

Policy: 1201.19, Adult Booking Procedures

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I. PURPOSE

This directive establishes guidelines when arresting, transporting, and interviewing adults.

II. POLICY

The Orlando Police Department ensures that all adults and adjudicated juveniles are processed in the manner described in the following procedures. All prisoners and detained people will be treated humanely and not have their legal rights infringed on.

III. DEFINITIONS

Booking and Release Center (BRC): The Orange County Central Booking Office has been renamed the Booking and Release Center.

Integrated Criminal Justice Information Systems (ICJIS): ICJIS is a web-based automated system used to create charging and warrant affidavits. The affidavits are then electronically sent to the Orange County Booking and Release Center.

IV. PROCEDURES

1. ARREST CHARGES

1.1 OFFICERS' RESPONSIBILITIES

Officers will make physical arrests in accordance with federal, state, and local laws. Once the decision to arrest has been made, officers will comply with all Department policies to ensure that arrestees are properly processed. Officers will maintain constant physical contact with arrestees when escorting them. Additionally, officers will ensure that all related paperwork is handled in a timely manner as outlined in various sections of this policy. Officers will notify their immediate supervisor or corporal to review any felony arrest paperwork and any at-large arrest paperwork. Officers must immediately notify BRC personnel of any enhancement to an arrestee's bond.

When an employee's name is initially listed in an official police document, i.e., Incident Report, Charging Affidavit, Uniform Traffic Citation, or Notice to Appear, the employee number shall be listed immediately following the employee's full name (first and last). For example, the entry would appear as follows: John Doe 9999. The employee number and the first name are required only for the first entry of the employee name in the document.

When "At- Large" charges are filed on a suspect who has not been physically taken into custody, officers shall refer to Attachment A, Filing Cases Checklist Form in Policy and Procedure 1202, Filing Criminal Cases to ensure all necessary paperwork has been submitted.

1.2 SUPERVISORS' RESPONSIBILITIES

Supervisors will ensure that officers follow the procedures outlined in this policy.

1.3 FELONY CHARGES

When an officer makes an arrest for felony charges, the officer shall complete the necessary paperwork, and the arrestee will be processed in accordance with this policy. Once the officer has completed the felony ICJIS arrest affidavit, they must notify a supervisor or corporal that the affidavit is ready for their review to ensure that probable cause has been established. The supervisor/corporal will either approve or disapprove it. If disapproved, the officer shall be required to make the changes and re-submit it back to the supervisor/corporal for approval. All felony arrest affidavits must be approved before being submitted to booking personnel at the BRC.

1.4 MISDEMEANOR CHARGES

Officers may only make a physical arrest for a misdemeanor offense when (1) it is pursuant to an arrest warrant, (2) it occurs in the officer's presence ("on-view"), or (3) when there is an exception to the misdemeanor presence requirement. A list of the misdemeanor exceptions to the on-view requirement is included in Appendix A to this policy.

When an officer makes an arrest for misdemeanor charges, the officer shall first determine whether the arrestee meets the criteria for the issuance of a Notice to Appear as outlined in the current issue of P&P 1205, Notice to Appear Affidavit. If the arrestee meets the criteria, a Notice to Appear may be issued in lieu of a physical arrest. If the arrestee does not meet the criteria for a Notice to Appear, the officer will process the arrestee in accordance with this policy.

1.5 MULTIPLE CHARGES

Felony and misdemeanor charges arising from the same incident shall be filed on the same Charging Affidavit (except juvenile and traffic cases). Traffic charges must be placed on a separate Charging Affidavit. Each charge must be separately listed on the front page of the arrest affidavit in the area designated for listing charges. A separate bond must be listed for each charge on the Charging Affidavit, as established by the bond schedule.

1.6 DUI ARRESTS

Officers making arrests for DUI will adhere to guidelines and procedures established in the current Traffic Operations Manual.

2. WARRANT ARREST

2.1 OUT-OF-STATE MISDEMEANOR TELETYPE HITS

Officers receiving out-of-state misdemeanor Teletype hits shall make an arrest on the warrant if the initiating agency is willing to extradite the subject. If an officer receives a "hit" and the initiating agency is not willing to extradite for any reason, the officer shall:

- a. Complete a Field Interview Report (FIR) listing all information required on the FIR with the addition of the person's driver's license number and state, if available.
- b. Write across the top of the FIR that the subject is wanted for a misdemeanor warrant in another state, which will not extradite.
- c. Note on the top of the FIR the specific unit to which to direct the FIR (Robbery, Property, etc.).
- d. Place the FIR in the appropriate box in Patrol.

If the charge is a misdemeanor, the officer must ensure that the initiating agency has acknowledged that they will extradite the subject before the officer completes the Warrant Arrest Affidavit. If the initiating agency does not choose to extradite, follow the procedures previously outlined in this policy. Officers shall make note of the warrant's existence in the narrative portion of the affidavit and notify Orange County Corrections personnel of the existing warrant. Corrections personnel will place any appropriate holds on the arrestee.

2.1.1 OUT-OF-STATE WARRANT TEMPLATE

Members are encouraged to use the below template for all felony and misdemeanor out-of-state warrant arrests.

Warrant Narrative Template

On [month/day/year] at approximately [XXXX] hours, I made contact with subject [First name Last name] (Race/Sex, DOB XX/XX/XXXX) at [enter location: address/ courthouse]. An FCIC/NCIC check of [last name] showed that

[he/she] has a warrant out of [County, State] under case number [enter case number] for the charge of [list charge(s): grand theft, homicide]. The warrant was confirmed by Orange County Sheriff's Office [entity: Teletype, Warrants]. [Defendant name] was placed under arrest and transported to BRC without incident. My BWC was active during this arrest.

For out-of-county warrants or fugitive from justice warrants, you must confirm and then add: The issuing authority wishes to and has authorized extradition of the subject.

2.2 LOCAL CHARGES AND OUT-OF-STATE MISDEMEANOR OR FELONY TELETYPE HITS

When an OPD officer arrests a person on local charges, either felony or misdemeanor, and receives information that an out-of-state agency warrant exists for the subject, the subject will be booked on OPD's charges. Teletype will notify the initiating agency that the subject has been arrested on local charges. Teletype will advise the agency of the specific local charges and where the subject is located. Additionally, Teletype will send a copy of the "hit" to the BRC via teletype or fax. Officers will complete a Charging Affidavit on the local charges and a Warrant Arrest Affidavit on the teletype hit. When filling out the Warrant Arrest Affidavit, officers should not check the box that states that they read the capias or warrant to the arrestee, as state statute mandates that only a Deputy Sheriff can read the capias or warrant to the arrestee.

2.3 LOCAL CHARGES AND OUT-OF-COUNTY TELETYPE HITS

When an officer has local charges on a subject and determines that an out-of-county, but within the state of Florida, warrant exists, the officer shall complete the Charging Affidavit on the local charges. The officer shall include the warrant information in the narrative portion of the Charging Affidavit. The officer shall notify BRC personnel of the existing warrant and booking personnel will be responsible for placing a hold on the subject. Teletype will make notification of the subject's arrest on local charges and will send a copy of the "hit" to the BRC for the officer to attach to the Charging Affidavit. Officers can pick up this copy from BRC personnel.

2.4 LOCAL CHARGES AND LOCAL (IN-COUNTY) TELETYPE HITS OR WRITS OF ATTACHMENT/COLLECTIONS

When an officer has local charges on a subject and determines there is a local (in-county) warrant or Writ of Attachment/Collections on the subject, the officer shall complete a Charging Affidavit on the local charges and a Warrant Arrest Affidavit on the warrant or Writ of Attachment/Collections. Teletype will notify the originating agency of the arrest. Teletype will forward to the BRC a copy of the hit, which the officer will attach to the Warrant Arrest Affidavit. Officers shall contact the Orange County Warrants Section reference the arrest once Teletype has received confirmation. The Warrants Section will then fax a copy of the warrant or writ to the BRC. The arresting officer shall retrieve this copy and attach it to the warrant so an Orange County deputy can serve it.

2.5 TELETYPE HITS FOR FELONY PAROLE OR PROBATION VIOLATIONS

Out-of-state felony parole or probation violations should be handled in the same manner as out-of-state warrants (see Section 2.1). If an officer arrests a person for a Florida felony charge and learns through Teletype that the person is on felony parole or probation in Florida, Teletype shall make notification to Parole/Probation for the purposes of verifying that the warrant is active and advising of the subject's arrest. The Teletype hit will have a telephone number if contact with a representative of the Probation/Parole Commission is necessary when the person is arrested.

If it is determined a subject is on "active" probation or parole and the subject has committed a known parole or probation violation or is involved in criminal activity, the officer must notify the Parole/Probation officer. A list of their telephone numbers will be kept on file in Communications.

2.6 FELONY ARRESTS OF SUBJECTS ON "RELEASE SUPERVISION"

[Florida Statute 947.141](#) states that a subject who is on "Release Supervision" (i.e., conditional, medical, or controlled) and who is then charged with committing a felony, "must be held without bond pending an initial probable cause determination." If probable cause is found, the offender may be held up to 72 hours pending the issuance of a warrant charging the violation of the release conditions. If the warrant is issued, the offender will remain in custody until the revocation hearing. When running a subject on teletype, a controlled-release supervision notice will appear as a "hit" during a wanted check or history and may resemble a warrant "hit." Usually, there is a telephone number to call, as well as a teletype address to advise Tallahassee and the Department of Corrections (DOC) of the felony arrest. A message to them should include such information as the type of felony offense, OPD case number, arresting officer, etc. Jail personnel should be alerted to the arrestee's situation and, in all cases, the Charging Affidavit should reflect the subject's release status, either in writing or by use of the "ALERT" stamp, which is available from the Career Criminal personnel or at the BRC desk. The defendant's bond in this situation should be "NONE." It is critical that DOC be promptly notified so that a warrant can be obtained. Questions regarding the procedure should be directed to the (904) phone number listed on the "hit," or the on-call Career Criminal supervisor.

2.7 WARRANT ARRESTS FROM PROBATION AND PAROLE

Whenever a Probation and Parole officer has a subject in his or her office who is wanted, he or she will call Orange County Warrants Section for confirmation. If the subject has an active warrant, the Probation and Parole officer will request the dispatch of an OPD officer to make the arrest. (Note: If the subject is wanted by an out-of-county agency, the Probation and Parole officer will confirm this information with the appropriate agency. Probation and Parole will have a copy of the warrant and will request that the agency fax a copy to the BRC.)

The officer will accept verbal confirmation from the Probation and Parole officer that the warrant is active. The Probation and Parole officer will give the OPD officer a completed Department of Corrections Confirmation of Warrant form. The officer will record the OPD case number for the arrest in the comment section of the form, sign the form, and obtain a copy to attach to the Warrant Arrest Affidavit.

Upon arrival at the BRC, the officer shall advise the Orange County Warrants Section that the wanted subject under arrest is available for service of the warrant. This will ensure that the warrant is removed from the system.

Officers will not reconfirm a warrant through Teletype when the Confirmation of Warrant form is completed and attached.

2.8 ARRESTS MADE ON INFORMATION RECEIVE BY ANY MEANS OTHER THAN TELETYPE

Officers making arrests on information obtained in any manner other than teletype, e.g., mail, telephone, etc., must obtain documentation of such information, make four copies, and attach one to the Docket, the Court, and the Agency Warrant Arrest Affidavit copies. The other copy will be given to BRC for delivery to the Orange County Warrants Section. The following information should be included in the documentation delivered to the BRC:

- a. If an arrest warrant has been issued.
- b. The warrant number.
- c. Name of the person making the affidavit for the warrant.
- d. Name of the county and state issuing the warrant
- e. Specific charge.
- f. Name and agency of the officer providing the information.

Additionally, if the subject is a fugitive, include the following information:

- a. That the offense is punishable by death or imprisonment for one year or more.
- b. That the person has fled from justice.

3. SEARCHES/HANDCUFFING

All arrestees should first be handcuffed to the rear and then their person shall be searched for weapons and contraband. Consideration may be given to the arrestee's physical condition or disability and mental incapacity concerning the officer's decision to use handcuffs. An arrestee found to be in possession of a firearm shall immediately be handcuffed to the rear.

If the arresting officer transfers the arrestee to another officer or another agency for transport, it shall be the responsibility of the transporting officer to also ensure that a search of the arrestee's person for weapons and contraband takes place immediately before transport.

3.1 SEARCHES INCIDENT TO ARREST

Searches incident to arrest are essential to officer safety.

Officers shall conduct the search incident to arrest expeditiously in a lawful manner without regard to gender, gender expression, or gender non-conforming individual and gender identity when officers are confronted with:

- a. An arrestee who is physically resisting the arrest process or
- b. An arrestee who is being arrested and the officer reasonably believes the individual is armed and dangerous, or
- c. An arrest that is taking place in a location in which it is dangerous for the officers to remain, or
- d. An arrest where the arrestee is known to the officer to be a violent or dangerous person

In all other arrest situations where the arrestee is cooperative and presents no apparent danger, the search incident to arrest will be conducted by an officer of the same sex if one is available on-scene.

3.2 INVENTORY OF PROPERTY

An inventory of any lost or abandoned property, as well as the property of any individual who is going to be involuntarily transported pursuant to a lawful law enforcement purpose shall be inventoried for the purpose of creating a full accounting of any property that comes into the possession of the Orlando Police Department to protect

against any claims of lost, stolen, or damaged property, and to protect the Department from the storage of any dangerous or hazardous materials.

- All property, including but not limited to, bags, containers, clothing, or other property that is going to be stored at the Orlando Police Department shall be inventoried.
- Whenever an individual is involuntarily transported, all of the property that was within their care custody, and control shall be inventoried and transported to Property and Evidence, unless:
 - The property does not belong to the individual, and the actual owner is on-scene and willing to take the property;
 - The property contains medicine, medical equipment, or similar property that is needed by another, and the individual gives permission for the medicine or medical equipment to be given to another person who is on-scene; or
 - The property contains keys or similar devices that are needed by another to gain access to their vehicle, home, hotel room, or similar place, and the individual gives permission for the keys or similar device to be given to another person who is on-scene.
- When practical, all such property shall be inventoried at the place of collection, prior to its transportation to the Orlando Police Department. When the circumstances do not permit, all such property must be inventoried in a controlled area prior to submission to Property and Evidence.
- An inventory shall include all areas, including closed or locked compartments.
 - To the extent practical, closed or locked containers should be opened using non-destructive means. If the officer is reasonably unable to open the closed or locked item without destructive means, then the item shall be opened using reasonable means to limit any damage to the item.

All firearms, contraband, and evidence found on or about an individual shall be delivered to the Orlando Police Department's Property and Evidence Section. The officer shall complete the appropriate documentation.

The individual's property (money, cell phone, wallet, credit cards, jewelry, prescription medication, etc.) shall be placed into a tamper-proof Orlando Police Department property bag and documented on the Receipt for Personal Property form (Attachment A). The individual will sign the property receipt form, acknowledging the contents of the bag. If the individual refuses to sign the property receipt form, the officer should write "signature refused" and have a second officer/witness sign the property receipt form. The pink copy of the property receipt form will be placed inside the property bag and sealed with the contents. The yellow copy will be given to the individual and the white copy will be turned in to the Records Section at Orlando Police Headquarters. The individual's property bag shall then be delivered to the appropriate receiving facility.

3.3 STRIP OR BODY SEARCHES

Strip searches of arrestees shall be conducted in accordance with state law and this policy.

Officers must be aware of the definition found in [Florida Statute 901.211](#), which defines a "strip search" as: Having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual or manual inspection of undergarments, genitals, buttocks, anus, or female's breast.

Based on this definition, a strip search includes searching or inspecting an arrested female's brassiere or searching or inspecting an arrested person's underwear.

Strip searches are prohibited in misdemeanors, traffic offenses, regulatory violations, and civil matters (such as contempt) unless:

- a. The misdemeanor, traffic, or ordinance offense is violent in nature, or
- b. The misdemeanor, traffic, or ordinance offense involves a weapon or a controlled substance, or
- c. There is independent probable cause to believe the person is in possession of a controlled substance, a weapon, or stolen property.

All strip searches must be conducted reasonably. Only sworn personnel of the same gender as the arrestee can perform strip searches. They must be performed under circumstances where uninvolved people cannot view the search. Department observers must also be of the same gender as the arrestee.

No strip search may be performed inside any OPD facility unless written authorization is obtained from an on-duty supervisor (Attachment B). The on-duty supervisor will notify the on-duty section commander any time a strip search has been authorized (901.121(5), Florida Statutes). The on-duty supervisor will notify the on-duty section commander before conducting a strip search. This written authorization must be obtained EVERY TIME a strip search is conducted by any sworn law enforcement officer within any OPD facility. Written authorization is not a requirement for strip searches conducted outside our facilities (e.g., at the scene of the arrest), but all other statutory requirements apply. All Strip Search Authorization forms must be forwarded to the Training Section Commander.

Officers are prohibited from conducting body cavity searches. If an officer believes an arrestee has concealed evidence in a body cavity, the officer must advise booking personnel so that appropriately trained jail personnel can conduct a body cavity search in a controlled environment. If the officer has reason to believe that an arrestee has ingested a controlled substance or any other evidence, medical assistance will be summoned.

3.4 CONFINEMENT AREAS

Officers shall search areas in which suspects, detainees, or prisoners are confined (e.g., police vehicles, interview/processing rooms). This search is intended to disclose weapons, contraband, and damaged equipment, and shall be conducted both before and as soon as possible after the suspect, detainee, or prisoner is removed.

4. TRANSPORTING ARRESTEES

4.1 TRANSPORTING ARRESTEES

Transporting officers are responsible for the proper searching of all arrestees for weapons and contraband. Officers will search OPD vehicles, and interview/processing rooms both before and after the arrestee occupies them. Officers shall transport arrestees to the appropriate OPD facility or the BRC as soon as possible after the arrest by either a caged vehicle or a prisoner transport van. Officers shall drive the arrestee by the most effective and direct route to the destination.

If the arrestee is apprehended outside Orange County limits, the arresting officer will immediately notify the sheriff's office of the county where the arrest is made. The officer will then book the violator into the jail facility for that county. The sheriff's office for that county may be requested to assist in whatever way necessary to affect the booking.

Officers shall always maintain physical control of an arrestee. Officers are responsible for the safety and security of arrestees at all times while the arrestee is in their custody. The seatbelts or other authorized installed safety restraints in caged vehicles or prisoner transport vans will be applied to the arrestee for their safety, who should be placed in the back seat of a caged vehicle or in the rear of any prisoner transport van. Members shall provide arrestees in the rear of a caged vehicle or a prisoner transport van with an adequate source of ventilation compatible with existing weather conditions.

A member must remain with all arrestees from the point of arrest until custody is released to the proper correctional officer unless extreme circumstances exist where this procedure is impractical. The activities of arrestees shall be always monitored. Every effort will be made to make sure arrestees do not injure themselves or others or cause property damage.

A prisoner transport van is a vehicle specifically designated for the transport of arrestees with a separate secure compartment for arrestees and equipped with seats and other required safety equipment. Due to the two separate compartments in the prisoner transport van, which allows arrestees to be transported out of sight and sound of each other, males and females may be transported at the same time in the separate compartments. Except in emergency situations, juveniles shall not be transported in a patrol vehicle, a prisoner transport van, or any similar vehicle with adults unless the adult is believed to be involved in the same offense or transaction as the juvenile. A single officer may only transport a maximum of three arrestees at one time. For four or more arrestees, a second officer is required for safety. The second officer may be an on-duty patrol officer following the prisoner transport van in their marked patrol vehicle. The prisoner transport van may transport a maximum of ten arrestees. Any arrestee in a four-point restraint or combative arrestee will require an additional officer to constantly monitor the arrestee during transit.

It shall be prohibited for officers to handcuff an arrestee to any part of the vehicle; this excludes the appropriate use of the Ripp-Hobble.

One transport member (driver) may be used to transport multiple non-violent arrestees. Two members should be used to transport any violent arrestee, when possible. The front passenger member should monitor the arrestee for any signs of additional violent behavior. For officer safety purposes, an additional member should follow the unit transporting any violent arrestee.

Should a violent arrestee need to be transported to a hospital by ambulance, a member should ride in the back of the ambulance with the arrestee and emergency personnel, while followed by another member in a marked vehicle.

If actions or information obtained indicate the arrestee is a substantial safety and/or unusually high-security risk, corrections, medical facility personnel (if applicable), and/or judicial personnel (if applicable) shall be immediately advised. Additionally, the officer shall make a note in their police report or arrest report that such notification was made.

If an arrestee is intoxicated or incapacitated, they should be transported by a caged vehicle or prisoner transport van with seatbelts, or by ambulance. Under no circumstances should any arrestee be placed in the front seat of any transport vehicle.

Any prisoner who requires hospitalization after being transported to the BRC shall be transported as soon as possible to Advent Health. On-duty patrol units will be assigned to transport and guard the arrestee.

All other policies regarding the transport and handling of prisoners shall be adhered to.

Appearance-related items, including but not limited to, prosthetics, clothes, or wigs, should not be intentionally removed or confiscated from persons unless such items present a safety hazard, impede the administration of medical attention, or are needed for evidentiary reasons. If an officer intentionally removes or confiscates appearance-related items, that officer shall document the approved reason for having done so in the police report.

There are no exceptional procedures for transporting prisoners/detainees of the opposite sex.

Officers are generally prohibited from conducting routine police activities, i.e., traffic stops, checking suspicious persons or events, or responding in an emergency mode while en route to the arrestee's destination. In the event a transporting member observes activity requiring police action, the member shall notify headquarters immediately for assignment of another unit. If the transporting member deems that an emergency exists and delay of action would create unreasonable risk or injury to the public, the member should attempt to obtain supervisory approval prior to acting; however, under no circumstances will the arrestee be placed in a potentially hazardous situation or left unattended.

The Prisoner Transport Jurat (Attachment C) is to be completed when an arrestee is being transported by an officer other than the arresting officer. It will allow the arresting officer to electronically submit his arrest affidavit to the BRC and then this Jurat will be attached to the "unsigned" affidavit. This form can be used for a PC Charging Affidavit or Warrant Arrest Affidavit.

Refer to the current issue of P&P 1801, Special Purpose Vehicles and Vessels, for policy specific to the operation of the prisoner transport van.

4.2 ESCAPES DURING TRANSPORT

In the event of an escape, the transporting officer shall immediately take the following actions:

- a. Attempt to recapture the escapee, if possible.
- b. Notify headquarters by radio, or other suitable means, of the situation and request immediate assistance and broadcast a description of the arrestee.
- c. Establish a cordon (or another organized plan) designed to affect the recapture of the arrestee. Call for any assistance available to assist in the search.
- d. Advise headquarters, as soon as practical, of the original criminal charges for which the escapee was being transported and all-new criminal charges associated with the events of the escape.
- e. Notify the field supervisor and/or the transporting officer's immediate supervisor as soon as practical.

Should the escape occur outside the City limits, or within another agency's jurisdiction, the Communications dispatcher shall notify the agency having jurisdiction and the Orange County Sheriff's Office to request assistance.

Once the escapee has been recaptured, or efforts to recapture the escapee have been exhausted, the transporting officer shall:

- a. Prepare all reports necessary to document the escape and prepare the additional criminal charges resulting from the escape events as required by policy.
- b. Ensure that Teletype creates the appropriate entry into NCIC/FCIC indicating all charges against the escapee and document in the police report that the entry has been completed.

The field supervisor shall ensure proper notification to the on-duty watch commander, at which time the need for additional notifications will be determined. Consideration for notification should include, but not be limited to, Media Relations. With the watch commander's approval, Media Relations will determine if the media's assistance would be beneficial and/or reduce the endangerment to the general public.

4.3 TRANSPORTING ARRESTEES FOR INVESTIGATIVE PURPOSES

Arrestees may be transported by detectives in an unmarked vehicle without a cage providing the arrestee meets the following criteria:

- a. Offers no known risk to the personal safety of the transporting officer.
- b. Offered no resistance at the time of the arrest.
- c. Has been cooperative and, in the opinion of the transporting officer, is not likely to become resistant.
- d. Offers no known risk of escape.
- e. Is being transported for investigative purposes.

In these instances, the arrestee will be handcuffed with hands to the rear and placed in the right rear seat of the unmarked vehicle with the seat belt securely fastened. A second officer must ride in the rear seat next to the arrestee.

Officers working in an undercover capacity will not transport arrestees to the booking facility or other areas where their identity is likely to be compromised.

4.4 SPECIAL SITUATION TRANSPORTS

All special situation transports falling outside the below-stated guidelines will be handled by other emergency vehicles with the transport officer's assistance.

4.4.1 HANDCUFFED DETAINEES/PRISONERS

When dealing with handcuffed detainees/prisoners, prudence and discretion should be used in deciding to use elevated levels of force. This may be in the form of any of the taught hard-control techniques in response to active resistance by the detainee/arrestee. Physical use of force from a handcuffed detainee/arrestee should be reserved for extreme situations and circumstances where injury to the officer, innocent party, or the detainee/arrestee is prevented or minimized by taking the prescribed action. When this action is taken, it must be articulated in such a

fashion that it delineates the action was necessary. As in all cases, officers should be as detailed as possible as to the facts of the case, noting comments, resistive actions, and known experiences that provide insight into the decision-making process to take corrective action. In this manner, the officer and the Department are offered a level of protection in carrying out the law enforcement function.

When an officer is required to transport a detainee/arrestee to a hospital/medical facility, he or she is responsible for the care of the individual until the subject is transferred to another official who assumes responsibility for the subject. This may be the emergency room physician, examining technician, psychiatric doctor, nurse, counselor, hospital security, or a relieving Orange County Jail correctional officer. In the hospital setting, the officer should allow the staff to handle the detainee/arrestee. Hospital staff receives training and have procedures to use in dealing with combative patients. If a situation arises in the presence of the officer that extends beyond the scope of the staff and requires law enforcement intervention, the officer is required to take action.

Officers should refrain from intervening in situations that are not of a law enforcement nature and that are governed under the auspices of medical and/or facility officials. Of course, officers must remain cognizant of the situation before them and should not allow a situation to escalate to a level of imminent danger. The guiding principle should be to take action to ensure the safety and welfare of the officer, hospital personnel, innocent citizens, and the detainee/arrestee. Officers should determine if the action they are about to undertake is legally justified or it falls under the purview of medical officials. For instance, Florida Statutes authorize a law enforcement officer to assist in restraining a suspected DUI/DWI subject for purposes of a blood draw by medical officials. An officer should determine if the action they are about to take is governed by such a limited immunity and if it is legally necessary for law enforcement to intervene. When taking actions in such a situation, officers shall clearly articulate the necessity of the action is to restore order or to prevent injuries to someone.

4.4.2 INJURED PRISONERS

To safely and securely transport injured prisoners, officers must first determine the nature of the injuries. Restraints will be used only on body parts of injured persons that are not affected by the injury. After restraints are in place, normal transport procedures will be used.

4.4.3 SICK PRISONERS

To safely and securely transport sick prisoners, officers must first determine the nature of the sickness. All sick persons except those with a contagious or highly communicable disease will be transported in the normal fashion per policy guidelines. If the sickness is contagious or becomes serious, employees should call for medical assistance. All sick prisoners with control of their faculties will be restrained.

4.4.4 INTER-FACILITY TRANSPORTS

Once a prisoner has been accepted into a correctional facility, the Orlando Police Department shall not transport the prisoner to any other location (e.g., hospitals, court, or other correctional facilities). It is the responsibility of the accepting correctional facility to transport prisoners to off-site locations. If an officer receives a request to transport a prisoner outside a correctional facility after the booking process is complete, notify the on-duty watch commander.

5. INTERVIEW/PROCESSING ROOMS

5.1 USE OF INTERVIEW/PROCESSING ROOMS

The Orlando Police Department provides interview/processing rooms at Orlando Police Headquarters, Southeast Community Police Office, Drug Enforcement Division, and the Airport Division for only sworn law enforcement to utilize. In compliance with the Commission for Florida Law Enforcement Accreditation definitions and standards, interview/processing rooms are defined as a room, space, or area used only for the purpose of processing, questioning, or testing. Orlando Police Department interview/processing rooms will never be used solely as a temporary collection point before transport to a jail facility. Suspects, detainees, or prisoners that will not be the subject of questioning, testing, or processing will be taken directly to the BRC facility, Juvenile Assessment Center, or other appropriate destinations. Under no circumstance will a suspect, detainee, or prisoner be held in an interview room in excess of eight hours.

All interview/processing rooms and the holding area at the airport are equipped with our network based iRecord system. Access to the recordings can be obtained by contacting the Forensic Video Analyst.

Any victim, witness, suspect, detainee, or prisoner may be interviewed in any OPD interview/processing room. Officers shall be guided by the current issue of P&P 1204, Juvenile Procedures when interviewing juvenile suspects, detainees, or prisoners. Officers using interview/processing rooms shall adhere to the following guidelines:

- a. When practical, the arresting officer shall escort the handcuffed suspect, detainee, or prisoner to the interview/processing room and place the subject in the interview/processing room after it has been searched for contraband. In most instances, the prisoner, detainee, or suspect will remain handcuffed while inside the interview/processing room. However, if the prisoner, detainee, or suspect is to be interviewed, then the detective or officer has the option of removing the handcuffs while conducting the interview. At no time will a prisoner, detainee, or suspect be handcuffed to a fixed object. If the prisoner, detainee, or suspect is not handcuffed while in the interview/processing room, there must be two sworn officers or detectives present during any contact with the prisoner. One of these officers or detectives may observe through the use of video monitoring equipment. Interview/processing rooms are not to be used as a BRC. If the subject is not to be interviewed, processed, or tested, do not transport to an interview/processing room.
- b. The arresting officer shall ensure that both the suspect, detainee, or prisoner, and the interview/processing room have been properly searched before placing him or her in the interview/processing room. The property of the subject will be safeguarded by the arresting/controlling officer. In the event a large amount of cash is removed from the subject, the arresting officer will have a second officer witness the counting of the money. All of the subject's property will then be placed into a bag or secure area. The property shall be retained until such time that the prisoner is transported to the Orange County Jail. If the arresting officer turns the prisoner/detainee over to another officer for transportation, it is the arresting officer's responsibility to also turn over all of the prisoner/detainee's property to the transport officer. The subject's property shall then be delivered to booking personnel for safekeeping unless it is evidence, in which case, procedures for handling evidence should be followed.
- c. Upon placing a suspect, detainee, or prisoner into the interview/processing room at OPH, the officer shall turn on the iRecord by pressing the red circle button switch located outside the door. Once on, this red circle button will illuminate a red glow. At no time shall a suspect, detainee, or prisoner be in the

interview/processing rooms without the recorder being on. Upon removing the suspect, detainee, or prisoner from the room, the transporting officer shall press the illuminated button.

- d. The officer placing the interviewee in the room shall complete the sign-in/out log located in the file pocket outside each interview/processing room. The officer must record the following information in the logbook: name of the detective or officer conducting the interview; date/time in and date/time out; the name of any transporting officer (officer bringing the interviewee to the interview/processing room); a case number, if applicable; the interviewee's name; and any comments, such as damage or any biohazard to the room.
- e. When possible, an OPD officer shall remain in the interview/processing room with a suspect, detainee, or prisoner at all times or continuously monitor the subject via iRecord. Whenever an officer exits an interview/processing room containing a suspect, detainee, or prisoner to monitor the subject on iRecord, the officer shall deadbolt the interview/processing room door upon exiting. In the event of an escape, the discovering party will IMMEDIATELY notify Communications and request emergency traffic. Since victims and witnesses are not in police custody, they shall not be locked in an interview/processing room at any time without their consent. Interview/processing rooms will not be left open/unlocked while occupied by a suspect, detainee, or prisoner. Interview/processing room doors shall not be propped open in any manner.
- f. The officer in charge of the suspect, detainee, or prisoner during the interview shall take steps to eliminate biohazard contamination of the interview/processing room.
- g. The officer in charge of the suspect, detainee, or prisoner shall ensure the security of the subject until the individual is transferred to county booking personnel.
- h. Officers shall ensure that suspects, detainees, or prisoners are not brought into contact with victims, victims' relatives, or witnesses who may be at the police facility.
- i. Upon completion of the interview, the transporting officer will ensure that the suspect, detainee, or prisoner is handcuffed to the rear and transported to the BRC.
- j. No civilian shall be permitted to ride in an elevator while a suspect, detainee, or prisoner is being escorted. Officers shall politely advise the civilian to ride the next available elevator. No civilians or other unauthorized person shall have access to the interview/processing rooms when occupied by a prisoner/detainee.
- k. Any employee detecting smoke, heat, or fire near the interview rooms shall assume the responsibility of sounding the alarm and should proceed to the nearest pull station to activate it. Employees should also be familiar with the fire extinguisher locations near the interview rooms.
- l. Any member with a suspect, detainee, or prisoner in the interview rooms shall assume responsibility for the safe evacuation of the subject, maintaining control at all times during the emergency. The subject should be handcuffed before leaving the interview room. The member should be familiar with primary and alternate escape routes located on the interview room doors.

- m. The officer who removes the suspect, detainee, or prisoner from the interview/processing room is responsible for the post-interview/processing room inspection and the removal of any contraband or trash. The officer removing a suspect, detainee, or prisoner from the interview/processing room shall ensure that the room is searched thoroughly (e.g., underneath chairs, tables, etc.) for contraband the subject may have attempted to conceal.
- n. Officers shall not place any furniture from other work areas (including upholstered chairs) into the interview/processing rooms. No one is permitted to smoke in the interview/processing rooms or inside any OPD facility.
- o. No unsecured firearms or potentially deadly weapons will be worn or brought into an interview/processing room containing a suspect, detainee, or prisoner, or potential suspect in a criminal case. Only firearms holstered in an approved Level 3 retention holster is considered secure. Sworn members shall secure their firearm in a lockbox located near the interview/processing room if their holster does not meet this retention requirement.
- p. The interview/processing rooms located north of the CID computer room have been designated for use by the Special Victims Unit. Due to security reasons, these rooms should be utilized for regular interview purposes only when none of the other interview/processing rooms are available. The juvenile interview room should only be used for interviews of adults when no other room is available.
- q. During an interview, if an officer observes that a subject is ill or has been injured, he or she will immediately alert Communications so that paramedics may be dispatched to attend to the subject. At that time, the paramedic will determine if the subject should be transported to the BRC or the nearest hospital for further medical attention. Suspects, detainees, or prisoners transported to the hospital will be handled in accordance with current Department policies.
- r. If during the interview/processing, a medical emergency, fire, flood, power failure, or other unforeseen emergency condition should arise, the officer in charge of the subject shall be responsible for the control and security of the subject.
- s. Officers placing a suspect, detainee, or prisoner in an interview/processing room must physically contact the suspect, detainee, or prisoner at least every 30 minutes. This is in addition to and notwithstanding any audio or visual process in place to monitor the subject.
- t. If there are video and audio equipment in the monitoring room, it will serve as a panic or duress alarm system if there is an emergency in one of the interview rooms. Officers should also ensure that they are always equipped with their department-issued radio to be used to notify others in emergencies. Subjects in the interview rooms containing video and audio equipment will be monitored at all times. Officers shall also monitor subjects for requests of water, restrooms, or other needs.

- u. Suspects, detainees, or prisoners that become violent and/or self-destructive will be immediately restrained in accordance with current Department policy and will be transported to the most appropriate facility, i.e., Orange County jail or a medical facility.
- v. Under no circumstances will a male, female, detainee, or prisoner (juvenile or adult) be placed together in an interview room.
- w. Security inspections of interview rooms will be performed on a monthly basis. Supervisors will perform the inspections. An inspection log will be kept adjacent to the interview/processing room. Security inspections will include:
 - 1. Checking the locks on the interview room doors.
 - 2. Checking the chairs and tables in the interview rooms.
- x. The Forensic Video Analyst will be responsible for checking the video and audio equipment in the CID monitoring and interview rooms. Inspection of equipment at premises other than OPH shall be as directed by the commander in charge of the facility where the monitoring and recording equipment resides.

5.2 INTERVIEWS OF INCARCERATED SUBJECTS

If an arrestee has already been booked and incarcerated in an Orange County jail facility, officers may use interview/processing rooms located in the jail facilities or an OPD interview/processing room to conduct the interview. If an Orange County jail facility interview/processing room is used, officers will comply with current Orange County procedures for contacting the arrestee and conducting the interview. If the arrestee is to be interviewed at an OPD facility, the interviewing officer shall:

- a. Ensure that the arrestee is properly signed out of the Orange County jail facility. The arrestee will be handcuffed to the rear and transported to the OPD facility in accordance with this policy.
- b. Ensure the security of the arrestee until the arrestee is returned to the appropriate detention facility.

If an arrestee is from another facility, the interviewer will follow the same steps as outlined above.

5.3 USE OF INTERVIEW/PROCESSING ROOMS BY OTHER LAW ENFORCEMENT PERSONNEL

The ranking OPD officer working with other agency law enforcement personnel who are using an OPD interview/processing room shall be responsible for briefing non-OPD personnel on interview/processing room guidelines.

5.4 INTERVIEW OF ADULTS NOT UNDER ARREST

Persons not under arrest may voluntarily agree to be interviewed by officers at an OPD facility. Officers should ensure that the person clearly understands they are agreeing to come to OPD for an interview and are not under arrest. In the event, an individual who is not in custody is being interviewed and it is determined, as a result of the interview, to arrest the person, the officer will follow appropriate legal requirements for continuing the interview and making the arrest. At the completion of the interview and as soon as practical after the interviewee knows he or she

is under arrest, the officer shall apply handcuffs or flexcuffs. Officers will follow the search and transportation procedures outlined in this policy.

5.5 USE OF RESTROOMS BY ARRESTEES

When it becomes necessary to transport an arrestee to an OPD facility restroom designated for arrestees, the arrestee will be thoroughly searched and handcuffed behind his or her back before being removed from the interview/processing room. (Re-securing the handcuffs in front is acceptable while the subject is contained within the restroom.) The escorting officer should apply the same “officer/subject factors and special circumstances” outlined in the force continuum when deciding if a second officer is needed.

5.6 PROVISION OF WATER/HYDRATION FOR ARRESTEES

Persons under arrest will be provided hydration in the form of water as necessary. Officers may escort an arrestee from an interview/processing room to a water fountain under the same conditions outlined in Section 4.6.5 of this order. Furthermore, officers may provide a beverage to the arrestee inside the interview/processing room at the discretion of the officer. Beverages shall not be contained in any item that could be used as a weapon.

5.7 CONTAMINATION OF INTERVIEW/PROCESSING ROOMS

Should a bloodborne pathogens exposure incident occur in an interview/processing room, the officer shall immediately secure the area with biohazard warning barricade tape and a biohazard label and report the contamination to the Quartermaster Unit personnel for proper cleanup.

Quartermaster Unit personnel shall record the officer's name and the location and nature of the contamination for future reference should any questions arise.

Officers should refer to the current issue of the Exposure Control Plan on OPD Online, for additional information on handling contamination of facilities and equipment.

5.8 VIDEO RECORDING OF INTERVIEWS

Video recording of interviews is not a substitute for taking an audio-recorded statement. The decision to record an interview in any format will be based upon the detective's opinion that the record will be of significant evidentiary value. At the beginning of the recording session, the detective shall reaffirm that the person being recorded understands his or her constitutional rights. Once started, the recording will not be stopped until the interview is completed.

To ensure records retention, officers or detectives requiring that an interview shall be archived as evidence shall contact the Forensic Video Analyst immediately after the interview with case-specific information.

Copies of any evidentiary media requested per the public records law or needed for legal proceedings will be made available in accordance with existing Department policy.

Evidentiary media will not be disposed of until the case appeal time has expired and then only in accordance with the public records retention law.

5.9 CID MONITORING ROOM

When using the CID monitoring room, officers will take proper care of the video and audio equipment.

6. ARRESTEE PROCESSING AT THE BOOKING AND RELEASE CENTER

6.1 ARRIVAL AT THE BOOKING FACILITY

The officers will use one of the call boxes posted in the center of the approach to the sally port to call for the gate to be lifted. The sally port has been designed for four-lane traffic and should accommodate at least ten vehicles. Officers shall park in the lane designated by BRC lane control.

6.2 OFFICERS' WEAPONS

All weapons and gear that can potentially be used as a weapon (e.g., chemical agent, knives, batons, flashlights, ammunition magazines, loose cartridges, etc.) will be deposited in the weapons lockers provided in the BRC or in the trunk of the officer's vehicle or police motorcycle saddlebags before the arrestee is taken out of the transport vehicle.

6.3 HANDCUFFING REQUIREMENTS

Arrestees, regardless of the nature of the offense, will remain handcuffed to the rear while entering the booking facility. Extremely large individuals and those who have physical limitations that preclude them from being handcuffed to the rear may be handcuffed to the front if they can be secured with metal or flexcuffs. The BRC should be notified in advance of the officer's arrival at the jail. Officers will ensure that the arrestee has been properly searched before entry into the booking facility.

6.4 RECEPTION AREA

Upon entry into the reception area, the arrestee will be required to relinquish his or her property. The arrestee will stay handcuffed to the rear until the corrections officer conducts a pat-down search and removes the handcuffs. Officers will ensure that none of the arrestee's personal property, other than property to be placed into evidence, has been left in the transport vehicle or on the officer's person. The arrestee's property shall be relinquished to a corrections officer.

6.5 IDENTIFICATION OF ARRESTEES

The jail is required to identify, through fingerprints or legal identification documents, all inmates before their release. The following documents will be accepted by the jail as identification:

- a. Driver's license with photograph.
- b. Current United States military identification card with photograph.
- c. Federal, state, or local government identification card with photograph.
- d. Native American tribal identification with a current photograph.
- e. Passport with a current photograph, along with one additional form of identification.
- f. Resident alien card with current photograph, along with one additional form of identification.

If an officer arrests an individual for charges such as driving while license suspended or DUI, and the officer intends to keep the defendant's driver's license or identification card as part of the evidence in the case, the officer must make a copy of the identification and attach it to the arrest affidavit so the jail will be able to identify the suspect.

Each officer will make every effort to assist in this process to ensure that no one is released who is wanted. This procedure will also help ensure that persons on probation or awaiting the outcome of pending charges will receive the proper bond.

6.6 UNRULY ARRESTEES

Those persons who are violent or otherwise unmanageable, while being relieved of all property, searched, photographed, and screened by the nurse, will remain handcuffed to the rear and placed in restraints, if necessary, by Orange County Corrections officers. If accepted, the individual will immediately be controlled by corrections personnel. The arresting officer will then proceed with the paperwork. If necessary, traffic citations should be annotated on the violator's signature line, "too intoxicated to sign" or "unable to sign" or "refused."

If an OPD officer is transporting an arrestee to the booking facility and during transportation or booking is resisted (with or without violence), battered or assaulted, or observes the arrestee destroying evidence, an arrest on those additional charges may be made by the arresting or transporting OPD officer.

If during the booking process an OPD arrestee assaults, or batters, or commits any other crime against a person other than the arresting/transporting officer, the incident should be handled one of two ways. If the crime is of a minor nature or is the same or lower level as the original offense, there would be no need to have a physical arrest made as the individual charge could be noted in the narrative of the Charging Affidavit by the original arresting law enforcement officer as an additional charge. If, however, the situation presents itself where a physical arrest needs to take place, the crime should be treated as a separate incident and a separate affidavit should be completed under the mutual aid agreement.

6.7 CONTRABAND FOUND ON ARRESTEES AT THE BRC

If concealed contraband (e.g., drugs, weapons, etc.) is discovered on the person of an arrestee or in the police vehicle after the arrestee is removed from the vehicle, the OPD officer making the arrest shall file any appropriate additional charges. This would also apply if the officer sees the contraband found by the corrections officer, and the arrestee has been in the continuous custody of the seizing officer. If the OPD officer has gone off duty before the discovery of the contraband, another OPD officer will be dispatched to file any additional charges. "Continuous custody" means either actual physical custody or at least continuous sight control. Appropriate charges may be "Introduction of Contraband to a Corrections Facility" and/or "Possession of."

6.8 MEDICAL SCREENING AND TREATMENT OF ARRESTEES

Arrestees brought to the BRC will be cleared by Orange County medical personnel at the BRC facility before acceptance into the facility. If the arrestee is rejected for medical reasons, the arrestee shall be transported to the Advent Health emergency room for medical treatment by the arresting officer. Arrestees who are obviously sick or injured must be taken to Advent Health, 601 E. Rollins Street, before transport to the BRC facility. In cases where an obvious life-or-death situation exists, the arrestee will be immediately transported to the closest hospital. The hospital staff will be advised that the subject is an Orange County arrestee.

If the arrestee is to be admitted to the hospital, the arresting officer should notify his or her immediate supervisor and contact the BRC to advise the on-duty booking sergeant of the situation. The booking sergeant will make the necessary arrangements to have a corrections officer respond to the hospital. Upon arrival, the corrections officer (or

designated person) will assume responsibility for the arrestee until the arrestee can be transported to the BRC facility. The officer will remain with the arrestee until relieved. If there is a delay by Orange County Corrections in assuming custody or the officer is due to go off duty, he or she will contact his or her immediate supervisor to make arrangements for a relief officer. The arresting officer must complete the necessary arrest forms and ensure that they are delivered to the BRC. A subject with serious injuries requiring lengthy hospitalization who is not already under arrest for charges may not necessarily need to be booked. Decisions regarding arrest, unarrest, notice to appear issuance, or other disposition of such subjects (e.g., filing charges with the State Attorney) must be approved by the watch commander.

When an arrestee is treated and released, the arresting officer shall:

- a. Remain with and retain custody of the arrestee while at the hospital.
- b. Obtain a copy of the emergency room treatment report when the arrestee is released, take it to the BRC with the arrestee, and give it to the BRC nurse.
- c. Book the arrestee into the BRC.

If a misdemeanor arrestee requires medical treatment, emergency medical services will be requested. Arrestees who qualify under the Notice to Appear guidelines in the current issue of P&P 1205, Notice to Appear Affidavit, should be issued a Notice to Appear and released. If the misdemeanor arrestee does not meet the qualifications but does not appear to be an imminent danger to the community, the preferred course of action is to file an at-large arrest affidavit. Officers should confer with their supervisors before taking this action. If at-large arrest paperwork is filed, the officer must attach a note to the State Attorney's Office that Speedy Trial is running.

7. VICTIM NOTIFICATION OF ARREST

Officers must complete a Victim Notification form when an arrest is made, when filing at-large paperwork, or securing an arrest warrant for the following crimes, per Florida Statutes:

- a. Homicides, pursuant to [Chapter 782](#).
- b. Sexual Offenses, pursuant to [Chapter 794](#).
- c. Attempted Murder or Attempted Sexual Battery, pursuant to [Chapter 777](#).
- d. Stalking, pursuant to [748.048](#)
- e. Domestic Violence, pursuant to [Chapter 784](#). (The Victim Notification form must be completed in addition to the required domestic violence case handling paperwork and procedures.)

Officers should refer to the current issue of P&P 1131, Victim Assistance and Notification, for instructions on completion of the form.

8. DROPPING CHARGES/UNARRESTS

Any officer who is faced with releasing an arrested person after a physical arrest, but before booking, shall contact his or her supervisor for assistance. If the supervisor determines before booking, but after an arrest, that there never was, or is no longer, sufficient probable cause to support the charge, or that other circumstances warrant the individual's release from custody, he or she shall notify the watch commander. The watch commander shall ensure that the arrestee is immediately released and transported back to the location where he or she was arrested. Officers

should ensure that positive identification of the prisoner/detainee is made upon release and that personal property is returned. The watch commander shall direct the arresting officer to initiate a police Incident Report concerning the circumstances of the incident. A copy of the report documenting the unarrest shall be immediately forwarded to the Police Legal Advisor. If a subject has been arrested, the booking process has been completed, and information comes to the officer that indicates the original probable cause no longer exists to support the charges, the officer shall immediately notify the Police Legal Advisor, his or her supervisor, and the watch commander. At this point, only the State Attorney or the courts have the authority to drop charges. The Police Legal Advisor will facilitate the release of the arrested subject through the State Attorney's Office or the courts.

9. POLICY TRAINING

Sergeants will be required to conduct training on these procedures (Adult Booking Procedures) whenever the procedures are updated or changed. The training will be documented on a Training Instruction and Attendance Form, which can be found in the current version of P&P 1704, In-Service Training, and is available in PowerDMS. The completed form shall be submitted to the Training Coordinator.

V.FORMS AND APPENDICES

APPENDIX A-List of Offenses/Circumstances When a Warrantless Arrest Can Be Made
ATTACHMENT A-Receipt for Personal Property
ATTACHMENT B-Strip Search Authorization
ATTACHMENT C-Charging Affidavit/Warrant Arrest

VI.REFERENCES

This policy rescinds Policy and Procedure 1201.18
Related Policies: Regulation Manual 800
Related Laws: Florida Statutes [947.141](#) and [901.211](#)