

POLICY AND PROCEDURES

NUMBER: 1417

SUBJECT: Public Drunkenness

ACA STANDARDS: None

DIRECTOR: Herbert Bernsen

EFFECTIVE DATE: 10/92

REVISION DATE: 9/97, 5/00, 4/06,
6/09, 11/13, 12/16



I. POLICY

The St. Louis County Department of Justice Services shall provide protective custody (not to exceed 12 hours) to any person who appears to be incapacitated by alcohol intoxication conveyed to the Intake Service Center by a law enforcement agency.

II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' Intake Service Center staff are responsible for the following procedures.

III. DEFINITIONS

'Fit for confinement': A form prepared by a local hospital which states that a prisoner, after examination, is medically 'fit' to be confined. The Corrections Medicine staff after questioning and examining the prisoner may determine the prisoner does not require a 'fit for confinement'. A prisoner is not to be accepted by the Intake Service Center staff if not 'fit for confinement'.

Public Drunkenness Law: Missouri State Law (RSMo. 67.315) prohibits the arrest of a person for the exclusive reason of public drunkenness. However, the law does provide for protective custody of such a person. Specifically, "a person who appears to be incapacitated or intoxicated may be taken by a police officer to the person's residence, to any available treatment service or to any appropriate local facility, which may if necessary include a jail, for custody not to exceed twelve hours".

IV. PROCEDURES

- [A. The Intake Service Center (ISC) staff will book the prisoner in the Integrated Jail Management System (IJMS) using the arrest type "Protective Custody". If known, an emergency contact person will be added to the record using the "Association" screen. *The charge code used for this type of arrest is "Hold for Safekeeping" (99010990). The disposition code for this type of arrest is "12 Hour Protective Custody". After booking and charge review, the ISC Officer will write the out time in the upper right hand corner of the prisoner's file, which will be 12 hours subsequent to the initial time of arrest. This time will be the maximum time that the inmate may remain in custody. The file will then be placed in the 24 hour hold section.*]
- B. All prisoners accepted under these procedures must be accompanied by a 'fit for confinement' form from a local hospital or the Corrections Medicine staff must determine the prisoner does not require a 'fit for confinement'.
- C. The prisoner's property will be taken and itemized by the Intake staff and a copy of the property receipt will be given to the prisoner.
- D. The Intake Officer and the police officer will escort the prisoner to the metal detector. If the prisoner passes through the metal detector without incident, the Intake Officer will place the prisoner in a transfer cell.
- E. The Intake Security Officer will remove the prisoner from the transfer cell and place the prisoner in the open seating area or in a holding cell in the Intake Service Center.
- F. The maximum time a prisoner will be held is twelve (12) hours from the time the police made initial contact. During this period, the Intake Shift Supervisor will ensure that the Intake Security Officer checks on this prisoner at least four (4) times per hour.
- G. Intake Shift Supervisors will ensure every effort is made to contact family or friends of the prisoner to arrange transportation home. A responsible person may pick up the prisoner any time during the twelve hour period. After the twelve hour period expires, the prisoner will be released on his/her own.
- H. At the time of release, the prisoner's property will be returned.