



Indian River County Sheriff's Office			
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	Authority of Jail Director Major Selby Strickland	<i>Selby Strickland</i>	
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I. PURPOSE:

The purpose of this intra-divisional procedure is to establish uniform guidelines for lawfully admitting and processing arrested persons into the facility, while ensuring compliance with all federal, state and local statutes, ordinances and court rulings. This intra-divisional procedure shall apply to all members of the Sheriff's Office Bureau of Corrections.

II. DEFINITIONS:

Adult: Any person 18 years of age or older.

Arresting Officer's Report: A form completed by the arresting officer upon an arrest stating actions or behaviors of the arrestee and provides information to use as a "hold" for arrest by a different agency.

Bail: The money or bond put up to secure the release of a person who has been charged with a crime.

Bail Bond: Bond provided by an insurance company through a bail bondsman acting as agent for the company, to secure the release from jail of an accused defendant pending trial.

Baker Act: An involuntary examination initiated by judges, law enforcement officials, physicians or mental health professionals when there is evidence a person has a mental illness or is a harm to self, others or self neglectful.

Capias: An order for arrest authorized by a judicial writ.

Crime: A violation of a law in which there is injury to the public or a member of the public where a term in jail or prison, and/or a fine serve as possible penalties.

III. PROCEDURES:

- A. Corrections deputies responsible for the admission of inmates shall make a reasonable effort to determine each admission meets established rules, regulations and legal procedures. [FCAC 9.03]
- B. Any legal or procedural questions concerning the admission of a person to the facility are resolved prior to the completion of the admission process. [FCAC 9.03]
- C. The admission process of inmates shall be completed by certified corrections deputies. A corrections deputy of the same gender as the inmate shall be present at all times. [FCAC 9.07 M]
- D. All new arrestees and inmates entering the facility shall be frisk searched and body scanned by a certified member during the booking-in process. Reasonable suspicion of a concealed firearm or other contraband shall initiate a strip search, body scan or body cavity search in accordance with Intra-Divisional Procedure Inmate Searches. [FCAC 9.04]
- E. Body cavity searches shall only be performed by a licensed medical professional under sanitary conditions in an emergency medical facility. A written report of the findings will be completed and forwarded to the Corrections Major. [FCAC 9.05M]
- F. Strip searches shall be done in a professional and expeditious manner. Deputies shall make no physical contact other than that which is absolutely necessary to conduct the search properly.
 - 1. Each strip search shall be performed by a person of the same gender as the arrested person and on premises where the search cannot be observed by persons not physically conducting or observing the search.
 - 2. Any observer shall be of the same gender as the arrested person.
 - 3. No strip search shall be conducted in the facility without obtaining the written authorization of the on-duty watch commander.

- G. Any money at the time of admission new arrestees may have on their person will be deposited into a personal financial account established for that inmate.
- H. Any money found on an inmate while in the housing areas may be confiscated and placed in the inmate welfare fund.
- I. Inmate admission records are compiled and maintained on each inmate to contain, at a minimum: [FCAC 9.08M]
 - 1. Full name and known alias; [FCAC 9.08M (A)]
 - 2. Age; [FCAC 9.08M (B)]
 - 3. Date of birth; [FCAC 9.08M (C)]
 - 4. Sex; [FCAC 9.08M (D)]
 - 5. Date admitted; [FCAC 9.08M (E)]
 - 6. Race; [FCAC 9.08M (F)]
 - 7. Height; [FCAC 9.08M (G)]
 - 8. Weight; [FCAC 9.08M (H)]
 - 9. Specify reason in custody; [FCAC 9.08M (I)]
 - 10. Name of attorney, if known;
 - 11. Signatures of persons delivering inmates; [FCAC 9.08M (J)]
 - 12. Signatures of persons receiving inmates; [FCAC 9.08M (K)]
 - 13. Written, or electronically captured, inventory of items taken from inmate; [FCAC 9.08M (L)]
 - 14. Current or last known address; [FCAC 9.08M (M)]
 - 15. Next of kin; [FCAC 9.08M (N)]
 - 16. Marital status; and [FCAC 9.08M (O)]
 - 17. Religion. [FCAC 9.08M (P)]
- J. All arrestees booked into the facility on criminal charges shall be fingerprinted and photographed. [FCAC 9.09M]
- K. All new arrestees or incoming inmates shall have all unauthorized items removed, inventoried and placed in a secured area designated for inmate property. The inmate will be provided a receipt with both

corrections member and inmate signatures when property is taken or returned. [FCAC 9.10M (A)(B)]

- L. Behavior permitting, all arrestees are given access to a telephone during the admission process in order to contact their attorney, family, employer or others, or make arrangements for bail, if applicable. [FCAC 9.11]
- M. New arrestees shall be permitted to bathe during the booking-in process unless the inmate is belligerent and unruly to the point of being unmanageable. The inmate will be allowed to bathe as soon as manageability permits. [FCAC 9.04]
- N. Photographs of the inmate taken during the booking-in process shall be used for the inmate's identification badge. In order to prevent bypassing of security measures, the identification badge shall be clearly visible on the inmate as stated in the Inmate Handbook. [FCAC 6.09M]
- O. New arrestees needing translation services for rules, regulations or other services during their incarceration will be provided. [FCAC 7.01]
- P. Upon the arrest of the defendant, Booking Intake shall record the following information. Upon completion the information is faxed to the Victim Assistance Unit.
 - 1. Victim's name;
 - 2. Next of kin in a homicide;
 - 3. Parents or guardians of children who are the victims of crimes;
 - 4. Address, telephone number;
 - 5. Agency case number; and
 - 6. Defendant's name
- Q. New arrestees brought to the facility for detoxification reasons shall be housed in areas designed for that purpose and held in accordance to State statute. [FCAC 10.07]
- R. The CMI S-D5 is a handheld quantitative breath alcohol testing instrument designed to assist with workplace safety and medical purposes. Although accurate and reliable this equipment is only used to provide assistance and not in cases where documentation of evidentiary value is required.
- S. During the initial booking an inmate may be placed in a cell to facilitate the booking process. However, an inmate may not be kept in a cell for any period which would exceed eight (8) hours. [FCAC 10.22]

1. Exceptions are permissible when an inmate's behavior or intoxication prevents them from placement into general population. [FCAC 10.22]
 2. Exceptions require *close supervision* and complete documentation with justification. Close supervision is defined as regular, documented, physical observations of an inmate at intervals not to exceed fifteen (15) minutes by certified deputies or medical staff. [FCAC 10.22]
- T. Baker Act detainees can be accepted by the facility if they have been arrested on criminal charges only. Those who have not committed a criminal offense cannot be accepted.
- U. An inmate who is unconscious, or appears to be seriously ill or injured shall not be admitted into the facility unless medically cleared. Medical staff shall assess the inmate and forward their findings to the on-duty watch commander. Based on medical staff's assessment the on-duty watch commander will determine if a new arrestee with obvious medical issues or injuries, or intoxication, shall be admitted to the facility or receive medical treatment prior to admission. [FCAC 9.06M]
- V. If new arrestees receive or refuse medical treatment before arrival to the correctional facility, the arresting officer may be required to provide documentation to medical staff before inmate acceptance.
- W. Each inmate shall be medically screened during the booking-in process by medical staff or corrections member trained by medical staff under the auspice of the agency health authority. A visual observation and completion of medical screening documentation, shall be conducted by medical staff or designee addressing the following: [FCAC 19.03 M]
1. Current illnesses and health problems, including any infectious disease; [FCAC 19.03M (A)]
 2. Medications being taken and special health needs, including allergies; [FCAC 19.03M (B)]
 3. Inquiry into cough, lethargy, and weight loss; [FCAC 19.03M (C)]
 4. Behavioral conditions and mental state, to include past and current suicidal tendencies; [FCAC 19.03M (D)]
 5. Notation of observable deformities or injuries; [FCAC 19.03M (E)]
 6. Skin and body condition, such as rashes, needle marks, etc; [FCAC 19.03M (F)]
 7. Inquiry into drug and alcohol use, to include date and time of last use, and any previous signs and symptoms of withdrawal; and [FCAC 19.03M (G)]

8. Any other health problems as designated by health staff. [FCAC 19.03M (H)]
- X. New arrestees are not permitted to keep medication in their possession. The only exception is medication approved by the Medical Unit or purchased through commissary.
- Y. Newly admitted inmates are provided the following items upon admission:
 1. Toothbrush and toothpaste; [FCAC 10.12 (A)(B)]
 2. Comb; [FCAC 10.12 (C)]
 4. Soap; [FCAC 10.12 (D)]
 5. Clean towel and washcloth; [FCAC 10.12 (E)]
 6. Feminine hygiene items, as appropriate; [FCAC 10.12 (F)]
 7. Mattress and pillow combination; [FCAC 13.01 (A)(B)]
 8. Mattress and pillow cover; [FCAC 13.01 (C)]
 9. Sheets and blanket; [FCAC 13.01 (D)(E)]
 10. Cup;
 11. Spork;
 12. Laundry bag
- Z. "White Out" or other methods of covering over information in an inmate's official jail record shall not be used. Incorrect information shall be lined through and initialed by the correcting member.
- AA. During admission each step of the booking-in process should be explained to the arrestee.
- BB. During the admission process each inmate will be issued a copy of the Inmate Rules and Regulations Handbook. [FCAC 9.01M]
- CC. During the admission process inmates are provided sexual assault/abuse information to include:
 1. Self protection and prevention techniques; [FCAC 9.16M (A)]
 2. Treatment and counseling; and [FCAC 9.16M (B)]
 3. Reporting methods. [FCAC 9.16M (C)]
- DD. New arrestees shall be separated from general population during the admissions process and will not be taken to a housing unit until the entire booking-in process is completed.

- EE. Members shall not recommend or furnish any legal or other advice concerning the selection of an attorney or bondsman to an inmate or to the inmate's family and friends.

IV. ADMISSIONS:

A. Juveniles

In cases where juveniles may be legally held, state and federal laws require total sight and sound separation between juvenile and adult detainees. Under no circumstances shall a juvenile status offender (truant, runaways or ungovernable) be held in this facility. When receiving and admitting a juvenile, the Booking Officer shall ensure rules, regulations and legal procedures for such admission are met. Any legal or procedural questions concerning the admission of a juvenile into the facility shall be resolved prior to their admission. [FCAC 17.01M & 18.01M]

1. Juveniles held in temporary custody for the purpose of fingerprinting and photographing and awaiting transportation to the appropriate juvenile facility shall be held under the following provisions: [FCAC 17.02M]
 - a. No regular sight and sound contact between juvenile and adult inmates; [FCAC 17.02M (A)]
 - b. Adequate staffing to supervise and monitor juvenile at all times; [FCAC 17.02M (B) and 18.02M]
 - c. Physical observation and documented checks not to exceed 10 minutes; [FCAC 17.02M (C) and 18.02M]
 - d. Time held does not exceed six (6) hours. [FCAC 17.02M (D)]
2. Juveniles will be accepted into the facility for criminal felony capias/warrants (court case number suffix CF [Criminal Felon]). Juveniles may only be held in the facility where Florida State Statutes specifically authorize such placement. [FCAC 17.01M]
3. Issuance of a court order authorizing placement in the facility is limited to the following circumstances:
 - a. Indictment by Grand Jury
 - b. Waived as an adult
 - c. Direct information filed by the State Attorney's Office
 - d. Any juvenile who previously committed an adult offense and received adult sanctions shall be treated as an adult for any subsequent arrests.

- e. Criminal felony capias/warrant.
 - f. When taken into custody in Florida and wanted in another jurisdiction for prosecution as an adult. [FCAC 18.01M]
4. When brought into the facility, the Booking Officer shall ensure the arrest and booking documentation is accompanied by required documents, which, by law, approve the placement of the juvenile in an adult facility.
 5. All legal documentation shall remain in the juvenile's file at all times.
 6. When a juvenile has been direct filed, waived, or indicted for criminal prosecution as an adult, and has been found to have committed the offense and received adult sanctions, the juvenile shall be handled in every aspect as if they were an adult for any subsequent violation under Florida law.
 7. When a minor is taken into custody for a criminal traffic offense or driver's license violation, the arresting officer is required to make every reasonable effort to notify the minor's parents, guardian or responsible adult relative.
 8. Juveniles charged with DUI shall be booked following the standard booking procedures. The time held cannot exceed six (6) hours. [FCAC 17.02M (D)]
 - a. After the six (6) hour period the juvenile is to be removed from the secured portion of the facility to the lobby.
 - b. Supervision and monitoring of juveniles during the six (6) hour period shall include physical observation and documented checks by corrections deputies at intervals not to exceed 10 minutes.
 9. Adults (18 and over) arrested on juvenile charges shall be processed as:
 - a. An adult charged solely on juvenile charges who is over the age of 18, but not yet 19, is to be processed as a juvenile and turned over to the Juvenile Detention Center.
 - b. An adult charged with both adult and juvenile charges shall be booked and processed in accordance with policy and procedure on the adult charge and a "Hold" placed on the juvenile charge. Once the adult charge is disposed of through bond, time served, etc. the juvenile charge will be handled as outlined above.

10. The monthly Juvenile Summary Report contains information concerning the arrest and incarceration of juveniles. This report is required by the U.S. Department of Justice and is sent monthly to the Florida Juvenile Justice Delinquency and Prevention Program. Classification is responsible for this report.
 - a. All juveniles brought into this facility must be entered on the monthly Juvenile Summary Report. This includes those who are court ordered and those who are at the facility for fingerprints and photographs only.
 - b. The monthly Juvenile Summary Report shall include the juvenile's name or case number, date of birth, race, sex, most serious charge, date and time admitted and date and time released, if released.

B. D.U.I. Arrestees

1. New arrestees brought to the facility for DUI shall be frisk searched by the Booking Officer and shall remain in the custody of the arresting officer until the completion of the breath testing.
 - a. Breath test results shall be forwarded to medical staff to assist determination for admission.
 - b. Should the arrestee refuse breath testing, medical staff will determine if medical treatment is required prior to admission to the facility.
2. If deemed medical treatment is required, it shall be the responsibility of the arresting officer to procure treatment. The corrections facility shall not allow admission until medical clearance is received.
3. Inmates shall be booked following the standard booking procedures.
4. All D.U.I. arrests with the eligibility and means of posting bond shall be held a minimum of eight (8) hours.
5. All D.U.I. arrests shall be evaluated at the end of the eight (8) hour period. The D.U.I. arrestee shall be released if all conditions of release are met.
6. If determined the D.U.I. arrestee has not met the conditions of release, the booking deputy shall:
 - a. Continue to re-evaluate at intervals of no more than one (1) hour until the inmate has met the specified conditions; and

- b. Complete documented checks by corrections deputies at intervals not to exceed 15 minutes during the re-evaluation period.

C. Additional Charges

1. Additional or "new" charges are added to the inmate's record and a copy of the arrest affidavit containing the additional charge is forwarded to the inmate. Documentation is stamped "Additional Charges" and forwarded as though it is a new arrest.
2. Inmates whose original charge is a Pick-Up Commitment shall be brought to Booking Intake for fingerprinting when additional charges are added.

D. Civil

1. A person charged with a civil offense which only requires a monetary means of release (i.e., purge) shall be booked following the standard booking procedures of a person charged with a misdemeanor.
2. A person charged with a civil offense that requires a monetary means of release, or the option of serving a specific amount of time (sentence), shall be processed as a sentenced inmate if the person cannot obtain a method of release.

E. Law Enforcement Officers/Affiliates and Protective Custody

This type of arrestees booked into the facility shall be booked following the standard booking procedures, but shall have no contact with any other inmate. Special care shall be taken for this status of arrestee to ensure all staff is aware of the need to keep the arrestee separate from other inmates.

F. Federal In-Transit

This type of arrestee shall be booked following the standard booking procedures. The federal agency dropping the in-transit off at our facility shall complete a pick-up commitment.

Although fingerprints and photographs are not required one fingerprint card and a photograph shall be taken. The photograph taken is for the purpose of receiving an identification badge.

G. Foreign Nationals

1. The arrest of a foreign national who might have political immunity or any other person of political significance shall be immediately reported to the arresting deputy's supervisor.

2. How To Identify A Foreign National

A foreign national may present a foreign passport or an alien registration document as identification. If they present a document that indicates birth outside the United States, or claim to have been born outside the United States, they may be a foreign national.

3. Mandatory Consular Notification

The countries listed on the Mandatory Consular Notification List have mandatory notification clauses in their treaties with the United States requiring notification upon the arrest of a foreign national from their country. The individual foreign national cannot waive a notification required by treaty. The Consular Notification Form shall be completed and faxed to the appropriate office.

4. Non-mandatory Consular Notification

Foreign nationals from countries not listed on the mandatory consular notification list, must be informed of the right to have their government notified. If notification is requested, it must be given as soon as practical. If notification is not requested, it should still be documented on the Consular Notification form and no notification should be given.

5. Refer to General Order 4010.35 Foreign Nationals for further information

H. Illegal Aliens

1. This type of arrestee shall be booked following the standard booking procedures.
2. A warrant issued and signed by a Federal Court Judge or Federal Magistrate or an Order of Deportation signed by a Federal Court Judge, Federal Magistrate or Immigration Judge will be the only means accepted when detaining a subject for Immigration and Customs Enforcement (ICE).
3. No person will be detained based solely on an administrative warrant signed and issued by an ICE agent.
4. All inmate information is forwarded to Immigration and Customs Enforcement (ICE).

I. Marchman Act

It is the opinion of the Indian River County Sheriff's Office that the Bureau of Corrections is not an appropriate medical treatment facility for Marchman Act individuals.

J. Surrenders

1. A bondsman has the authority to surrender (return to custody) a defendant who is out of custody on a surety bond.
2. A bondsperson on all inmate surrenders shall:
 - a. Deliver a copy of the original bond written on the defendant with the surrender section completed; and
 - b. Complete a Statement of Surrender form.
3. For inmates not in custody, the bondsperson will deliver the inmate to Booking Intake in the same manner as a law enforcement officer. After delivering the inmate to Booking Intake the bondsperson will complete a Pick-Up Commitment.
4. For inmates in the custody of another facility, the bondsperson shall complete a financial responsibility affidavit claiming responsibility for all travel expenses incurred in the return of the inmate.

K. Mass Arrest

In the event a mass arrest occurs, the following needs must be considered:

1. Housing requirements, to include:
 - a. The separation of adults from juveniles, and males from females;
 - b. Separation of combatants;
 - c. Separation of felonies and misdemeanants.
2. Additional supplies and equipment, to include:
 - a. Beds and bedding;
 - b. Personal hygiene items;
 - c. Food supplies;
 - d. Equipment necessary to maintain control and order;

- e. Necessary equipment and forms to execute admissions, bonding and release procedures;
 - f. Fingerprinting supplies;
 - g. Digital camera and flash.
3. Additional personnel shall be recalled to provide support for:
- a. Additional security for the facility;
 - b. Admissions, bonding and release processing;
 - c. Support services (medical, supplies, food).

VI. ARRESTING AGENCY FINGERPRINTS AND PHOTOGRAPHS:

A. Fingerprints

Every inmate admitted to this facility shall be fingerprinted for the arresting agency.

B. Photographs

- 1. Every inmate admitted to this facility shall be photographed for the arresting agency.
- 2. Two photographs shall be taken, one being a front view and the other a profile.
- 3. The front view photograph of all arrestees will be used on their identification card.

VII. CLASSIFICATION:

A. Newly admitted inmates are classified as soon as practical after admission. The classification system utilized is uniform for all inmates and follows each inmate during their incarceration, to include: [FCAC 9.12 (A)]

- 1. Rewarding inmates for positive behavior; [FCAC 9.12 (B)]
- 2. Access to programs; and [FCAC 9.12 (C)]
- 3. A reclassification process. [FCAC 9.12 (D)]

B. Inmate records are maintained and kept confidential from other inmates. The records contain at a minimum:

- 1. Legal authority for commitment; [FCAC 9.13 (A)]
- 2. All information contained in the booking record; [FCAC 9.13 (B)]

3. Classification information and progress reports; [FCAC 9.13 (C)]
 4. Sustained disciplinary reports including investigation and disposition; [FCAC 9.13 (D)]
 5. All absences from the facility; [FCAC 9.13 (E)]
 6. Photograph; [FCAC 9.13 (F)]
 7. Records of any detainer or other civil or criminal process; [FCAC 9.13 (G)]
 8. Personal property records; [FCAC 9.13 (H)]
 9. Date and terms of condition of release, the authority for release and signature of the releasing employee. [FCAC 9.13 (I)]
- C. The classification system is a governing tool that allows management of inmates determined to be at risk to commit sexual assault and inmates determined to be at risk of being victimized. [FCAC 9.15 M]

VIII. INMATE RELEASE:

- A. Inmates will be released in accordance with procedures for release from the proper authority or Classification Section.
- B. Positive identification shall be made of all inmates prior to being released. [FCAC 9.14M]
- C. Booking Release shall complete the appropriate paperwork according to the type of release (i.e., ROR, time served, cash bond, surety bond, purge, etc.)
- D. Booking Release shall return the inmate's personal property and collect all department issued property and clothing. Small property is returned to the inmate at the conclusion of the release.
- E. Medical staff shall be notified of pending releases. Those persons on prescribed medications will be given a minimum three (3) day supply or arrangements to obtain the medication at the time of release, unless otherwise directed by the facility health authority or authorized medical designee. The Medical Unit will make arrangements for any community follow-up required by the inmate. [FCAC 20.08]
- F. At the time of release, the inmate will sign:
 1. The return of their property held by the facility;
 2. The closing of their financial account;
 3. A bond, purge, or ROR form, if the reason for release;

4. The terms defining the conditions of release.

G. Victim Notification

1. To fulfill the requirements of s. 960.0, Florida Statute prior to, or upon the release of the defendant shall:
 - a. Contact the victim, or next of kin of the victim, of any crimes involving murder, sexual offenses or attempted murder or sexual offenses or any other crime against a person, prior to the defendant's release.
 - b. If telephone notification of the victim is not successful before the release of the defendant from custody, a letter must be sent to the victim, next of kin, or guardian as soon as practical following the release.
 - c. If the defendant is released following sentencing, disposition or furlough, correctional members shall attempt to notify the victim or the appropriate next of kin, or other designated contact within four (4) hours following the release of the defendant.
2. If the defendant is released before first appearance the victim is notified of the arrest and release through the above steps.
3. Cases where there is no victim or the notification requirement has been waived are as follows:
 - a. Where the State of Florida or law enforcement officers are listed as the victim no notification is required.
 - b. Victims of crimes, who sign a waiver of notification form, do not have to be notified of the defendant's release. The signed waiver will be supplied to this facility at the time of the defendant's arrest.
 - c. If the victim of a crime is currently incarcerated in this facility notice of the defendant's release will be given in person.
4. The State Attorney's Office shall notify victims of escapees or prisoners who have been erroneously released or recaptured.
5. The victim of a crime is supplied with the defendant's name, date of release and instructed to contact the State Attorney's Office for court dates.

6. If the victim of a crime is a juvenile, the parent or guardian of the child is notified of the release of the defendant in their child's case or the HRS protective services worker, as appropriate.
 7. If the victim of the crime is deceased because of the crime, the next of kin is notified of the defendant's release from custody.
- H. Booking Release shall return any previously accepted hazardous property (i.e., pocket knives) to the inmate in the lobby, outside of the secure portion of the facility.