

First Chance Procedure

410.1 PURPOSE AND SCOPE

To establish procedures when using the "First Chance" Facility as an alternative to booking at the San Mateo County Main Jail.

410.2 POLICY

1. The "First Chance" facility is to be used as an alternative to physically booking persons arrested for 23152 Vehicle Code, 647(f) Penal Code, and certain 11550 Health and Safety Code violations into county jail

2. The following criteria must be met for all subjects booked into First Chance:

- (a) Arrests must be for 647(f) PC, 23152 VC, or 11550 H&S (except PCP influence).
- (b) The person arrested must be eligible for release on a misdemeanor notice to appear or pursuant to Section 849 (b) (2) PC (release when sober, no charges to be filed).
- (c) All arrested persons will be treated as if they are to be booked into county jail until they are released to the staff at First Chance. This will include searching, handcuffing, etc.

3. An arrestee DOES NOT QUALIFY for admission to First Chance and will be booked into county jail or other appropriate facility if any of the following conditions exist:

- (a) There is an additional bookable charge for which the defendant cannot be released on a notice to appear.
- (b) The arrestee is belligerent or hostile to the extent that he/she presents a physical threat to him/herself or others.
- (c) The arrestee is in need of immediate medical attention.
- (d) The arrestee appears to be mentally incapacitated.
- (e) The arrestee refuses to be admitted to First Chance.
- (f) The arrestee is under the influence of PCP.
- (g) First Chance staff refuses to accept the arrestee.

NOTE: Whenever a 23152 CVC, 647 (f) PC, or 11550 H&S arrestee is booked into county jail rather than into First Chance, the reason will be documented in the police report.

4. Individuals who have been drinking, but do not meet the elements for arrest, may benefit from the services provided by First Chance. Under these circumstances, officers may assist citizens requesting First Chance services by transporting them to the First Chance facility. Such cases will be documented minimally with incident notes shall be added along with a complete F.I. Card, unless the circumstances dictate that a complete RIMS report should be written .

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410.3 BOOKING

- (a) In cases where the arrestee is going to be charged and prosecution sought, a misdemeanor citation will be issued to the arrestee.
- (b) If no prosecution is sought, it will be necessary to complete an 849 (b) (2) form and leave a copy with the arrestee and submit the original with the police report.
- (c) On all 849(b)(2) releases, the arrestee's status in RIMS shall be changed from "suspect arrested" (SA) to "detention only" (DX).
- (d) Prior to releasing the arrestee to the custody of First Chance staff, the following steps need to be taken:
 - (a) Take a new booking photo of the arrestee and upload it into RIMS for their Persons file.
 - (b) Conduct a thorough pre-booking search and removal of the arrestee's personal property.
 - (c) Arrestees who are issued a citation and released to the custody of First Chance staff will be given a "Booking Information" notice requiring the arrestee to respond to SSFPD for the Live Scanning fingerprinting process (see SSFPD-OD-15-089 for details). Persons that have fingerprints on file with this department need not be reprinted, except to place a right thumbprint on the lower right corner of the San Mateo County booking sheet. No fingerprints are necessary for persons arrested for 647 (f) PC if no prosecution is sought
 - (d) When it is determined that the arrestee is to be booked into county jail, the fingerprint and photo requirements outlined above will be all that is required.

410.4 EVIDENCE COLLECTION

Blood, breath, and urine samples can be collected at First Chance:

- (a) Blood: If the arrestee chooses a blood test, it will be necessary to request a phlebotomist using the process already in place.
- (b) Breath: No special arrangements are necessary.
- (c) Urine samples will only pertain to arrestee's who have been arrested for being under the influence of drugs.

410.5 ADMISSION PROCEDURE

- (a) The officer will accompany the arrestee to the admission desk at the facility once all of the above procedures have been completed. The officer will remain at the desk during the screening procedure until the process is complete and the officer is advised that the arrestee is accepted for admission.
- (b) If the arrestee is not accepted for admission as determined by the counselor at the facility, the arrestee will be booked into county jail. A copy of the screening form completed by the counselor will be provided to the officer, indicating the reason for refusal.

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- (c) First Chance staff personnel have the authority to decline to accept an arrestee if they believe the arrestee does not meet admission criteria. If the officer feels that the arrestee was improperly rejected, the officer will document the incident on a memo directed to the Operations Division Commander.

410.6 WALK-AWAYS

If an arrestee walks away from the First Chance facility, the counselors at the facility will notify the Burlingame Police Department. Normally, Burlingame officers will attempt to locate the walk-away. If Burlingame officers are not available, or if they request assistance, then we should send SSFPD officer(s) to check the area for the arrestee. If the walk-away is located, a SSFPD unit will respond to the scene and transport the arrestee to jail. Walk-aways that were taken to First Chance as "citizen assists" will not require further intervention if they leave the facility.