

371 SEARCHING, TRANSPORTING, AND BOOKING OF PRISONERS

I. DISCUSSION: The purpose of this policy is to cover post-arrest procedures when booking will occur. The sheriff of Hillsborough County (HCSO) controls procedures for prisoner booking. Tampa Police Department personnel will fully comply with the booking procedures provided herein for County Jail Central, 1201 Orient Road, Tampa, FL, 33619.

II. DEFINITIONS:

A. "Frisk" is the limited search of any person whom an officer has stopped, or temporarily detained, pursuant to F.S. §901.151. Whenever an officer so authorized reasonably believes that any person whom he or she has temporarily detained is armed with a dangerous weapon and therefore poses a threat to the safety of the officer or any other person, the officer may pat down the outer clothing of such person only to the extent necessary to disclose, and for the sole purpose of disclosing, the presence of a weapon. If the search discloses a weapon or any evidence of a criminal offense, it may be seized pursuant to the guidelines of Section II.B. herein.

B. "Search" includes the placing of an officer's hand(s) inside the pockets and property of the arrested person to count, itemize and scrutinize that person's possessions. A search should be sufficiently detailed and thorough so that no small item should escape detection.

C. "Strip search" means having an arrested person remove or arrange some or all of his or her clothing to permit a visual or manual inspection of the genitals, buttocks, anus, female breasts, or undergarments of such person, pursuant to F.S. §901.211. Grabbing the back of a subject's pants to look for a baggie stashed between his cheeks may be a strip search depending on whether the suspect remains clothed and if the searched area can be viewed by onlookers. A female officer who momentarily pulls forward the baggy shirt of a female suspect and reveals the suspect's bra to the officer or anyone else is likely performing a strip search. This does not include the removal of shoes, socks, jackets, or extra layers of clothing not revealing undergarments. See Legal Bulletin 22-16.

D. "Prisoner Transport Wagon" is a secured vehicle for the transportation of prisoners/detainees in small groups. The transport wagon(s) will be assigned to each patrol division.

III. PROCEDURE:

A. For general search and seizure policy, see SOP 821.

B. Searching:

1. In all arrests in which the subject is to be incarcerated, the arresting officer will perform a thorough search of the prisoner.
2. A thorough search will be conducted each time a different officer takes custody of a prisoner for transport. For purposes of this paragraph, custody means the taking of immediate charge, control, and actual physical possession of the arrestee after the initial arrest and pat down. Stand by at the scene for observation after a full search without transportation does not require a new search.
3. For officer safety and in order to avoid a person being charged with introduction of contraband into a detention facility under F.S. §951.22, a thorough search must be done after arrest. After being properly secured, reasonable efforts should be made to have arrestees searched by an officer of the same sex. If an officer is not of the same sex as the arrestee, it is recommended to have two officers present. Hats and belts should be removed and examined. Pockets should be turned inside out whenever possible. Absent unusual circumstances, booking should not locate contraband on an arrestee who was properly searched.
4. Officers will provide arrestees the opportunity to disclose any contraband they may have in their possession by advising arrestees prior to or during transport that upon arrival to the jail they will be thoroughly searched and that any weapons or drugs found on them will result in an additional felony charge. If drugs or weapons are found on the arrestee during booking, officers should charge the person accordingly and document the precise location from where the contraband was located on the arrestee and that the arrestee was warned during transport of the potential charge.
5. Strip searches:
 - a. No person arrested for a traffic, regulatory, or misdemeanor offense, except in a case that is violent in nature; involves a weapon; or involves a controlled substance; will be strip-searched, unless there is probable cause that the individual is concealing a weapon, a controlled substance, stolen property or contraband.
 - b. F.S. §901.211 sets forth the limitations and conditions applicable to strip searches. **Be advised** that courts require strict observance of those limitations and conditions. The penalties for improper strip searches include **personal** civil liability, meaning the offending officer pays damages to the plaintiff.

To avoid that situation, officers must:

- 1) Understand the very broad definition of “strip search” and recognize when their actions may fall within the definition.
 - 2) Perform the strip search away from the view of other persons by officer(s) of the same gender as the subject. The necessary extent of the strip search will dictate where it may occur. If the searching officer needs to only pull open the waistband of the arrestee’s pants, that search may occur between parked cars, in an alleyway, or any similar place where no part of the arrestee’s private anatomy or undergarments are visible to others. If the search must entail the exposure of the arrestee’s private anatomy, that search should occur in an enclosed room where absolute privacy is assured.
- c. The searching of body cavities of either male or female prisoners **will not** be conducted by Tampa Police Officers. If such a search is deemed necessary, it must be performed by medical personnel of the same gender as the arrested person and on premises where the search cannot be observed by persons other than the person physically conducting the search and a law enforcement officer of the same gender as the arrested person.
- 1) There is a nurse on-duty 24 hours a day at County Jail Central. If the nurse is the same gender as the person arrested, the prisoner will be transported there for the search. If not, the prisoner will be transported to Tampa General Hospital, where a doctor or nurse will conduct the search.
- d. Pursuant to Florida Statute, no officer shall perform or arrange for a strip search without obtaining the **WRITTEN** authorization of his/her supervising officer on duty. The supervisor will respond to the scene and, if the strip search is deemed necessary, authorize the search in writing. Said authorization will be documented on a Supplement Report originated by the supervising officer and will become a permanent supplement to the General Offense Report.
- e. When an officer knows a subject has evidence, contraband or a weapon concealed on the person, an officer may take possession by seizing the item as this is not a search or inspection for unknown or suspected items. Therefore, if a pat down search of a subject reveals to the officer’s touch an item that reasonably seems to be evidence or a weapon, the officer may seize the item without doing a search, even if clothing must be rearranged to accomplish the seizure. Report writing will need to articulate the facts that led the officer to

believe the officer was seizing evidence or a weapon and not searching or strip searching for unknown or suspected items.

C. Transporting:

1. Unless otherwise directed, the arresting officer will transport adult prisoners to County Jail Central Booking, 1201 Orient Rd. Juvenile prisoner transport and disposition will be in accordance with SOP 313. Juveniles will be handcuffed and transported in the same manner as adults. However, juvenile and adult prisoner/detainees will not be transported in the same vehicle unless arrested as participants in the same criminal offenses.
2. The transporting officer will search the transporting vehicle, whether assigned or unassigned, to ensure that no contraband, weapons or other items are present prior to and after transporting prisoners, and the beginning of each work shift cycle.
 - a. Absent emergency or special circumstances approved by a supervisor, a vehicle equipped with a protective divider will be used when transporting all prisoners.
 - b. All prisoners/detainees and passengers will be secured in the transporting vehicle by use of seatbelt (if so equipped) to prevent injury to the individual. Extenuating circumstances may exist which prevent the safe application of the seat belt to the prisoner/detainee. Such specific circumstances may include:
 - 1) Combative prisoners.
 - 2) The possibility of officer contact with bodily fluids or infectious disease.
 - 3) Physical handicap or injury (see section D.).

The transporting officer will have to use discretion based upon the specific facts and circumstances of each prisoner.
 - c. When an officer transports any prisoner, he shall advise dispatch via radio of starting mileage upon commencement of the transport and ending mileage upon arrival at the appropriate destination.
3. The transporting officer will not lose sight of, or leave unattended, a prisoner until the prisoner is released.
4. Transporting Detainees/Prisoners of the Opposite Sex:

- a. Male and female detainees/prisoners will not be transported in a police vehicle that contains a detainee/prisoner of the opposite sex unless they are involved as perpetrators in the same offense.
 - b. Male and female detainees of the opposite sex can be transported in the Special Purpose Vehicle: Prisoner Transport Wagon, when both are separated by a secure partition. (See IDP 301.11 – Special Purpose Vehicle: Prisoner Transport Wagon.)
5. Transporting prisoners for probation officers and the Department of Corrections (DOC) on a local pick up or probable cause arrest only: When DOC requests a courtesy transport to booking and the DOC officer declines to respond to booking with the transporting officer the transport should be refused. Verification should also be made that the DOC officer will assume custody of their prisoner in the event they are medically refused at booking. Consult with your supervisor before assuming control of the prisoner.
 6. If a prisoner becomes combative or attempts self-harm during transport, the officer should stop at a safe location where the prisoner can be safely removed from the vehicle. The officer must then notify communications of their location and request assistance from another officer.
 7. If a prisoner becomes combative or attempts self-harm during transport outside the city limits, the officer should stop at a safe location where the prisoner can be safely removed from the vehicle. The officer must then notify communications and request that the local jurisdiction be informed. Additionally, the officer should request assistance from the closest available unit, regardless of jurisdiction.

D. Subjects With Special Needs being Detained or Arrested:

1. Seat belting techniques may need to be altered or restraining devices may be unnecessary under extenuating circumstances including, but not limited to, arrest of the following people: elderly, obese, physically or mentally handicapped, obviously ill, pregnant persons, or persons suffering from an injury possibly complicated by handcuffing or seat belting.
2. In the event that a person with special needs as described above may possibly incur an injury as a result of seat belting, the officer's immediate supervisor shall be notified prior to applying the seat belt. If the need for transport is immediate, then as soon as possible after transporting the person, the supervisor shall be notified. In all cases, great care should be taken in restraining, seat belting, and transporting someone with special needs. Still, officer safety remains a paramount concern.

3. With supervisory approval, normal seat belting techniques may be altered as necessary to include, without limitation:
 - a. Placing the shoulder harness behind the subject's torso; or
 - b. Hobble tying a violent subject who refuses to be seat belted or where seat belting would expose the officer to unnecessary injury by a non-compliant subject.
4. Under those exigent circumstances which dictate that the subject be transported in an uncaged vehicle, supervisory approval will first be obtained, and then a minimum of two officers will be utilized for such transport. The position of the second officer will be the rear seat directly behind the driving officer. The rear-seat officer will position himself in such a manner as to protect his firearm and maintain constant visual contact with the subject. In this type of situation, the subject will be handcuffed in the rear. The prisoner will be seated in the right rear passenger seat. Any deviation from this handcuffing procedure will require supervisory approval. If possible, the subject's legs will be restrained and seat belts will be utilized.
5. Under no circumstances will the transporting officer engage in any pursuit while in custody of a prisoner. The transporting officer will not deviate from the primary responsibility of delivering the prisoner to booking except:
 - a. When the risk to a third party is clear and grave if immediate aid is not rendered; and
 - b. The risk to the prisoner is minimal.
6. Should a prisoner escape during lawful custody from the transporting officer, the officer will:
 - a. Immediately notify police communications of the escape location, charges on the suspect, suspect description, and direction of flight;
 - b. Request assistance of additional officers or specialty units if necessary; and
 - c. Document the escape in a police report and the criminal charge (if appropriate) describing in full, the facts surrounding the escape and all actions taken,
 - d. If the escape occurs in another jurisdiction, in addition to the above steps, the transporting officer shall notify communications and

request the appropriate jurisdiction be notified and request assistance as needed.

7. The transporting officer will not make any stops while in transport or allow the prisoner to communicate with anyone.
8. Restraining devices as described in SOP 371.1 will be used while the prisoner is transported. These devices will generally not be removed until the prisoner has been delivered to the receiving facility. (Discretion should be used by the officer in dealing with discomfort of prisoners while using the leg restraints in extreme cases; see SOP 371.1 – Restraining Devices.)
9. If physical incarceration would adversely impact the person because of the handicap, consideration will be given to acceptable alternatives such as release on recognizance, if such action would be suitable in view of the facts of the case. The officer's immediate supervisor must approve any alternative actions if the case is one in which the person would normally be incarcerated.

During the transport of a handicapped person or a person with a known medical condition in a police vehicle, the officer will exercise extreme care and attempt to minimize the discomfort to the person. The officer should ensure that the items required by their conditions, such as wheelchairs, crutches, or medicines, are also transported.

When dealing with mentally handicapped persons, the officer's actions will be tailored accordingly.

10. When transporting a mentally ill person\Baker Act patient, the officer will ensure delivery to the receiving facility as soon as possible. The patient will be properly restrained, as his or her behavior dictates while being transported.
11. Medical Clearance – Arrestees, who are apparently unable to walk, appear to be significantly injured or who complain of significant injury or illness must be taken to a hospital for medical clearance before they will be accepted by HCSO for booking.
 - a. Arrestees having a blood alcohol content of .35 percent or higher will not be accepted without written medical clearance.
 - b. The booking nurse may refuse acceptance for virtually any medical reason at his/her discretion.
12. Uncooperative Prisoners – Arrestees who appear to be capable of walking but who refuse to physically cooperate will never be dragged from the

transporting vehicle or dragged from the vehicle into the facility. Rather, the transporting officer should request assistance from the booking staff. After confirming that the prisoner is refusing to walk into the booking facility on his own, he should be lifted from the transporting vehicle and placed on the rubber mat located in front of the gun boxes. After a search and a tactical cuff exchange, the arrestee will be secured in a restraint chair per HCSO procedure and rolled into the intake vestibule.

13. Combative Prisoners – Upon arrival at central booking with a prisoner believed to be combative, officers should advise booking deputies accordingly and request assistance. Booking deputies will not assume the primary role in removing the arrestee from the vehicle but will assist in controlling the prisoner as needed.

E. Prisoner Transport Wagon

1. Although each patrol vehicle is equipped to transport prisoners/detainees, a need may arise to transport in groups. Situations may include, but not limited to:
 - a. Raymond James Stadium, Amalie Arena, Ybor City during special events, city parks, and beaches.
 - b. As a part of a search warrant plan and/or operations where multiple arrests are anticipated (DUI check points, prostitution operations, civil demonstrations/protests).
 - c. Authorization for use of the transport wagon will be granted by a sergeant or higher. Those personnel who demonstrate operational knowledge of the transport wagon will be authorized to operate it.
2. The transport wagon(s) will be equipped with locking devices on the exterior of the compartments. These devices will ensure detainees/prisoners will not be able to exit without the assistance of the transporting officer.
3. There will be two separate compartments within the prisoner transport wagon in order to separate detainees/prisoners of the opposite sex.
4. The transport wagon may be utilized to transport juvenile prisoners/detainees to the Juvenile Assessment Center from the scene of a mass arrest situation, with the authorization of a Sergeant or higher..
 - a. Juvenile prisoners/detainees will not be transported or detained with adult prisoner/detainees.

5. The following prisoners/detainees will not be transported or detained within the transport wagon:
 - a. Combative prisoners/detainee that require the T.A.R.P restraint or iron leg restraints (as outlined in SOP 371.1- Restraining Devices) which will not enable the prisoner/detainee to be seated on the bench seat within the transport wagon. Prisoners/detainees will not be placed on the floor of the transport wagon face down for any reason.
 - b. Prisoners/detainees that require transport to a hospital or that are seriously injured.
 - c. Subjects charged with D.U.I. that require processing through Central Breath Testing.
6. The transporting officer(s) will immediately request Tampa Fire Rescue to respond if the detainee/prisoner exhibits signs of medical distress. A supervisor will respond to the transport wagon location.
 - a. The area patrol supervisor will respond to the patrol wagon's location when a prisoner/detainee injures himself or another prisoner /detainee.
7. Prisoners/detainees will not remain stationary in a transport wagon for more than (2) two hours.

F. Booking:

1. Prisoner security will be the responsibility of the transporting officer until such time as the prisoner is accepted into the custody of the appropriate agency personnel, i.e., Hillsborough County Jail Central Booking, Juvenile Assessment Center (JAC).
2. Arrest affidavits will be completed prior to arrival at either Hillsborough County Jail Central Booking or the JAC facilities.
 - a. Transporting officers will inform detention employees of any known escape or suicide potential of the prisoner. Any other known personal traits of a security or medical nature should also be disclosed; and
 - b. Once custody of the prisoner has been transferred to another entity, the transporting officer will document the transaction and placement in the report and on the Response-to-Resistance detail page if applicable.

3. Booking of Injured Prisoners:
 - a. Prisoners in need of emergency medical attention, e.g., broken bones, profuse bleeding, and respiratory distress, will be transported via ambulance when indicated by the nature of the injury or illness, to a hospital emergency room (with preference to Tampa General Hospital) for treatment.
 - b. All other arrestees suffering from apparently minor injuries will be transported by the arresting officer to County Jail Central for examination by the medical staff at that facility. Officers may be asked to complete an “Agency Advisory Form” at the jail to advise jail personnel of known or potential injuries or health issues of the prisoner. If they determine that the prisoner is in need of hospital care, the arresting officer will then transport him or her to Tampa General Hospital for medical clearance.
 - c. Should the arrestee not require hospital care, he or she will be accepted by County Jail Central for treatment and booking. Per HCSO policy, any arrestee who is unconscious or appears to have a serious injury (large cuts, profuse bleeding, broken bones, etc), shows definitive signs of drug overdose, or presents a serious health concern or issue to the receiving nurse will not be admitted to the facility. Any arrestee who has ingested drugs, has visible trauma to the head, or uncontrolled bleeding, will NOT be accepted into the jail without medical clearance.
 - d. To continue reducing unnecessary ER medical clearances and/or emergency room visits, NaphCare has established a 24-hour, county-wide, Booking Medical Provider Hotline (813-422-5535). This hotline will assist arresting officers in answering questions dealing with medical clearances of arrestees and will be continuously monitored by the Booking Medical Provider. Examples of minor medical care available at the jail facility include arrestees with lacerations requiring minimal sutures, K9 bites (depending on severity), alterations with injuries upon arrest, and swollen extremities. If arrestees are experiencing minor medical issues, such as the examples listed above, the arresting officer should contact the Booking Medical Provider Hotline and discuss the injuries with the provider to determine if the arrestee should be medically cleared before delivered to booking. Additionally, if arrestees are delivered to the jail with worsening symptoms after the hotline has been contacted, they may still be refused and re-routed to an emergency room. The hotline is established for medical clearances only and is not required for every arrestee delivered to booking. Ultimately, the in-person evaluation conducted by the

medical provider at booking will determine if the prisoner requires medical clearance.

- e. In the event it is necessary for an officer to take or send an arrestee directly to a hospital for emergency care, it is essential that the County Jail be contacted by telephone at 813-247-8300 as soon as possible.
- f. Once the prisoner has been accepted by County Jail Central, if a later determination is made that the arrestee needs hospital care, transportation will be the responsibility of County Jail Central.

4. Hospitalization of Prisoners:

- a. Officers who have a prisoner who is injured to the extent that admission to a medical facility is required, must contact a supervisor at County Jail Central as soon as the decision has been made to admit the prisoner, to arrange for someone to guard the prisoner, commonly referred to as a “remote book.”
- b. The officer will be relieved by a guard from the County Jail who will accept responsibility for the prisoner.
- c. The officer must then deliver the completed criminal report affidavit and any personal property to the receiving window at County Jail Central.
 - i. At this point the prisoner has been accepted and booked by County Jail Central.
- d. Completion of each step in this process must be clearly articulated in the offense report.
- e. Misdemeanor prisoners (excluding prisoners charged with DUI) will be released on their own recognizance and no holds placed.
 - a. Persons arrested for misdemeanor DUI will not be released from custody until:
 - i. The person is no longer under the influence of alcoholic beverages, any chemical substance, or controlled substances and affected to the extent that his or her normal faculties are impaired;
 - ii. The person’s blood-alcohol level or breath-alcohol level is less than 0.05 or;

- iii. Until 8 hours have elapsed from the time the person was arrested.
 - f. If a subject is arrested for a misdemeanor domestic or dating violence charges and requires hospitalization or an extended stay in the emergency room, the decision of whether to remain with the arrestee until they are released or medically cleared will be made by a lieutenant or higher authority.
 - a. If a lieutenant or higher authority decides that an officer will not stay with the arrestee until their release, a pickup will be placed.
 - g. If it is determined that a hospitalized subject is wanted for a misdemeanor in another jurisdiction only, the investigating officer will notify that jurisdiction of the location and general medical condition of the subject by telephone or teletype. Details of the notification shall be included in the offense report. If the agency issuing the warrant requests the subject be detained under guard, the agency should be referred to HCSO to arrange for that service.
 - h. F.S. §394.462(1) (f) and (g) (Baker Act) provide that when an officer takes a mentally ill person into custody based on non-criminal or minor criminal behavior, the officer will transport the person to a mental health receiving facility for evaluation. When an officer has arrested such a person for a **felony**, said person should be processed (booked into jail) as all other criminal arrestees. The officer must immediately thereafter notify the mental health receiving facility, which will be responsible for arranging an evaluation. Such notification will be documented in the arrest report.
- 5. To enter the drive-in booking dock of County Jail Central, which is located on the south/west corner of the facility, 1201 Orient Road, and is entered from the south Orient Road driveway:
 - a. An intercom speaker box is located along the west driveway curb line opposite the drive-in booking dock entrance;
 - b. The gate will be opened electronically when the transporting officers identify themselves by name and agency and specify "straight booking". See III.F.7. for Central Breath Testing procedures; and
 - c. Upon entering the drive-in booking dock, officers will pull their vehicles forward as far as practical at a slow speed and park within the facility.

6. In order to transfer custody of a prisoner to County Jail Central, officers entering the facility will secure their weapons as outlined in III. F.8. below and wait for the drive-in dock gate to close and secure. Prisoners will then be escorted to the booking intake door.
 - a. A door buzzer button is located on the south wall by the intake door. After pushing the buzzer, operations will electronically release the lock allowing entry into the foyer.
 - b. The jailer will conduct a preliminary search of the prisoner. Upon searching the prisoner, the jailer will unlock the interior foyer door allowing access to the booking facility. The officer will accompany the jailer and prisoner into the booking facility and release the prisoner to the booking deputy while presenting his or her arrest documents.
 - c. An inventory of the prisoner's property will be made and HCSO internal paperwork will be completed by the booking deputy. Upon acceptance of the prisoner and charging documents by HCSO personnel, the officer may leave.
 - d. If at any point during the intake process any contraband is discovered, to include weapons or drugs, the deputy will immediately turn the contraband over to the arresting officer. The arresting officer will document as provided under III.B.4. and notify their immediate supervisor of the discovery.
 - e. If the NCIC/FCIC computer is operational, County Jail Central will not accept the prisoner until a warrant check has been made. If the computer is down, the jail will accept the prisoner and run a warrant check once the computer is again in operation. If an active warrant is then discovered, HCSO personnel will complete affidavits for the additional charges.
 - f. Undercover officers will not be required to wait in an area visible to other prisoners.
7. Access to Central Breath Testing Room:
 - a. The Central Breath Testing Room is located along the east wall of the drive-in booking dock interior, adjacent to the straight booking foyer.
 - b. Separate procedures have been established for escorting persons who have been taken into custody for breath-alcohol testing. Breathalyzer procedures are as follows:

- 1) Officers arriving with persons arrested for offenses which require the breathalyzer or need to be cleared for booking on other offenses but have a high alcohol level, will park their cruisers in the south/west exterior parking lot;
 - 2) The prisoner will be escorted to the drive-in booking dock walk-in door located along the south wall adjacent to the drive-in doors;
 - 3) A door buzzer button located on the wall will be pushed, thereby alerting booking operations to release the lock electronically and allow entry into the booking dock;
 - 4) Upon entry, officers will secure all weapons as outlined in III.F.8. below.
 - 5) Officers will then escort their prisoner to the Central Breath Testing door; and
 - 6) A door buzzer button located on the wall will be pushed to alert booking operations to electronically release the lock and allow entry into Central Breath Testing.
- c. Persons to be charged following the breathalyzer test will be escorted to the booking section and released to a corrections officer. Persons to be released from custody without booking will be escorted back out of the facility by the transporting officer.

8. Securing of Firearms and Weapons:

- a. Upon entering the booking dock area and **prior** to removing an arrestee from the vehicle, officers will secure all weapons (firearms, chemical spray, expandable batons, ECDs, knives), in their respective police units.
- b. Firearms will be secured in the trunk of police units or HCSO lock box.
- c. Firearms will be secured in a locked box in the cab area of the transport wagon or will be secured in the lock box in the sally port of HCSO central booking.

Supersedes SOP 371, dated 11/22