

# General Order

## Houston Police Department



ISSUE DATE:

October 4, 2019

NO.

500-17

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 500-17, dated February 20, 2012

**SUBJECT: TRANSFERRING PRISONERS IN THE FIELD**

### POLICY

In an effort to promote efficiency and effectiveness in the law enforcement community, the Houston Police Department works cooperatively with other law enforcement agencies to transfer the custody of prisoners in the field. This General Order provides a set of procedures for accepting and transferring such prisoners.

This General Order applies to classified employees only.

### **1 ACCEPTING PRISONERS FROM OTHER LAW ENFORCEMENT AGENCIES**

When an HPD officer is dispatched to pick up a prisoner from an officer from another agency, the HPD officer shall determine to his satisfaction a crime has been committed and probable cause exists for the offender's arrest. The decision should be based on a determination of whether or not the elements of an offense are present and whether or not an arrest is appropriate under the circumstances.

If probable cause does exist for the charge, the responding unit shall search the prisoner, transport the prisoner to jail, and complete the incident report and booking process. The arresting officer may be required to report to the appropriate investigative division if that division so requests.

Prisoners arrested for warrants originating outside Harris County or prisoners arrested for *capias pro fine* warrants shall be taken before a magistrate prior to completing the jail booking and registration process.

For the policy on the handling of juvenile prisoners, see General Order 500-06, **Disposition of Arrested Juveniles**.

#### **Outstanding City of Houston Municipal Warrants**

When an HPD officer arrives on a scene and meets with the officer from the arresting agency, the HPD officer shall verify that the prisoner's warrants are valid by contacting the City of Houston's Municipal Courts Warrant Verification Division. If the warrants are valid then the HPD officer shall transport the prisoner to jail and complete the booking and registration process.

### **2 SOUTHEAST TEXAS CRIME INFORMATION CENTER (SETCIC) WARRANTS**

#### **Warrant Confirmation Procedures**

When an inquiry check (e.g., by name, operator's license, or social security number) by mobile computing device (MCD) reveals an outstanding SETCIC warrant, the officer shall request a confirmation of the warrant from the issuing agency. Officers shall not request confirmation

unless the person against whom the warrant was issued is in custody and the officers are prepared to incarcerate the person.

In accordance with SETCIC guidelines, a "locate" must be placed on the warrant. The officer shall verify the warrant's validity by calling the issuing agency or agencies holding the warrant by telephone, and asking if the warrant(s) is still open. If the warrant is open and the agency wants the person held, the agency shall be asked to send a telex or facsimile to validate the warrant and place a "locate" on the warrant. The warrant should be located even if the issuing agency does not want the person held. The officer shall ensure the telex or facsimile is sent to the jail for booking purposes.

If the arresting officer has no other charges or City of Houston warrants and the issuing agency verifies that the warrants are valid and wants the person held, the officer shall have the following options:

- a. If the wanting agency can meet the HPD officer on the street in or in close proximity to the officer's normal working area within 30 minutes, the officer shall be allowed to meet the outside agency's officer and turn the wanted person over.
- b. If an HPD officer detains a wanted person in close proximity to the agency wanting the person, the officer should have the discretion to deliver the person directly to the wanting agency if that will be the most efficient way of prisoner disposition.
- c. If the wanting agency is a Harris County Precinct or an agency that currently has a contract with Harris County to process their prisoners, then the officer can choose to do one of the above options or take the prisoner to jail and complete the booking and registration process. See the department's Intranet Portal for a list of agencies that have a contract with the Harris County Sheriff's Office.

If the outside agency (not a Harris County Precinct or contracted agency as stated above) will not confirm the warrant or agree to pick up their prisoner, or if there are other complications, then the officer may release the person.

#### **Officers Without Access to an MCD**

An officer without access to an MCD may contact patrol division personnel by radio if the frequency is clear to check for warrants. If this option is not available, the arresting officer may contact the citywide radio channel dispatcher or their assigned division to check for warrants.

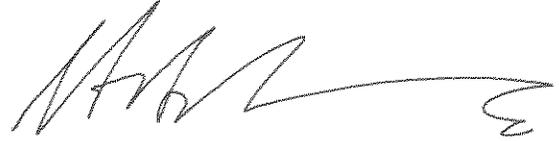
Once the arresting officer has been informed that the person being detained has a SETCIC hit, the officer shall follow the warrant confirmation procedures listed above.

### **3 DOCUMENTATION FOR TRANSFERS IN THE FIELD**

When an arresting officer transfers a wanted person in the field to the warrant issuing agency, the officer shall have the law enforcement officer who receives the wanted person sign the *SETCIC Prisoner Transfer Agreement* form, which states that the law enforcement officer from the originating warrant agency shall agree to fulfill the requirements of Article 15.17 of the Texas Code of Criminal Procedure. The arresting officer shall complete this form when prisoner

exchanges are made in the field or at the warrant-issuing agency's facility. The *SETCIC Prisoner Transfer Agreement* form is provided to patrol stations by the HPD Print Shop.

When a wanted person is in possession of a vehicle and is released in the field to the warrant-issuing agency or is transported to jail, the HPD arresting officer shall complete a vehicle disposition form per General Order 600-10, **Towing**, and dispose of the prisoner's vehicle according to HPD guidelines.

A handwritten signature in black ink, appearing to read 'Art Acevedo', with a long horizontal flourish extending to the right.

**Art Acevedo**  
**Chief of Police**