OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 11 March 26, 2020

SUBJECT: **TAKING PERSONS INTO CUSTODY – REVISED**

PURPOSE: This Order revises Department Manual Section 4/216, *Taking Persons into Custody*, to clarify that when a person is detained or arrested and is not able to be interviewed by a watch commander, a field supervisor shall be assigned to conduct an inspection and interview.

PROCEDURE: Attached is the revised Department Manual Section 4/216, *Taking Persons into Custody*, with the revisions indicated in italics.

AMENDMENT: This Order amends Section 4/216 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

MICHEL R. MOORE
Chief of Police

Attachment

DISTRIBUTION "D"

216. TAKING PERSONS INTO CUSTODY.

Inspection and Interview. All persons *that are* detained or arrested and transported to a Department, *or any other holding* facility, shall be brought before a watch commander *(W/C)* for an inspection and interview. At a minimum, the *W/C* shall ask the suspect the following three questions:

- Do you understand why you were detained *or* arrested?
- Are you sick, ill, or injured?
- Do you have any questions or concerns?

The *W/C* shall take appropriate action based upon the results of the inspection and responses to these questions. In documenting the detainee or arrestee's responses to the three mandatory questions for each checked shaded box, the supervisor *shall* explain the details of *the* responses in the Comments section of the appropriate detention log.

Exception: When circumstances preclude an inspection and interview by a *W/C* (e.g., medical/absentee bookings, *detentions per Section 5150 of the Welfare and Institutions Code),* the W/C shall ensure that the suspect*/detainee* is inspected and interviewed *in person,* by a Department supervisor who did not assist or participate in the *initial* arrest or detention *of the suspect/detainee. When conducting the inspection, t*he assigned supervisor *shall record the inspection on his or her body worn video and* document the inspection and interview in his or her Sergeant's Daily Report, Form 15.48.00. Additionally, the *W/C* shall document the reason for the exception, including the name and serial number of the supervisor assigned to conduct the inspection and interview, in his or her Watch Commander's Daily Report, Form 15.80.00.

Area Station. Any officer, from any command, *who* arrives at a Community Police Station with a person detained or arrested shall immediately ensure that the person is visually inspected and interviewed by the *W/C.*

Specialized Divisions. All specialized division arrestees shall be inspected and *interviewed* by one of the 21 Area *W/Cs* or a designated *W/C* at Metropolitan Jail Section, Custody Services Division, before being booked.