

What Delays Release from Jail

Common Reasons Release Takes Longer Than Expected in South Carolina

This guide is provided for general educational purposes only and does not constitute legal advice.

Purpose of This Guide

After bail is set or a bond is posted, many clients and families expect immediate release. In reality, release from custody often takes additional time due to administrative, legal, or procedural factors.

This resource explains the **most common reasons release is delayed**, helping attorneys, clients, and families understand what is happening behind the scenes and reduce unnecessary frustration.

Bail Set ≠ Immediate Release

Even after bail is granted or a bond is posted, release requires additional verification and processing by the detention facility.

Delays are typically **administrative**, not punitive.

Common Reasons Release Is Delayed

1. Jail Intake & Processing Backlogs

Detention facilities process arrests, bonds, and releases continuously.

Delays may occur due to:

- High arrest volume
- Limited staffing
- Shift changes
- Overnight or weekend processing

Release timelines often slow significantly during peak intake periods.

2. Outstanding Warrants or Holds

Before release, the jail must confirm there are **no additional legal holds**, such as:

- Active warrants from other counties
- Out-of-state warrants
- Probation or parole holds

Any additional hold must be resolved before release can occur.

3. Probation, Parole, or Supervision Status

If the individual is on probation or parole:

- Additional review may be required
- Supervising agencies may need to be contacted
- Registration/completion of Home Detention, GPS, Scram or other monitoring may be required before release
- Release approval may be delayed pending confirmation of additional court/supervision requirements

This process is outside the control of Attorneys and Bail Bond Companies.

4. ICE or Federal Detainers

In some cases, a Federal or Immigration detainer may be present.

When this occurs:

- Release may be delayed
- Additional agencies become involved
- Local release procedures may pause pending instructions

These delays are not discretionary at the local level.

5. Bond Conditions Requiring Verification

Some bonds include conditions that must be verified prior to release, such as:

- Approved residence
- Third-party custodians
- Travel or contact restrictions
- Victim notification

Verification can add time, particularly if documentation is incomplete.

6. Paperwork or Documentation Issues

Release cannot occur until all paperwork is complete and approved.

Delays may result from:

- Missing or incorrect information
- Clerical errors
- Waiting for required signatures

Even small documentation issues can pause the release process.

7. Time of Day or Facility Scheduling

Release processing may slow or pause:

- Late at night
- During shift changes
- On weekends or holidays

In some cases, individuals are released hours later simply due to facility scheduling.

What Typically Does *Not* Cause Delays

Understanding what is *not* causing a delay can be just as important.

Release delays are usually **not** caused by:

- The Attorney
- The Bail Bond Company
- Intentional punishment

Most delays stem from required verification steps that must be completed before release.

Key Takeaways for Clients & Families

- Release often takes longer than expected, even after bond is posted
 - Delays are common and usually unavoidable
 - Multiple agencies may be involved in release approval
 - Clear expectations reduce stress and confusion
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Provided as an educational resource by Jimmy Ray's Bonding, a licensed South Carolina Bail Bond Company serving Spartanburg County and surrounding areas.