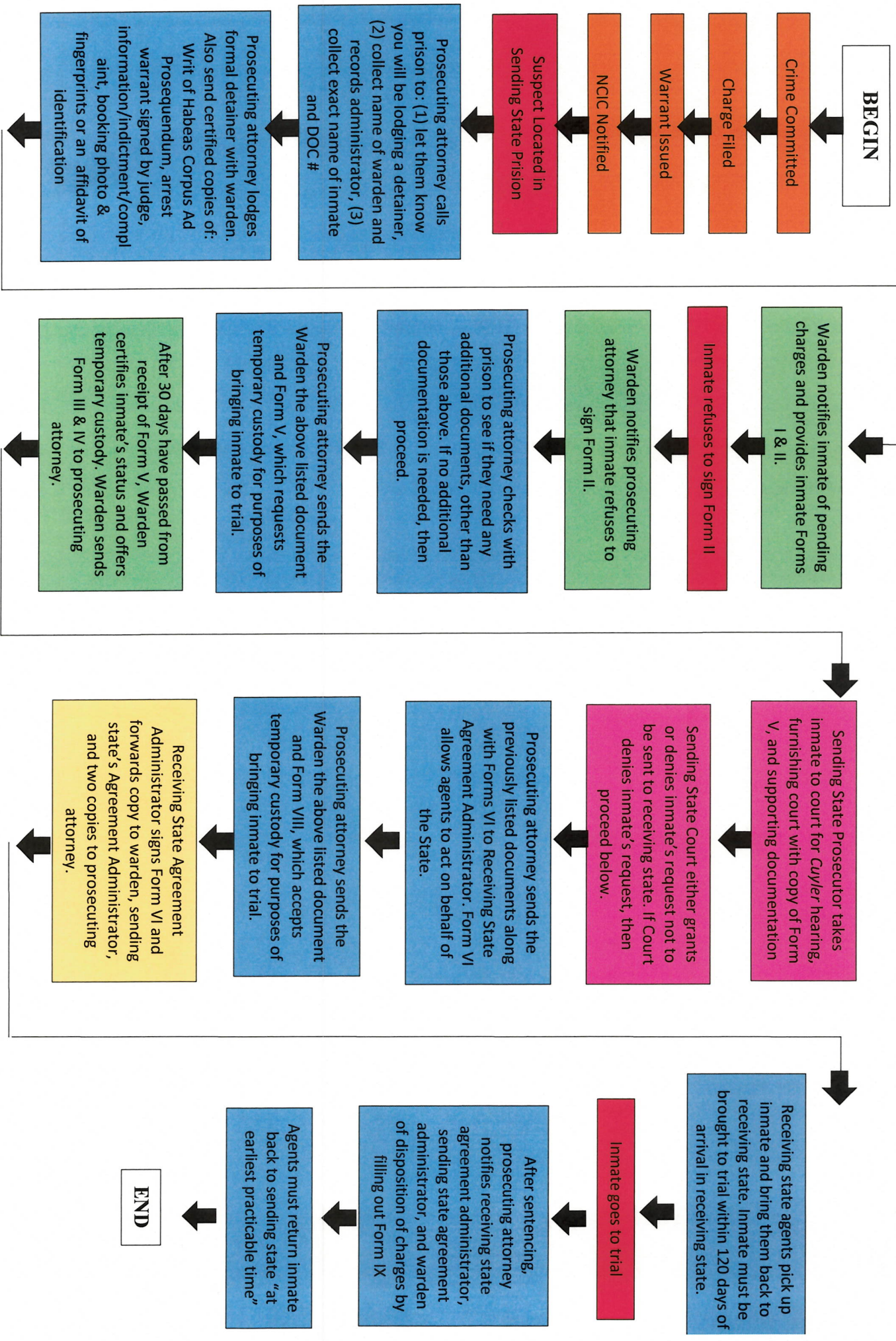# FLOWCHART OF THE DETAINER PROCESS (Prosecutor Initiated)

BEGIN → Crime Committed → Charge Filed → Warrant Issued → NCIC Notified → Suspect Located in Sending State Prision →

Prosecuting attorney calls prison to: (1) let them know you will be lodging a detainer, (2) collect exact name of inmate and DOC #, (3) collect name of warden and records administrator, →

Prosecuting attorney lodges formal detainer with warden. Also send certified copies of: Writ of Habeas Corpus Ad Prosequendum, arrest warrant signed by judge, information/indictment/compl aint, booking photo & fingerprints or an affidavit of identification →

Warden notifies inmate of pending charges and provides inmate Forms I & II. →

Inmate refuses to sign Form II →

Warden notifies prosecuting attorney that inmate refuses to sign Form II. →

Prosecuting attorney checks with prison to see if they need any additional documents, other than those above. If no additional documentation is needed, then proceed. →

Prosecuting attorney sends the Warden the above listed document and Form V, which requests temporary custody for purposes of bringing inmate to trial. →

After 30 days have passed from receipt of Form V, Warden certifies inmate's status and offers temporary custody. Warden sends Form III & IV to prosecuting attorney. →

Sending State Prosecutor takes inmate to court for *Cuyler* hearing, furnishing court with copy of Form V, and supporting documentation →

Sending State Court either grants or denies inmate's request not to be sent to receiving state. If Court denies inmate's request, then proceed below. →

Prosecuting attorney sends the previously listed documents along with Forms VI to Receiving State Agreement Administrator. Form VI allows agents to act on behalf of the State. →

Prosecuting attorney sends the Warden the above listed document and Form VIII, which accepts temporary custody for purposes of bringing inmate to trial. →

Receiving State Agreement Administrator signs Form VI and forwards copy to warden, sending state's Agreement Administrator, and two copies to prosecuting attorney. →

Receiving state agents pick up inmate and bring them back to receiving state. Inmate must be brought to trial within 120 days of arrival in receiving state. →

Inmate goes to trial →

After sentencing, prosecuting attorney notifies receiving state agreement administrator, sending state agreement administrator, and warden of disposition of charges by filling out Form IX →

Agents must return inmate back to sending state "at earliest practicable time" →

END

FLOWCHART OF THE DETAINER PROCESS (Inmate Initiated)

BEGIN

→ Crime Committed → Charge Filed → Warrant Issued → NCIC Notified → Suspect Located in Sending State Prision →

Prosecuting attorney calls prison to: (1) let them know you will be lodging a detainer, (2) collect name of warden and records administrator, (3) collect exact name of inmate and DOC #

→

Prosecuting attorney lodges formal detainer with warden. Also send certified copies of: Writ of Habeas Corpus Ad Prosequendum, arrest warrant signed by judge, information/indictment/complaint, booking photo & fingerprints or an affidavit of identification

→

Warden notifies inmate of pending charges and provides inmate Forms I & II

→ Inmate requests disposition of charges by signing Form II →

Warden certifies inmate's status and offers temporary custody. Warden sends Form II, III, & IV to prosecuting attorney. The 180-day time limitation starts the day the forms are received by certified mail.

→ Prosecuting attorney coordinates with law enforcement to schedule pick up date for inmate. →

Prosecuting attorney sends the above listed documents to the prison to see if they will need any additional documents. If no additional documentation is necessary, then proceed

→

Prosecuting attorney sends the previously listed documents along with Forms VI to Receiving State Agreement Administrator. Prosecuting Attorney also completes and sends Form VII. Form VI allows agents to act on behalf of the State, and Form VII is the prosecuting attorney's acceptance of temporary custody.

→

Receiving State Agreement Administrator signs Form VI and forwards copy to warden, sending state's Agreement Administrator, and two copies to prosecuting attorney

→ Receiving State Agents pick up inmate and bring inmate to receiving state → Inmate goes to trial →

After sentencing, prosecuting attorney notifies receiving state agreement administrator, sending state agreement administrator, and warden of disposition of charges by filling out Form IX

→ Receiving State Agents return inmate back to sending state "at earliest practicable time" →

END