

FORM I AGREEMENT ON DETAINERS

In duplicate. One copy of this form, signed by the inmate and the warden should be retained by the warden. One copy, signed by the warden should be retained by the inmate.

NOTICE OF UNTRIED INDICTMENT, INFORMATION OR COMPLAINT AND OF RIGHT TO REQUEST DISPOSITION

Inmate _____ No. _____ Inst. _____

Pursuant to the Agreement on Detainers, you are hereby informed that the following are the untried indictments, informations, or complaints against you concerning which the undersigned has knowledge, and the source and contents of each.

You are hereby further advised that by the provisions of said Agreement you have the right to request the appropriate prosecuting officer of the jurisdiction in which any such indictment, information or complaint is pending and the appropriate court that a final disposition be made thereof. You shall then be brought to trial within 180 days, unless extended pursuant to provisions of the Agreement, after you have caused to be delivered to said prosecuting officer and said court written notice of the place of your imprisonment and your said request, together with a certificate of the custodial authority as more fully set forth in said Agreement. However, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

Your request for final disposition will operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against you from the state to whose prosecuting official your request for final disposition is specifically directed. Your request will also be deemed to be a waiver of extradition with respect to any charge or proceeding contemplated thereby or included therein and a waiver of extradition to the state of trial to serve any sentence there imposed upon you, after completion of your term of imprisonment in Georgia. Your request will also constitute a consent by you to the production of your body in any court where your presence may be required in order to effectuate the purposes of the Agreement on Detainers and a further consent voluntarily to be returned to the facility in which you are now confined.

Should you desire such a request for final disposition of any untried indictment, information or complaint, you are to notify _____ of the facility in which you are confined.

You are also advised that under provisions of said Agreement the prosecuting officer of a jurisdiction in which any such indictment, information or complaint is pending may institute proceedings to obtain a final disposition thereof. In such event, you may oppose the request that you be delivered to such prosecuting officer or court. You may request the Governor of Georgia to disapprove any such request for your temporary custody but you cannot oppose delivery on the grounds that the Governor has not affirmatively consented to or ordered such delivery. You are also statutorily entitled to the procedural protections provided in state extradition laws.

AGREEMENT ON DETAINERS: FORM I (Continued)

Date: _____

_____ Warden

CUSTODIAL AUTHORITY

Name: _____

Facility: _____

Address: _____

City/State: _____

Telephone No.: _____

RECEIVED

DATE: _____

INMATE: _____

NO. _____

WITNESS: _____
Signature

DATE: _____

Name and Title

Summary Description of FORM I

Function:

- 1) Notifies the Warden and the affected inmate of actions pending in other states' jurisdictions.
- 2) Notifies the inmate of his or her right to request final disposition of the pending action.
- 3) Defines a time limit for the prosecuting court to act, after receipt of the inmate's request for final disposition.
- 4) Informs the inmate of the legal implications of his requesting final disposition.
- 5) Informs the inmate the prosecuting officer may initiate proceedings to obtain final disposition.
- 6) Informs the inmate of his right to request that the Governor of Georgia disapprove any request for temporary custody.
- 7) Informs the inmate of his right to procedural protections under state extradition laws.

Requirements:

- 1) Upon receipt of a detainer from the Interstate Detainer Coordinator, the Warden should produce and sign two copies of Form I.
- 2) The inmate shall receive one copy of Form I. The Warden or designee shall explain to the inmate the implications of Form I.
- 3) The inmate shall sign the other copy, to be maintained in his/her facility file.

RETENTION SCHEDULE:

Upon completion, a copy of this paperwork will be kept in the inmate case history file.