone and email.
 - Upon this dual notification, ICE will have a maximum of three (3) hours to respond and have an Immigration Officer personally serve the inmate with the I-247A Immigration Detainer – Notice of Action.
 - The three-hour response window begins at the time the facility notifies ICE of the pending release.
 - If ICE does not respond in person within the three (3) hour period, the inmate will be released.
8. Inmates to be transferred or committed to another institution will be processed and released when;
- a. A committal order or transfer order from a court has been received by the Cumberland County Jail; and
 - b. The officer or person, if unknown to the Intake Supervisor, responsible for transporting the inmate has provided identification.
9. An inmate found not guilty, or who has charges dismissed, will be processed and released when the Cumberland County Jail has received documentation from the District Attorney or the court verifying that the inmate was found not guilty or charges have been dismissed.
10. Inmates to be extradited will be processed and released only after the Cumberland County Jail has:
- a. Received an Extradition Order signed by the Governor of the State of Maine; and
 - b. Received an order from the District or Superior Court of Cumberland County authorizing the release of the inmate into the custody of the extraditing officer; and
 - c. Received official identification provided by the extraditing officer that shows he/she to be an official law enforcement representative of the extraditing state.
11. Before an inmate is processed and released to another agency, the Intake Shift Supervisor will:
- a. Review the inmate's [C-114 County Booking/Bail Form](#) and [C-210-C Holds Form](#) to verify the agency the inmate is being held for; and
 - b. If the agency representative is not known to the Intake Shift Supervisor, require the officer to provide official documentation which shows the officer to be a representative of the agency for which the inmate is being held.

B. Positive Identification of Inmates to be Release

1. When an inmate is eligible for release, transfer or leaving the facility for any reason, the appropriate officer will call the housing unit to have the inmate ready for escort to Intake.
2. When an inmate is eligible for release or transfer, it will be the responsibility of the pod officer to ensure that the inmate has taken all their belongings from their cell and most importantly that the inmate has their I.D. card.
3. It is at this time that the housing officer will verify the correct identity of the inmate(s) leaving the pod.
4. If the inmate does not have an ID card, the pod officer will notify Intake, Intake will have the option of leaving the inmate in the pod or having him/her brought to intake for identification verification using the

picture and information contained in the inmate's active file. The workload will determine how long the inmate has to wait.

5. Once the inmate arrives in intake, he/she will deposit their laundry bag in the bin near the property room, from there, the inmate will follow protocol and directives given by the intake staff to receive their property, see Procedure E, in this policy. When the inmate is changed-up and given back their property they will be directed to the active records officer for positive identification and that everything in the file is in order for the inmate to be released/transported.
6. When the inmate is bailing, and the bail commissioner is ready for him/her, they will be directed to the Bail Room. When all paperwork is completed, the inmate will then bring his/her paperwork to the Intake Shift Supervisor for final positive identification, review of file and release.
7. When Transport Officers take inmates out of the facility for any reason, positive identification will be made by one of the officers and these verifications will be documented.
8. In the case that a positive I.D. cannot be made, the Bail Commissioner will be provided with all pertinent information and will make the final determination on whether or not to bail the subject.
9. At the time of release the Inmate Identification card will be removed from the inmate and destroyed. In the event that the inmate is issued a check from the agency, the inmate may keep the ID card.

C. Verification/Authorization of Release

1. The Intake Shift Supervisor will verify the authority by which an inmate is to be released. This includes:
 - a. Verifying the release date by checking the release date listed in the inmate's file. Review [C-210-B Bureau of Prisons Inmate Release Authorization](#) form if applicable.
 - b. Reviewing the committal papers, transfer orders, bail petitions, court orders, furloughs, [C-114 County Booking/Bail Form](#), [C-210-C Holds Form](#), or work schedules;
 - c. Checking to ensure there are no active warrants in Metro at the time of release. The Metro Terminals located in Intake is to be used for official department business only. The computer will be used for admissions, releases and warrants on visitors when directed by proper authority. When performing the warrant checks it will only be necessary to include the hard copy of the results in the inmate's active file. In the event the printer is not working write the results of the check and sign it on [C-114 County Booking/Bail Form](#). It will be necessary to document on the [C-114 County Booking/Bail Form](#) the fact that the printer is out of order.
2. The Intake Shift Supervisor will cease release procedures until all discrepancies discussed in Procedure C #1 have been cleared up by the Jail Administrator or Sheriff.

D. Release Procedures for Inmates with Immigration Detainer

1. Receipt of Detainer
When the facility receives a DHS Form I-247A Immigration Detainer – Notice of Action for a sentenced inmate, the following personnel shall be notified by email without delay:
 - Sheriff
 - Major

- Captain, Security and Operations
- Captain, Administration and Support
- Intake Lieutenant
- Federal Unit Manager

2. Advance Release Notification

If an I-247A detainer is on file for an inmate who is nearing the end of their sentence, staff shall complete Form [A-110 Notification of Inmate Change of Custody](#), and provide ICE/ERO a minimum of forty-eight (48) hour notice of pending release.

- The Federal Unit Manager will inform the Intake Lieutenant of the pending release so that all required notifications can be initiated.
- A copy of Form A-110 shall be provided to ICE/ERO and emailed to the Sheriff, Major, Captains of Security and Operations and Administration and Support, Intake Lieutenant, and Federal Unit Manager.
- This forty-eight (48) hour advance notification advises ICE/ERO that the inmate will be released as scheduled unless an Immigration Officer arrives to take custody upon release.

3. Custody Transfer or Release

If an Immigration Officer does not assume custody before the inmate's sentence is satisfied, the inmate shall be released at the scheduled time. Immediately upon release, Intake staff shall email confirmation of the release to all parties listed in Section 1 above.

E. Receipt of Jail Property

1. All inmates released or those brought over from court and released from court will be allowed to enter their respective cell assignments under close supervision to remove personal effects along with any county issued property.
2. Inmates will bring all towels, blankets, sheets and uniforms to the Property Room. The Pod officer will ensure the inmate's cell is clean and empty, the mattress will be brought to the area of the pod where the mattresses are stored. Damage to county property will be deducted from the inmate's account. If no balance is present, the inmate will be billed.
3. Inmates will then be brought to the Intake area to await the release process. The Intake Shift Supervisor will transfer all money to the Property Officer and the inmate will be removed from the computer system and all release forms will then be printed and signed by the inmate.

F. Release of Inmate Property

1. Inmates will then change into his/her personal clothing.
2. Inmates will then obtain all items from Property that was taken at the time of his/her admission with the exception of any items deemed contraband (knives, weapons, etc.)
3. Inmates will then inventory all property along with the releasing staff member. Inmates will then sign the required forms for release. If the inmates are missing property the Property Officer will complete [C-210 Missing Property Form](#)

4. Inmates will then sign and take control over all monies taken at the time of admission excluding those funds that were spent during incarceration and destruction of County property. It will be determined by the releasing staff member if the inmate is being transferred to another facility, or released locally. If the inmate is being released locally out of the following doors, F-202 and F-201, of the facility they will be issued a debit card for any remaining balance of their inmate cash account. If the inmate is not being released locally they will be issued a check for any remaining balance of their inmate cash account. Refer to [A-110 Fiscal Management](#) for check or debit card release procedure.
5. The releasing authority will review the status of any unresolved claims or grievances and prepare for either resolution or continued contact by the inmate with the Property Officer after release (5B-19).
6. Inmates will be escorted to the release sally port by an Intake Officer. Officers will secure the sally port door after the inmate is released.

G. Documentation of Release

1. The Intake Shift Supervisor will notify the Active Records officer to enter the released inmate's name on the jail Admissions Running Count Form (1-A) and Inmate Daily Count Form (2-A) to ensure an accurate inmate count.
2. The Intake Shift Supervisor will notify the Active Records Officer to remove the inmate's name from the Jail Inmate Roster.
3. The Intake Shift Supervisor will notify Master Control to enter the release in the jail daily log. This entry will include:
 - a. Time and date of release; and
 - b. Inmate name.
4. The Intake Officer will enter all release data into Spillman.

H. Inmates Released While on Suicide Watch

1. Any inmate who has been placed on suicide watch by Jail Mental Health staff and/or Medical staff will have [C-210-A Crisis Intervention Team-Contact](#) Form. The form will be completed by Mental Health Staff and/or Medical Staff, and provided to intake to be scanned into inmate's electronic file.
2. Should the inmate be able to make bail or is being released by court a Mental Health staff shall be contacted, if available, to confirm suicide watch designation. If Mental Health staff is not available, current designation status will prevail.
3. Before inmate is released Portland Behavioral Health at Portland Police Department will be notified by email, and form C-210-A will be scanned and sent by Mental Health/Medical staff. Portland Behavioral Health will be requested to evaluate to see if the inmate will be taken to the hospital voluntary or involuntary.
4. The Intake Supervisor will document in Spillman final disposition of inmate release.

H. Release Procedures: Community Corrections Center

All residents being housed at the Community Corrections Center who are due to be released. The following procedures will be carried out:

1. The Corrections Officer on duty in Intake will contact the Community Corrections Center and inform them that they have a resident that needs to be released.
2. Intake staff will review the resident file/records to verify the resident is due for release and there are no outstanding active warrants, detainer or holds on the resident. This will include Intake staff running a warrant check on the resident. If the resident is found to have an active warrant, detainer or hold, the resident will be removed from the Community Corrections Center and held at the Jail until the warrant, detainer or hold has been cleared up. Conversely if there are no wants or warrants the inmate will be released.
3. Once Intake staff have verified the resident is due to be released and there are no active warrants, detainers or holds on the resident, Intake staff will contact the Corrections Officer at the Community Corrections Center and the CCC officer will ensure that the inmate has completed all requirements for release per the Out Processing form.
4. Residents from the Community Corrections Center, who are going from Work Release to release, or furlough to release, will be processed before going to work or going on furlough.
5. In the event that a DOC inmate is to be released, a representative(s) from DOC will provide this agency and the inmate with the proper release paperwork that will be reviewed by the Intake Shift Supervisor. If everything is in order, DOC will go to CCC and follow their release protocol at the Community Corrections Center. The Community Corrections Officer will verify with the intake supervisor, that the release has been approved, before the inmate is released.