

General Order

Houston Police Department



ISSUE DATE:

October 4, 2019

NO.

500-08

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 500-08, dated October 20, 2006

SUBJECT: REQUIRED BOOKING INFORMATION AND PROCEDURES

POLICY

The department's booking procedures shall be uniform and prisoners shall be identified before their release or transfer to another law enforcement agency. Officers shall remain with the prisoner and maintain visual contact of the prisoner during the booking and registration process until the transfer of custody of the prisoner is complete.

This General Order applies to all employees.

DEFINITIONS

Jail Initialize. To transmit electronic booking information complete with the preliminary case and biographical information of an arrested person to the jail through the department's Records Management System (RMS).

Primary Division. The authorizing division responsible for investigating the most serious offense involved in a criminal investigation. When multiple offenses occur that are of equal offense classification according to the Texas Penal Code, the primary division shall be determined by which offense occurred first.

Secondary Division. Any authorizing division other than the primary division.

Valid Identification. Forms of identification including, but not limited to, current driver license, passport, lawful Permanent Resident card ("Green Card") issued by the U. S. Citizenship and Immigration Services, any issued Department of State consular identification card, Mexico's Matricula Consular de Alta Seguridad card (MCAS), or U. S. military identification. Officers are to presume these forms of identification are valid unless circumstances bring their authenticity into question.

1 PROCEDURES

Officers shall adhere to the following procedures when detaining or arresting any person:

- a. Officers have the discretion to check the wanted status of anyone legally detained.
- b. Officers shall check the wanted status of everyone that is ticketed, arrested, or jailed by comparing their *valid identification* to the information received from the computer search. However, if there is a warrant hit and confirmation is not received within 15 minutes, officers may release the detainee if they do both of the following:
 1. Obtain a supervisor's approval.

2. Document the detainee's identification information.

Consideration shall be given to the nature of the warrant and the circumstances of the detention.

- c. Thoroughly search each prisoner.
- d. Acquire all information required for reports and charges.

The following applies to persons arrested and booked in Harris County:

- e. All individuals arrested and booked into jail shall be entered into the Automated Reporting System (ARS) in the department's Record Management System (RMS). All municipal and county charges and/or warrants shall be listed and this information shall be sent to the jail through the *jail Initialization* process.
- f. Officers shall complete the jail registration process and scan the prisoner's 2 index fingers utilizing the designated fingerprinting system to verify the prisoner's identity and to determine if a prior criminal history exists.
- g. Officers shall inventory the prisoner's property and money during the registration process.
- h. Officers shall enter Class B or higher charges via the District Attorney Intake Management System (DIMS) within 2 hours of the booking and registration process.
- i. The transporting officer is responsible for completion of the booking and registration process.
- j. Suspects arrested for either "Outside Fugitive Warrants" or Southeast Texas Crime Information Center (SETCIC) warrants outside Harris County shall be taken before a magistrate to receive the magistrate warnings before being booked into jail.

Jail Safety

Officers entering a prisoner processing room shall secure all of their weapons and the keys to their vehicle in a weapon lock box prior to entry, except in emergency situations.

Weapons include:

- a. Firearms
- b. Conducted Energy Devices (CED)
- c. Knives
- d. Batons
- e. Oleoresin Capsicum (OC) Spray or Chlorobenzalmalononitrile Spray (CS)

Officers shall remain vigilant in regards to their surroundings and the other prisoners in the booking area while completing the booking and registration process.

Fort Bend County or Montgomery County

Persons arrested within the city limits of Houston but in Fort Bend County or Montgomery County should be dealt with as outlined in General Order 500-07, **Filing Proper Charges**.

2 MUNICIPAL PRISONERS**New Traffic or Municipal Charges**

Arresting officers shall book all prisoners on municipal charges and "new traffic" via the electronic citation (e-citation) writing machine. Only the arresting officer's name shall be used to login into the e-citation device. The electronic citation shall indicate that the person is "in custody" and the prisoner's Harris County Sheriff's Office (HCSO) registration number or the HPD booking number shall be entered in the "Incident Number" field. The names of any complainants and/or witnesses who need to be subpoenaed to court shall be placed in the "Witness" section of the e-citation machine.

Officers shall conduct a public intoxication or a Class C assault query via RMS for all prisoners being arrested for public intoxication or Class C assault for possible charge enhancement.

Booking a suspect for public intoxication or new traffic shall require a supervisor's approval and documentation of the explanation for booking the suspect in jail.

Municipal Warrants

Officers shall call the City of Houston Municipal Courts Warrants Verification Section to verify that the municipal warrants are active, the number of active warrants, and if the active warrants are *capias pro fine* (cash only) warrants. If the municipal warrants are *capias pro fine*, then the officer shall take the suspect immediately to a City of Houston magistrate prior to booking the suspect into jail. If the warrants are not *capias pro fine* warrants, then the officer shall immediately book the suspect into jail and complete the booking and registration process.

Southeast Texas Crime Information Center (SETCIC) Warrants

When an officer contacts the warrant-issuing agency and verifies that a suspect has a SETCIC warrant, the officer shall then have the SETCIC confirmation of the warrant(s) against the suspect sent to the jail, enter "SETCIC Warrants" in the charge screen in ARS, and enter the SETCIC warrants into the jail registration system. Officers shall ensure that the SETCIC confirmation has been received by jail personnel during the booking and registration process.

Officers are reminded to attempt a field transfer of a suspect with only a SETCIC warrant and no new local or county charges prior to transporting the suspect to jail. See General Order 500-17, **Transferring Prisoners in the Field**.

Suspects without new local or county charges who have a Class C SETCIC warrant from a Harris County Constable Precinct or any of the local agencies contracted with HCSO will be allowed to be booked into the jail. Suspects with SETCIC *capias pro fine* warrants will not be presented to a City of Houston magistrate in regards to the warrant fine. Suspects with SETCIC warrants outside Harris County shall be taken to a magistrate to receive the magistrate warnings.

3 CLASS B MISDEMEANOR OR HIGHER WARRANTS AND PROCEDURES

Inside Fugitive Warrant

A warrant originating inside Harris County is considered an Inside Fugitive Warrant. The suspect shall be placed in jail and the officer shall complete an original incident report (not an HPD case) or supplement (an HPD case) using the original offense title and enter the appropriate codes into ARS. The officer shall also enter the warrant information in the appropriate section and ensure that the warrant was received by jail personnel. When a suspect is arrested on a Harris County warrant that pertains to an *active* HPD case, the officer shall notify the concerned division investigating the case.

Suspects arrested on court administrative charges (e.g., bond forfeitures, failure to appear, and motions to revoke probation) that are *not* active Houston Police Department cases should be booked into jail and the concerned division notified of the arrest.

Outside Fugitive Warrant

When a suspect is arrested for a warrant originating outside Harris County, the officer shall contact the MSG1 operator (message center operator) and have the operator forward a copy of the TCIC/NCIC wanted hit confirmation to the jail. The officer shall enter the appropriate Outside Fugitive Warrant code in ARS as well as the warrant information and ensure that the warrant was received by jail personnel.

The officer shall call the agency directly requesting a hit confirmation only when the teletype system is down. A teletype shall be sent as soon as the teletype system is back up and operational.

Out-of-State Fugitive

When a suspect is wanted as an out-of-state fugitive and has new county charges or warrants, the officer shall take the suspect to jail, advise jail personnel that the suspect has an out-of-state warrant, and book the suspect into jail.

When a suspect is wanted as an out-of-state fugitive and has no other in-state warrants or charges, then the officer shall verify the warrant, ensure that the warrant confirmation was sent to the jail and contains the proper extradition language, and contact the warrant-issuing agency to have them send a copy of the warrant to the jail. The officer shall complete the affidavit and fax the affidavit, warrant confirmation, and a copy of the warrant to the Harris County District Attorney's (DA's) Office. After the officer receives the extradition packet from the DA's Office, the officer shall then take the suspect in front of a judge for an extradition hearing and book the suspect into jail.

Absent Without Leave (AWOL) from the Military

Persons arrested solely for being absent without leave (AWOL) from the military shall be booked into the county jail in the county where the arrest occurred.

4 IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) HITS

Officers who receive an NCIC immigration hit (Criminal Enforcement of Administrative Warrant of Removal or an Immigration and Customs Enforcement Detainer on Previously Deported Felons) on a person shall confirm the information as instructed by NCIC. Officers shall personally contact the Law Enforcement Support Center (LESC) and advise them of the NCIC information hit.

The Emergency Communications Division's (ECD's) MSG1 Operator is responsible for sending hit confirmation requests to the entering agency asking for positive or negative confirmation with a Routine or Urgent response. Once the identity of the person and the warrant or detainer is confirmed, personnel in ECD will send the hit confirmation to the jail. The officer shall confirm that the hit confirmation from dispatch has been received by jail registration personnel.

If a suspect has been arrested on other charges and is being booked into jail, LESL will send the immigration warrant or detainer to the jail. If an Immigration warrant or detainer is confirmed on an individual that has been detained and there are no other charges, then the officer shall follow the instructions given by the LESL personnel (e.g., meet the LESL personnel in the field).

Officers shall document the name of the LESL contact person, the warrant or detainer information, and the officer's actions in an incident report.

5 CONCERNED DIVISIONS AND PRISONER PROCESSING NOTIFICATIONS

When an officer books a prisoner into jail utilizing RMS, the concerned divisions related to Class B or higher offenses for which the prisoner is being booked will automatically receive a *Prisoner Processing for Concerned Division* notification through RMS that the prisoner is being processed into jail.

An officer who requires assistance to process or further investigate an incident may contact his direct supervisor or the concerned division for guidance. Officers are reminded that certain offenses require the officer to contact the related concerned division (e.g., Homicide, Juvenile, CID) for processing scenes and suspects.

Concerned division supervisors may assign investigative personnel immediately to the prisoner for additional follow-up and/or case enhancement, or they may instruct the arresting officer to proceed with the follow-up investigation and the filing of charges. The arresting officer shall be required to comply with any other prisoner processing procedures deemed necessary by the concerned division's authorized personnel (e.g., legal warnings, handwriting samples, or prisoner photos).

Concerned divisions have the opportunity to view a prisoner at the jail or other authorized HPD facilities. Concerned division personnel shall inform the arresting officer where to take the prisoner for the viewing. If the viewing is to take place in the jail, then the officer shall inform a jail HPD sergeant. If a viewing is to take place at another HPD facility, then only concerned division supervisors can authorize an exception to the rule requiring the prisoner's immediate transfer to a jail facility.

Secondary concerned divisions have the option of viewing the prisoner. If viewing is requested, the prisoner shall be transported to the secondary divisions (unless directed otherwise by the primary division). If no other viewing is requested, the prisoner shall be transported to jail as soon as possible. If an officer anticipates a delay in transporting a prisoner to the secondary division, then the officer shall contact the secondary division's supervisor and explain the cause of the delay.

Investigative Hold Authorization

An investigative hold shall apply to only prisoners who have not been charged with an offense and the filing of a criminal charge is considered imminent (e.g., within several hours) due to the need to complete additional police work before the Harris County DA's Office will accept a criminal charge. The arresting officer shall notify jail personnel and the jail HPD sergeant that the prisoner is being held as an investigative hold. The officer shall document the name of the concerned division supervisor who authorized the investigative hold and the jail HPD sergeant who was notified of the investigative hold in the incident report.

If circumstance warrants an investigative hold, the arresting officer shall follow the instructions given by the investigative hold authorizing supervisor.

Once an investigative hold has been placed on a prisoner, one of the following shall occur within 24 hours of the arrest. The prisoner is:

- a. Released without charges.
- b. Charged and eligible to post bond.
- c. Transferred to an outside agency.
- d. Granted an extension from the District Attorney's Office or appears before a magistrate for a detention hearing (i.e., the magistrate sets bail and authorizes the return of the prisoner to jail pending the posting of bail or the filing of a charge).

Additional Charges After a Prisoner is Booked into Jail

When an additional charge must be added to a prisoner who has already been charged with municipal or county charges and processed into jail, the arresting officer shall immediately notify the division concerned and jail personnel. The officer notifying the jail personnel shall ensure the charge information is received by the jail. Additionally, a supplement to the incident report or a new incident report, depending on the circumstances of the arrest or charge, shall be completed and include the name of the jail personnel who were informed of the additional charge.

6 INVENTORY OF PRISONER PROPERTY

A list of each prisoner's inventoried property shall be included in or on official department records (e.g., wrecker slips, incident reports, or prisoners' property records).

Before taking custody of a prisoner from another officer, officers shall inventory the prisoner's property and compare their inventory with that of the officer who is relinquishing custody. If at

any point in the custody of a prisoner a dispute arises in regards to the safeguarding of a prisoner's property, the immediate supervisor of the officer involved in the custody of the prisoner shall be contacted and a preliminary investigation shall be conducted. If the dispute is not settled, an Internal Affairs Division (IAD) *Issue Record Form* and details of the initial investigation (conducted by the immediate supervisor) shall be forwarded to IAD per General Order 200-03, **Investigation of Employee Misconduct**, within 24 hours.

Prisoner's Personal Property

Officers shall search all prisoners and enter a list of all of the prisoner's personal property into the jail registration system during the booking and registration process. Officers shall list every item separately and enter a detailed description of each item. The description shall include the following if applicable:

- a. Item (e.g., ring, bracelet, watch, cellular telephone, driver license, identification)
- b. Brand
- c. Color (e.g., yellow ring with clear round stone)
- d. Identification or serial number
- e. Damage (e.g., red Samsung cellular telephone cracked screen)

Upon completion of the registration process, the officer shall give the prisoner's personal property to the jail processing personnel.

Prisoner's Money

Officers shall utilize the money kiosk for inventorying the prisoner's money (U.S. currency). Officers shall collect the prisoner's money, enter the required prisoner information, and insert the money into the kiosk. The officer shall review the prisoner's information and money amount to ensure that it is correct before finalizing the transaction. If the prisoner does not have any money, then the officer shall make sure the transaction shows a zero balance. The officer shall acquire the transaction receipts and complete the booking process.

Prisoners who possess currency from other countries or currency that they perceive as personal property (e.g., keepsake \$2 bills) shall have those items inventoried as personal property. Officers shall not circumvent entering the prisoner's money into the money kiosk by claiming the money is a keepsake.

There is no limit to how much money can be entered into the prisoner's account; however, if the kiosk does not have the capacity, the officer shall utilize another machine to complete the transaction.

Officers are reminded that if the prisoner is in possession of large amounts of money that may be related to the prisoner's case, then the officer should refer to the procedures outlined in General Order 700-08, **Asset Seizure and Forfeiture**.

Mandatory Items to be Tagged at the HPD Property Room

The following items of prisoners' property shall be tagged in the HPD Property Room and documented in the incident report:

- a. Firearms or prohibited weapons (e.g., machetes).
- b. Large items such as luggage or bags, packages, or boxes that will not fit into the jail's property room (e.g., items larger than an airline carry-on bag).
- c. Property of unknown ownership or that does not belong to the prisoner. The officer shall investigate and determine the reason for the prisoner possessing the item. The officer shall tag the property as evidence or safe keeping as determined by the officer's investigation and document the details in the incident report (e.g., credit cards, identifications, birth certificates).
- d. Unopened beer, wine, liquor when an officer determines that no other disposition is possible (e.g., items are inventoried with a vehicle or given to a responsible third party, or permission is granted by the property owner to dispose of the property).
- e. Perishable food items, excluding single serving sizes, when no other disposition is possible (e.g., a shoplifting suspect arrested with groceries and the store offers a refund, items are inventoried with a vehicle or given to a responsible third party, or permission is granted by the property owner to dispose of the property).

Officers tagging items in the HPD Property Room as safekeeping shall complete the appropriate paperwork and list the items as safekeeping in the original incident or supplement report.

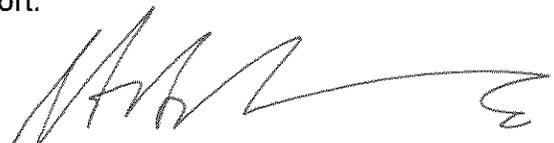
7 ARREST OF MULTIPLE SUSPECTS

Division commanders responsible for planning large arrest operations shall contact the jail HPD lieutenant to coordinate jail resources. The commander shall document the notification in the plan of action prior to submitting the plan of action for approval.

In all unplanned incidents when seven or more suspects will be transported to a jail facility, the on-scene supervisor shall ensure jail HPD supervisors are notified of the specific number of prisoners being transported to the facility.

8 SYSTEM DOWN TIME

If the department's RMS is down and a suspect cannot be *jail initialized*, the suspect shall be taken directly to jail and the officer shall complete the jail registration process and include the RMS issue and the officer's actions in the incident report.



Art Acevedo
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