

LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> September 2, 2015		<i>Amended Date</i>		<i>Directive</i> 10.01.1	
<i>Subject</i> Prisoner Processing					
<i>Reference</i>			<i>Approved</i>  Chief of Police		
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 10.10; 10.22		<i>Review Date</i> July 10, 2017	
				<i>Pages</i> 6	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

This directive establishes guidelines for booking and processing adult prisoners at Tri-City Jail, as well as provides guidelines relating to prisoners brought to the Lancaster police facility for temporary detentions.

SECTION 2 POLICY

- A. Through an Interlocal Agreement (Agreement) between the cities of Lancaster and DeSoto, it is established that Tri-City Jail (DeSoto Police Department detention facility) is the detention facility for adult Lancaster prisoners. All jail operations and use of the jail facility will be regulated by the DeSoto Police Department.
- B. The department recognizes that each prisoner has certain Constitutional, civil, and statutory rights. Therefore, the department will ensure that each of these rights and privileges are accorded and that no rights are violated.
- C. Any conflict in policy or procedure between this directive and the Agreement, the provisions in the Agreement will prevail.
- D. Any policy or procedure not addressed by this directive but is addressed by the Agreement shall be governed by the Agreement.
- E. Except where otherwise stated, procedures discussed in this directive relate to the Tri-City Jail.

SECTION 3 DEFINITIONS

- A. **Arraignment:** is the legal process by which detainees are advised by a magistrate of the charges filed against them, their constitutional rights, the bond/fine amounts, and their ability to possibly enter a plea on Class C offense.
- B. **Arrested person:** is a person who is seventeen (17) years of age or older and has been lawfully arrested by a law enforcement officer.
- C. **Book-in desk:** is the desk in front of the control center used to book in and release detainees.

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- D. **Detention facility:** is a secure place for the temporary detention of an arrested person.
- E. **Detention facility commander:** is a law enforcement supervisor who oversees the operation of the DeSoto detention facility.
- F. **Hog tie:** is a method of tying a person's limbs (hands and feet) together, rendering the person immobile and helpless.
- G. **Police facility:** is the headquarters building of the Lancaster Police Department.
- H. **Prisoner:** is an arrested adult or a juvenile detainee who is transported to the Tri-City Jail or to the Lancaster police facility.
- I. **Tri-City Jail:** Desoto Police Department's detention facility.

SECTION 3 PROCEDURES

A. GENERAL DUTIES OF TRI-CITY JAIL STAFF

- 1. intake a prisoner brought to the facility by Lancaster;
- 2. search the prisoner and log prisoner's property; (TPCA 10.10)
- 3. complete required paperwork;
- 4. fingerprint and photograph the prisoner;
- 5. notify the magistrate for arraignment of the prisoner, if necessary;
- 6. house and feed the prisoner;
- 7. collect bond and fine money;
- 8. make consular notifications; (TPCA 10.22)
- 9. release the prisoner and prisoner's property (TPCA 10.10)

B. GENERAL RESPONSIBILITIES OF LANCASTER OFFICERS

- 1. The arrest report in the department's Record Management System must be completed before the jail staff can complete the booking. Therefore, the officer must complete the arrest report before leaving the jail facility.
- 2. The arrest report will include at minimum the following information:
 - a. date and time of arrest;

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- b. arrested person's full name record;
 - c. arrest location;
 - d. all known charges at time of the booking;
 - e. basic arrest narrative (known charges should be listed out individually at the bottom of the narrative and include the charging agency, the warrant or citation number and the bond amount)
3. The officer must complete an arrest report and all applicable forms as required by the agreement or by the Tri-City Jail facility staff.
 4. The officer will not stay at Tri-City Jail any longer than is necessary to complete the required paperwork for the detention. The officer will return to patrol duties as soon as it is reasonably possible.

C. PERSONS SURRENDERING AT JAIL FACILITY ON LANCASTER WARRANTS

1. When a person surrenders at Tri-City Jail on a Lancaster warrant and the person needs to be arrested by a Lancaster officer, the jail staff is to notify the on-duty supervisor about the surrender.
2. The on-duty supervisor or a person designated by the supervisor will serve as the "arresting officer" and complete the arrest report. (The arrest report can be completed from the officer's in-car computer or the station. The arresting officer does not have to physically go to the jail to arrest the person. A copy of the arrest report can be faxed, emailed or hand delivered to the jail.)
3. Once the officer has sent the arrest report to the jail, the officer will contact the jail by telephone to verify they received the report.

D. PROBABLE CAUSE AFFIDAVITS AND IN-CUSTODY ARREST WARRANTS

1. For an on-view class B and higher offense arrest, the officer must complete a probable cause affidavit and an arrest warrant as soon as possible after the booking to ensure the person arrested is arraigned in a timely manner, in accordance with Articles 14.06 and 17.033, Texas Code of Criminal Procedure.
2. The affidavit should not contain all of the details of the incident; it should include only that information that is necessary to establish the probable cause for the arrest.
3. The on-duty supervisor is responsible for providing an officer to sign probable cause affidavits at Tri-City Jail when summoned to do so by the magistrate.

E. ARRAIGNMENTS

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1. Arraignments are to be handled in the manner agreed upon by the cities of DeSoto and Lancaster. Nothing shall preclude Lancaster from using its own magistrate to arraign Lancaster prisoners.
2. Article 14.06, Texas Code of Criminal Procedure, requires a person to be arraigned no later than forty-eight (48) hours after the person is arrested.
3. Article 17.033, Texas Code of Criminal Procedure:
 - a. Requires a person, except as provided by Subsection (c) of the article, who is arrested without a warrant and who is detained in jail to be released on bond, in an amount not to exceed \$5,000, not later than the twenty-fourth (24th) hour after the person's arrest if the person was arrested for a misdemeanor and a magistrate has not determined whether probable cause exists to believe that the person committed the offense. It also requires the person, if the person is unable to obtain a surety for the bond or unable to deposit money in the amount of the bond, to be released on personal bond.
 - b. Requires a person who is arrested without a warrant and who is detained in jail, except as provided by Subsection (c) of the article, to be released on bond, in an amount not to exceed \$10,000, not later than the forty-eighth (48th) hour after the person's arrest if the person was arrested for a felony and a magistrate has not determined whether probable cause exists to believe that the person committed the offense. It also requires the person, if the person is unable to obtain a surety for the bond or unable to deposit money in the amount of the bond, to be released on personal bond.
 - c. Authorizes a magistrate, on the filing of an application by the attorney representing the state, to postpone the release of a person under Subsection (a) or (b) for not more than seventy-two (72) hours after the person's arrest; and, requires an application filed under this subsection to state the reason a magistrate has not determined whether probable cause exists to believe that the person committed the offense for which the person was arrested.

F. CONSULAR NOTIFICATION AND ACCESS REQUIRED

1. All required notifications will be made by Tri-City Jail personnel, once the arrested person is transported to the jail. (TPCA 10.22)

G. PRISONER PROPERTY (TPCA 10.10)

1. Anytime a person is arrested, the person's property should be secured.
2. When a person is arrested from a vehicle, the person's valuables should be inventoried and secured in the vehicle, unless the person requests a different disposition. Guns and money should not be left in the vehicle if it is being impounded.
3. When a person is not able to provide a disposition for valuables due to intoxication, injury, or mental state, the officer should use discretion about leaving valuables in a vehicle versus dropping them into the property room for safekeeping.

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4. When pets will be left unattended due to an arrest, the pet owner should provide a disposition for the pet. If the person is unable to provide a safe disposition for the pet, the animal control officer will be contacted to take custody of the pet.
5. Tri-City Jail has adopted the Dallas County jail's policy regarding prisoner property guidelines.
6. The following types of prisoner property will no longer be accepted at Tri-City Jail nor at the Dallas County jail:
 - a. aluminum cans;
 - b. alcoholic beverages;
 - c. box cutters or sharpened items;
 - d. bulk property larger than 1' x 2';
 - e. electronic devices or equipment (larger than hand);
 - f. glass bottles;
 - g. knives (does not include folding knives that measure less than 5 ½ inches that have been secured with red duct tape);
 - h. lighters;
 - i. mace or OC spray (does not include a small chemical dispenser sold commercially for personal protection);
 - j. perishable items (food or drink);
 - k. tool or appliances;
 - l. umbrellas (does not include collapsible to less than 1 foot);
 - m. weapons;
 - n. large, over-sized purses/bags (if in doubt about whether the purse/bag is too large, other means should be used to secure it and not take it to the jail)
7. Tri-City Jail personnel have discretion to disallow any property.
8. Any property that is not allowed by the detention facilities must be released to an authorized person or dropped into the property room for safekeeping. However, perishable food items will not be dropped into the property room.

H. SCOPE OF RESPONSIBILITY

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1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.