

## LCS Unit Order 58

### LANCASTER STATION

### UNIT ORDER # 58

### PROBABLE CAUSE DECLARATIONS

#### PURPOSE:

The purpose of this order is to ensure all Probable Cause Declarations (PCD) are signed within the allotted 48 hour time frame.

#### ORDER:

It is the responsibility of the Jailer to check the Title 15 Uniform Daily Activity Log each shift to ensure all Probable Cause Declarations have been signed by a judge within the 48 hour time period. Whenever a prisoner is held in custody for 36 hours without a required PCD having been approved by a judicial officer, the jailer shall notify the watch commander. The watch commander shall:

- In the case of a non-Sheriff's Department arrest - Notify the arresting agency and determine the status of the judicial review. Such prisoners shall be released 48 hours after the arrest if no PCD has been approved;
- In the case of a Sheriff's Department arrest - Notify the duty commander, and the arresting unit. Provide a chronology of all efforts to obtain judicial review. Only the duty commander is authorized to release the prisoner due to the lack of an approved PCD. **5-03/005.50**

#### **PROBABLE CAUSE DECLARATIONS**

Lancaster Station jailers will ensure a copy of all approved Probable Cause Declarations are placed in the original jailer packet for that particular inmate. In the event an inmate is transferred to another facility before the Probable Cause Declaration is signed by a judicial officer, the jailer will place a copy of the unapproved Probable Cause Declaration in the paper work being transferred with the inmate. The jailer will ensure the Title 15 Uniform Daily Activity log is updated once the Probable Cause Declaration is approved.

Watch sergeants are responsible for ensuring jailer personnel adhere to this unit order. At the beginning of each shift, the watch sergeant shall log into the electronic probable cause declaration program and review all Probable Cause Declarations to ensure approval by a judicial officer. If there are any Probable Cause Declarations not signed by a judicial officer, the watch sergeant shall notify the watch commander who shall ensure the above procedures are followed.

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