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GOVERNOR

# State of Alabama Department of Corrections

Alabama Criminal Justice Center  
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JOHN Q. HAMM  
COMMISSIONER

January 26, 2023

ADMINISTRATIVE REGULATION  
NUMBER

417

OPR: CENTRAL RECORDS

## PLACEMENT AND/OR CANCELLATION OF OFFICIAL DETAINERS (HOLDOVERS)

### I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibility and procedures for placing and/or canceling detainers against specific inmates serving in the Alabama Department of Corrections.

### II. POLICY

It is the policy of the ADOC to place and cancel detainers placed by Federal, State, local agencies and bonding companies on inmates currently serving in an Alabama correctional facility.

### III. DEFINITION(S) AND ACRONYM(S)

- A. **County Hard Labor Transcript:** A document containing information pertaining to a specific case, and/or individual, as extracted from the Court Docket Sheet of said case, reflecting the outcome of such court proceedings. The transcript reflects county case number, aliases of person tried, crime, concurrent or consecutive, and length of sentence. Further, it reflects subject's race, sex, and date of birth. The transcript indicates dates and results of all court activities pertaining to said case. The transcript must be signed and sealed by appropriate Circuit Court Clerk, and the date of certification must be on or after the date of last Court activity, as reflected elsewhere within the text of the transcript.
- B. **Indictment:** A formal accusation (document), initiating a criminal case and presented by a Grand Jury, as required for felonies and other serious crimes.

- C. **Notification Only:** This is a type of detainer and is based upon receipt of documents indicating that subject has a concurrent Federal sentence or concurrent State sentence (Not Alabama), or a concurrent County Hard Labor sentence (Alabama Only). (See Annex “C”). This type of detainer requires only that notification be given to the requester thirty (30) days prior to any scheduled release of subject.
- D. **Official Detainer:** Placed by the ADOC upon receipt of a “certified” copy of the warrant, indictment, or County Hard Labor Transcript from any law enforcement agency, court, or bonding company. This includes detainer forms received from the U.S. Marshal’s Office, military authorities, or bonding companies. (See Annex “A”)
- E. **Temporary Detainers:** Administrative notation (temporary) pending receipt of a certified copy of a warrant, indictment, or County Hard Labor transcript from a requesting law enforcement agency, court or bonding company.
- F. **Warrant:** An instrument (document) issued by a magistrate authorizing an officer to make an arrest for specific charge as stated thereon. The warrant should include a warrant number or case number.

#### IV. **RESPONSIBILITIES**

- A. The Director of the Central Records Office (CRO) shall be responsible for the administrative placement or cancellation of detainers and holdovers by the ADOC, as requested by law enforcement agencies.
- B. The Director of the CRO will:
  - 1. Establish requirements for receipt of documents to be used in placing or canceling official detainers pertaining to inmates serving in the ADOC correctional system.
  - 2. Explain terms, documents and sequence of administrative actions related to placement, cancellation, and clarification of detainers.
  - 3. Supervise the preparation, distribution, and method of delivery of official detainers.

#### V. **PROCEDURES**

- A. The Director of the CRO will:

1. Examine all documents containing requests for placement or cancellations of detainers for validity and authenticity.
2. Disseminate administrative form letters instituting or canceling detainers to each law enforcement institution or other agency concerned.
3. Ensure timely entry of detainers into database to reflect subject's official detainers or notification-only actions which are currently in effect and to properly and expeditiously delete those detainers which have been canceled or have expired.

B. Placement of Official Detainers

1. The Director of the CRO places official detainers in favor of the requesting agency upon receipt of original documents described in Section III.D. The copy of the letter sent to Warden/Director where subject is currently serving will have a copy of the warrant or indictment attached thereto for presentation and personal retention of the inmate concerned. The serving officer will ensure the inmate understands the significance of the warrant/indictment. One copy of letter of transmittal is to be placed in subject's Institutional File after delivery of the copy of the warrant, indictment, detainer form, or hard labor transcript has been accomplished. A copy of all warrants, indictments, detainers, or County Hard Labor Transcripts are retained by the Director of the CRO and filed in the subject's Inmate Central Records File (ICRF).
2. Notification-only letters will be prepared by the Director of the CRO and processed/disseminated in the same manner as official detainers described in Section V. B.1.

C. Placement of Temporary Detainers

1. Temporary detainers are only temporary administrative actions pending receipt of certified documentation to implement an "official detainer". A temporary detainer is merely an indication that a law enforcement agency has indicated an interest in subject through receipt of either telephone call, email, fax, or letter.
2. Temporary detainers are not official in nature and require only a telephone check with the requesting agency prior to subject's release (End of Sentence) or parole from the ADOC correctional system.

- D. Cancellation of Detainer: Upon cancellation of a detainer, the certified copy of the warrant or indictment is removed from Inmate Central Record File (ICRF) and returned to the agency which had placed the official detainer. (See Annex "B").

**VI. DISPOSITION**

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

**VII. FORMS**

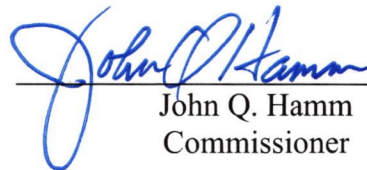
Form Letter – Placement of Detainer  
Form Letter – Cancellation of Detainer  
Form Letter – Notification Only

**VIII. SUPERSEDES**

This Administrative Regulation supersedes AR 417, *Placement and/or Cancellation of Official Detainers (Holdovers)*, dated March 27, 1985, and any changes.

**IX. PERFORMANCE**

- A. Code of Alabama 1975 as amended 15-9-81 and 15-13-122.

  
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John Q. Hamm  
Commissioner

**ANNEX(ES):**

1. **Annex A, Form Letter, Placement of Detainer.**
2. **Annex B, Form Letter, Cancellation of Detainer.**
3. **Annex C, Form Letter, Notification Only.**

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
CENTRAL RECORDS DIVISION  
301 SOUTH RIPLEY STREET  
MONTGOMERY, AL 36104

TO:

DATE:

**RE:**  
**AIS:**

**CHARGES:**

**RACE & SEX:**

**DATE OF BIRTH:**  
**CASE#:**

Dear Sir or Madam:

As you have requested in your letter of \_\_\_\_\_, we have placed a conditional detainer against subject for you and will notify your office approximately thirty (30) days before date of inmate's release.

Your letter charging subject with notification only has been placed in inmate's file.

By copy of this notification, the warden having physical custody of the inmate is instructed to inform the inmate of the source and content of your conditional detainer, and to give subject a copy of the letter attached.

In the event the conditional detainer against this subject is withdrawn prior to the expiration of his penitentiary sentence, it is requested that you advise this office.

Current Minimum Release Date is:

Parole Hearing Setup Date is:

Inmate has no additional detainers currently in effect.

Respectfully,

Director  
Central Records Division

Inmate Records Administration  
By: \_\_\_\_\_  
Detainer Clerk

Cc: Warden/Dir/Supt:  
Inmate Central File

Annex A, January 26, 2023

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
CENTRAL RECORDS DIVISION  
301 SOUTH RIPLEY STREET  
MONTGOMERY, AL 36104

TO:

DATE:

RE:  
AIS:

CHARGES:

RACE & SEX:

DATE OF BIRTH:  
CASE#:

Dear Sir or Madam:

As you have requested, we have placed a holdover against subject and will notify your office approximately thirty (30) days before date of inmate's release so you may arrange to take custody.

By copy of this notification, the warden having physical custody of the inmate is instructed to inform the inmate of the source and content of your detainer and give subject a copy. Additionally, the warden has been instructed to advise the inmate that he may request final disposition of any untried indictment, information, or complaint by writing to the court and district attorney where these charges are pending. If charges against this subject are withdrawn prior to the expiration of his penitentiary sentence, it is requested that you advise this office.

Current Minimum Release Date is:

Parole Hearing Setup Date is:

Inmate has no additional detainers currently in effect.

Respectfully,

Director  
Central Records Division

Inmate Records Administration

By: \_\_\_\_\_  
Detainer Clerk

Cc: Warden/Dir/Supt:  
Inmate Central File

Annex B, January 26, 2023

STATE OF ALABAMA

DEPARTMENT OF CORRECTIONS  
CENTRAL RECORDS DIVISION  
301 SOUTH RIPLEY STREET  
MONTGOMERY, AL 36104

TO:

DATE:

RE:

AIS:

CHARGES:

RACE & SEX:

DATE OF BIRTH:

CASE#:

Dear Sir or Madam:

As requested in your letter, we have canceled your holdover against the subject named above. Your warrant or indictment has been removed from the inmate's file and is returned herewith.

By copy of this notification, the warden having physical custody of the inmate is instructed to inform the inmate of the cancellation of your detainer per receipt of transcript.

Current Minimum Release Date is:

Respectfully,

Director  
Central Records Division

Inmate Records Administration

By: \_\_\_\_\_  
Detainer Clerk

Cc: Warden/Dir/Supt:  
Inmate Central File

Annex C, January 26, 2023