
ADMINISTRATIVE DIRECTIVE – 112.016
RESTRICTED INTAKE

EFFECTIVE DATE: February 19, 1993
REVIEW DATE: February 1, 2006
AFFECTS: All Personnel

REVISION DATE: November 3, 1995

I. PURPOSE

The directive defines the times and conditions when restricted intake into the municipal jail will be enforced.

II. POLICY

Restricted intake will be activated periodically by special order of the Chief of Police as necessary to maintain the population of Plano City Jail at a safe and secure level. Activation will usually be a result of activation of the Collin County Restricted Intake Plan.

III. PROCEDURES

A. Effect

Activation of this directive will result in limiting the incarceration of persons arrested by Plano police officers. Restriction will be based primarily on the charge to be filed against the suspect.

B. Arrestable Offenses

Effective with activation of this directive, all charges should be filed via Grand Jury Referral unless:

1. The suspect is eligible for book and release, or
2. The suspect is being charged with one or more of the offenses listed below.
 - a. Criminal Homicide
 - b. Kidnapping/False Imprisonment
 - c. Sexual Offenses
 - d. Assaultive Offenses
 - e. Arson
 - f. Robbery
 - g. Burglary of Habitation
 - h. Theft of Vehicle/UUMV
 - i. Delivery or manufacture of a controlled substance
 - j. Possession of a controlled substance - aggravated amount

C. Exceptions

1. A person to be charged with a felony grade offense not listed above may be incarcerated with Watch Commander approval. If Collin County Jail is unable to accept transfer of the prisoner, the prisoner may be released with approval of the Assistant Chief of Police.
2. A person to be charged with Driving While Intoxicated may be incarcerated until he/she can be released to a responsible individual or until he/she is judged by the on-duty watch commander to be sufficiently recovered from the intoxication. Once approved by the watch commander, the prisoner will then be discharged via book and release (DWI).
3. A person to be charged with Public Intoxication may be released if:
 - a. The officer believes detention is unnecessary for the protection of the individual or other persons, AND the individual:

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- (1) is released to the care of an adult who agrees to assume responsibility for the individual; or
 - (2) verbally consents to voluntary treatment for chemical dependency in a program in a treatment facility licensed and approved by the Texas Commission on Alcohol and Drug Abuse and the program admits the individual
- b. A magistrate determines if the individual meets the requirements for release listed in (1) or (2) immediately above.
4. A person wanted by another agency may be arrested but is subject to release if not extradited by the other agency in a reasonable period of time.
5. A person wanted for parole violation or probation violation may be arrested if the original charge is one of those listed above.
6. A person may be arrested for family violence, violation of protective orders, or other offenses when, in the best interest of public safety, a custody arrest is necessary.