

**TYLER POLICE DEPARTMENT
GENERAL ORDER**

PRISONER BOOKING AND RELEASE PROCEDURES

12.500

REVISED 06/17/08

EFFECTIVE 11/01/90

12.501 GENERAL

All prisoners in the custody of officers of this Department will be controlled so as to protect the officer, the prisoner, and others. All prisoners are to be considered potentially dangerous, regardless of the charges against them.

12.502 TRANSPORT OPERATIONS

- A. Each officer, prior to beginning their tour of duty, shall check their assigned unit to insure that the vehicle is safe and that all equipment is in good working order. The officer shall also check the rear passenger area to determine if any property or contraband has been hidden.
- B. Before placing a prisoner in the police vehicle, the officer responsible for transportation will conduct a thorough search of the prisoner, paying particular attention to places where weapons or contraband may be concealed on a person. When possible, officers of the opposite sex of their prisoner will limit their search so that their actions do not give any appearance of improprieties.

The officer will check the area of the patrol vehicle where the prisoner is to be placed prior to placing the prisoner in the vehicle. In all cases, the officer will search the prisoner area of the transporting vehicle as soon as practical following book-in.

- C. All prisoners will remain handcuffed at all times except for the period of time during which they are processed. In addition the handcuffs shall be double locked in order to prevent injuries to the prisoner. Exceptions are noted under General Order 12.502 D 1.
- D. All prisoners will be handcuffed with their hands behind their back when transported in any police vehicle, with the exceptions noted in this policy. Prisoners shall never be handcuffed or restrained in any manner to any part of the vehicle during transport, except by use of the seatbelts in the vehicle. All prisoners will be secured in the vehicle by use of the seat belts, unless prior approval has been obtained from a supervisor.
 - 1. Exceptions to consider are whenever the arrested person or persons are physically unable to create a danger to themselves, or the transporting officer(s) because of injury, physical handicaps, extreme youth, advanced age, or other defects.
 - 2. When it is practical, a prisoner that is to be transported an extended distance requires the prisoner to be secured in leg and waist restraints to allow the prisoner to have the hands secured to the side instead of behind the back. A supervisor is to be consulted to determine the best method of transport.
- E. Vehicles used primarily to transport prisoners will have been modified (door handles removed, window control removed or locked, and a security screen separating the officer from prisoner area) to prevent the prisoner from exiting the vehicle without the aid of the transporting officer. Officers are to ensure that the prisoner transport area is secure and none of the door or window locks have been disengaged.
- F. Prisoners will be seated behind the protective screen where they can be observed by the transporting officer(s). Transporting officers will not lose sight of any prisoner in their custody until the prisoner

is turned over to the booking officer or another officer of this Department.

1. One (1) man units where practical, a single officer will have the prisoner seated on the passenger side of the back seat. Two prisoners may be transported in the back seat.
 2. Two (2) man units where practical, a single prisoner will be seated on the drivers side of the back seat. Two prisoners may be transported in the back seat.
 3. No more than two prisoners will be transported in a patrol vehicle except at the direction of a supervisor.
 4. When the transport is in a vehicle not equipped with a protective screen, two officers will always be used to make the transport. A maximum of one prisoner may be transported in a vehicle with no screen. One officer will ride in the back seat with the prisoner. The officer will be seated in such a position that the officer's firearm is positioned farthest away from the prisoner. The prisoner will be searched prior to being transported and secured in the vehicle with the seat belt. The transport area will be searched for contraband before and after the transport.
- G. When a prisoner of the opposite sex is to be transported the transporting officer(s) shall radio the unit number, the location, the time, and beginning mileage to the dispatcher before beginning transport. Upon completion of the transportation, the officer(s) shall radio the unit number, location, the time, and mileage to the dispatcher. This information will also be included in the officer's offense report.
- H. Officers transporting a prisoner will not be dispatched to a call nor respond to a call, or on-sight situation except in cases where the situation is clear and grave and the risk to the prisoner is minimal. If the officer stops to render aid it will only be until other assistance can be obtained.
- I. Prisoners may, at the discretion of the arresting officer, be allowed to talk briefly with others at the scene of arrest to make necessary arrangements for property, pets etc. Delays or special concessions for prisoners to communicate with attorneys, family or others will not be made during transport, unless approved by a supervisor.
- J. If an officer of the Department transports a prisoner to court the prisoner will be handled in compliance with the regulations of that court. It is the responsibility of the transporting officer to inform the court of any possible security hazard or risk concerning the prisoner prior to bringing the prisoner into the courtroom.
- K. If the arresting officer has knowledge that the prisoner is a security hazard (suicidal, highly dangerous, escape risk) the officer will inform the booking officer at the appropriate detention facility and this will be documented in the officer's case report.
- L. Prisoner transports will be timed to avoid having to stop for meals whenever possible. In the event that a meal is necessary during transport, the location of the stop will be selected at random for security reasons.

12.503 SPECIAL TRANSPORT SITUATIONS

- A. Care shall be taken when a prisoner with a physical handicap is being transported. The officer should take into consideration the type of vehicle necessary to safely transport such individuals without creating any undue hardships on the prisoner or an unsafe act or condition for the officer. Should the prisoner have medicines, medical supplies, walking aid and/or prosthetic appliances, such items should normally be transported in such a manner to preclude their use as a weapon by the prisoner. Any such item transported with the prisoner shall be turned over to the booking officer at the appropriate detention facility. These items will be noted in the arrest report.

- B. Handicapped prisoners may not appear to demand the same caution as other prisoners; however, officers will use the handcuffs and restraints on handicapped prisoners, except where the nature of the handicap makes the use of standard restraints impossible or impractical. In such cases the transporting officer will use means deemed necessary to ensure the security of the prisoner and the safety of all persons.
- C. Should a sick or injured person be arrested, or become sick or injured during the arrest or transport and the officer feels that a medical emergency exist, the officer shall notify dispatch that medical attention will be sought for the prisoner. The officer will advise a supervisor of the situation.
 - 1. The officer's immediate supervisor will ascertain the circumstances of the illness or injury to determine if there is any possible City Liability.
 - 2. The supervisor will determine whether to have the officer transport the prisoner or call Emergency Medical Services (EMS). If EMS is used an officer will accompany the prisoner to the hospital.
 - 3. Restraints, if used, will be consistent with the potential for violence or the capability of escape.
- D. When transporting mentally ill persons, the officer shall use means that are necessary to protect that person and all other persons.
 - 1. Officers should use the leather padded restraint devices. This should include the hand restraint devices as well as the foot restraint devices. The hand restraint devices should be secured with the appropriate leather belt.
 - 2. In an emergency situation handcuffs or other restraint devices may be applied in lieu of the suggested padded restraint devices.
 - 3. Appropriate reports should indicate the method used to restrain the mentally ill person.
- E. Anytime a prisoner has to be transported for any special situation, such as visiting a critically ill person, attending a funeral, or the reading of a will the prisoner will be accompanied by an officer at all times.
 - 1. Due to the fact that this is not normally a function of the Tyler Police Department, prior to any prisoner being transported under these conditions approval of a Division Commander must be obtained.
 - 2. Restraints will be used in accordance with the severity of the charges against the prisoner and considering the prisoner's potential for escape or injury to themselves or others.

12.504 PROCESSING OF PRISONERS

- A. All prisoners arrested by the Tyler Police Department may be transported to the department and processed through the Crime Scene Unit for photographs and fingerprints. The prisoner processing area of the Crime Scene Unit is designated as the only processing/testing area of the Police Department. Those persons that are intoxicated, ill, or combative will not be processed through Crime Scene Unit. See General Order 10.109 for additional processing requirements involving a juvenile prisoner.

B. SECURITY AND CONTROL OF PRISONER PROCESSING AREA

- 1. When a prisoner is being processed through the Crime Scene Unit the processing officer will secure all weapons including, but not limited to, firearms, knives,

TASER, baton/impact weapon, and OC spray in the weapons lock box located in the processing area of the Crime Scene Unit.

2. Prisoners will remain under the constant supervision of an officer. A prisoner may not be left alone or under the care of non-sworn personnel for any reason. At no time may a prisoner be restrained to any object in the processing area.

3. Prisoners must have been searched prior to entering the Crime Scene Unit.

4. Due to the confined nature of the Crime Scene Unit, no more than two (2) prisoners at a time will be placed in this area. Prisoners will remain handcuffed when not actually being printed or photographed. Officers will retain the handcuffs when not in use.

5. When processing/testing a prisoner, the officer must always remain alert to the possible escape attempt of a prisoner and take precautionary steps to prevent the escape.

6. The officer is to remain aware of the fact that a prisoner that has been cooperating may suddenly become violent or attempt to escape. When the officer is in the processing area with a prisoner, the officer is required to have the handheld radio turned on and on one of the primary police channels. Should the officer need immediate assistance, the officer can activate the emergency button on the handheld or call for assistance on the radio. Communications personnel will respond to the alarm by immediately paging personnel on the intercom and/or calling on the radio for units to assist.

C. PRISONER PROCESSING PROCEDURES

1. When a prisoner is brought into the Crime Scene Unit, the Crime Scene Unit personnel will begin the process of fingerprinting and photographing the subject. The arresting officer will complete all paperwork, including the identification card.

2. When Crime Scene Unit personnel are on duty, these personnel are to access the Master Name Card File and give the arresting officer the number. When Crime Scene Unit personnel are not on duty and an officer must access the Master Name Card File, the pulled card(s) is not to be re-filed. The card is to be placed in the basket above the filing cabinet and the card will be re-filed by Crime Scene Unit personnel. The prisoner is to be assigned an ID number from the Arrest Manual or from the existing ID card.

3. Prisoners are to have the Department fingerprint card and palm print cards completed for each arrest. For offenses of Class "B" or greater, the Criminal History Reporting Form (CR-43 or CR-43J) is to be completed for the DPS. The ink slate used to take fingerprints is to be cleaned immediately after the processing is complete.

4. Prisoners are to be photographed with the mug shot camera after the ID number and the date have been placed on the mug shot stand. The prisoners are to be photographed without jewelry or hats. Normally, one photograph will be taken unless the subject is wearing glasses. Two photographs are to be made of the subject that is wearing glasses, one photograph with the glasses and one photograph without the glasses. When applicable, the juvenile identifier, sex-offender identifier, or the non-arrest identifier is to be placed on the mug shot stand.

12.505 BOOK-IN PRISONER DOCUMENTATION

A. When a prisoner is delivered to an appropriate detention facility, officers will follow the appropriate detention facility jail booking procedures.

1. Upon arrival at the Smith County Jail facility, drive up to the vehicle entry door and await the picket acknowledgement. When admitted to the parking area the officer will park in a designated parking slot, when possible.

2. Secure weapons either prior to entering the personnel sallyport or use the weapons locker provided in the sallyport. No weapons will be introduced into any jail area where the general inmate population travels.
 3. The officer will complete a pre-book-in sheet listing all charges. Warrants will be handled as described in Arrest, Search & Seizure General Order. All prisoner documentation will be delivered to the receiving officer.
 4. If the prisoner has been treated by medical personnel provide a copy of the medical release to the booking officer.
 5. Inform the booking officer of any security hazard (suicidal, highly dangerous, combative, escape risk etc.) and have it noted in the comments section of the book-in report and the officer's case report.
 6. Remove restraining devices just prior to turning the prisoner over to appropriate detention facility jailers.
 7. Prior to departing the appropriate detention facility obtain a copy of the book-in sheet and insure it has a book in number assigned and that has been signed by the booking officer.
- B. If an officer removes a prisoner from a detention facility in order to transport the prisoner to any appropriate facility the officer shall:
1. Verify the identity of the prisoner as the person to be transported by use of the booking records and the prisoner assignment number.
 2. Receive necessary documents, such as prisoner's medical records, magistrate warnings, and note any security hazards or illnesses.
 3. Take control of the prisoner's property.
 4. If the transport is interstate have a properly executed governor's warrant or a properly executed waiver.

12.506 PRISONER ESCAPE

- A. Should a prisoner escape during transportation or from a stationary location the officer shall immediately notify Communications of the incident giving the following information:
1. Location
 2. Name of prisoner, if known.
 3. Physical description.
 4. Direction of travel and method of travel.
 5. What charges against the prisoner.
 6. If the prisoner was armed and if so with what.
- B. The officer shall then pursue the escapee.
- C. The Telecommunicator will notify all units and a Shift Commander/Supervisor that an escape has occurred.
- D. The transporting officer will submit a separate offense report concerning the escape.
- E. If an escape occurs while the transporting officer is outside the City Limits, the transporting officer has a statutory duty to immediately pursue and retake the prisoner into custody without a warrant. The transporting officer will report the incident to the appropriate law enforcement agency with jurisdiction in that area.

12.507 PRISONER PROCEDURES AT HOSPITALS

- A. Prisoners requiring medical attention shall be taken to the appropriate emergency hospital and the transporting officer will be responsible for the security of the prisoner until properly relieved or otherwise directed by a supervisor.
- B. If the prisoner is to be admitted to the hospital, the transporting officer will notify the officer's immediate supervisor who will make the decision if a guard will be placed on the prisoner. The final decision of placing a guard on a prisoner at the hospital rests with the Division Commander.
- C. If a guard is placed on a prisoner, the guard will attempt to keep the prisoner in sight at all times. Any conflicts arising between the officer and the hospital policies shall be resolved between a supervisor and the Hospital Administrative Staff.
- D. Visitation privileges of the prisoner shall rest with the appropriate Division Commander who shall review circumstances of the case and issue any guidelines pertaining to the prisoner that may be deemed necessary. Any conflicts arising between the officer and any visitor will be referred to a supervisor.

12.508 PRISONER RELEASE PROCEDURES

- A. A person in custody and prior to being booked into jail may be released with the approval of the appropriate supervisor. Supervisor approval is not required if the person is released pursuant to section 12.306 (Field Release) of the Tyler Police Department General Orders.
- B. After a person is booked into jail, release approval by the Smith County District Attorney or an Assistant District Attorney is required.
 - 1. The arresting officer or officer assigned shall obtain approval from the appropriate supervisor before seeking the release of a person after they are booked into jail.
 - 2. Subsequent to supervisor approval, the officer will submit the necessary documents to the District Attorney or an Assistant District Attorney and request the release.
 - 3. If the release is approved, the responsible officer will monitor the procedure and verify that the person was released on the same day the release was approved.
 - 4. The responsible officer shall record all necessary information in the appropriate incident report, which specifically shall include name of prosecutor authorizing release, date and time of release, and reason for requesting the release.

Approved: 06/17/08

A handwritten signature in black ink, appearing to read "Angie Smith", is written over the "Approved" line.