

GENERAL ORDER



Title	
Handling Intoxicated Persons	
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GO – PCA – 501.03	
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General Order 501.03 (Handling Intoxicated Persons) Special Order 80-48 (Detoxification Center) Special Order 84-42 (Handling Intoxicated Persons)	

DISTRICT OF COLUMBIA

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I. BACKGROUND

The Metropolitan Police Department recognizes that public intoxication is a public health issue. In this regard, intoxicated persons are divided into three classes: Those not endangering the safety of themselves, other persons, or property; those who endanger the safety of themselves, other persons, or property, and those who are charged with offenses other than those specified in the D.C. Official Code Section 25-1001. MPD has developed policies and procedures for handling each class of intoxicated persons.

II. POLICY

The policy of the Metropolitan Police Department is that an intoxicated person is normally accorded the same consideration as any individual suffering from an illness. No intoxicated person shall be taken into custody, except when his/her conduct clearly endangers the safety of him/herself, another person or property. Intoxication shall be handled as a public health issue, in most cases, rather than on a criminal basis.

III. REGULATIONS

- A. No person, whether in or on public or private property, shall be intoxicated and endanger the safety of him/herself or any other person or property. (D.C. Official Code Section 25 -1001, Drinking of Alcoholic Beverage in Public Place Prohibited; Intoxication Prohibited)
- B. Intoxication is a misdemeanor offense and upon conviction, shall be punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both. A person may be charged with intoxication under the above statute. The normal manifestations of intoxication, such as staggering, falling down, sleeping on a park bench, lying unconscious in the gutter, begging and singing, without

the presence of creating a danger to him/herself or any other person or property, does not constitute or justify placing the criminal charge of intoxication.

IV. PROCEDURAL GUIDELINES

- A. An individual who is intoxicated in public and who is not endangering his/her own safety or the safety of any other person or property shall be handled as follows: (CALEA 1.1.3 & 1.2.6)
1. Determine whether the individual needs medical attention; if necessary, request an ambulance.
 2. Depending on the circumstances, he/she may be taken or sent to his/her residence or to a private health facility at the expense of the intoxicated person. If public transportation is used, members shall not search the intoxicated individual, but may conduct a protective pat down.
 3. If not taken or sent to his/her home or a private health facility, he/she shall be taken to the Detoxification Center, Department of Health, located in the 1900 block of Massachusetts Avenue, S.E. The Detoxification Center services both male and female patients. (Telephone 202 - 727-5163)
 4. During periods when the Hypothermia Prevention Program is in effect, members shall give special attention to intoxicated homeless persons and shall handle them in accordance with procedures in GO-OPS-204.07, (Provisions for Homeless Persons During Periods of Cold Weather).
- B. An Intoxicated Individual Who is an Endangerment
1. The following are examples of, but are not limited to, situations that exhibit the level of danger an intoxicated person imposes upon him/herself, other persons and property that could be justification for an intoxication arrest:
 - a. An intoxicated person who is staggering and falling down in the middle of on-coming traffic is endangering him/herself and others;
 - b. An intoxicated person caring for a child, where his/her condition and state of mind could cause harm or danger to the child; or
 - c. An intoxicated person sleeping with a lit cigarette in his/her hand could cause a fire and destroy property.

2. An intoxicated person endangering his/her own safety or the safety of other persons or property as stated in situations in Part B,1, a-c, may be placed under arrest and processed as any other prisoner. Any intoxicated person who is a danger to him/herself, such as an attempted suicide, shall be handled pursuant to GO-OPS-308.04 (Processing of Suspected Mentally Disturbed Persons).
 3. The police report shall state the facts and circumstances surrounding the arrest, to include those elements that support the determination that there was a substantial and immediate danger to the safety of the intoxicated individual or other persons or property.
 4. Members shall ensure that the intoxicated person receives medical treatment or is transported to the Detoxification Center, if necessary. In addition to preparing arrest paperwork, the arresting member shall have a PD Form 34 (Alcoholic Rehabilitation Report Form Set) and PD Form 799 (Citation to Appear) prepared for transport to the Detoxification Center with the prisoner. The member who transports the intoxicated person shall record the health official's name on the PD Form 34 under "Delivered To" and obtain his/her signature. The member shall detach part four (4) of PD Forms 34 and 799 and submit to the appropriate district to be filed. (CALEA 71.1.6-c-d) (CALEA 1.2.5)
 5. Parts one (original) and two (yellow) of PD Forms 34 and 799 shall be left with the health official at the Detoxification Center who signed for the arrestee.
 6. The Court Liaison Division shall receive parts one and two of the PD Form 799 and part two of PD Form 34 from the health official at the Detoxification Center for those persons to be charged, as determined by the health official and the Corporation Counsel. Part three (3) (pink) shall be placed in the case jacket and part four (4) (gold) shall be filed at the district station with the citation release form.
- C. An Intoxicated Individual Arrested for Other Crimes

Any person taken into custody in the District of Columbia for violating any criminal provision of the District of Columbia Official Code, shall be charged and processed in accordance with Department policy and procedures. Also, if the person appears to be intoxicated to the extent that he/she requires immediate medical attention, members shall notify the dispatcher to request an ambulance to respond and transport the individual to the hospital for a medical evaluation of his/her condition. (CALEA 71.3.1)

D. Searches of Intoxicated Persons (CALEA 71.1.1 & 71.3.1)

1. Members transporting persons to the Detoxification Center shall conduct a protective pat down of the person being transported to ensure his/her own safety. If a person is placed under arrest for intoxication, a full-field search shall be conducted as outlined in GO-PCA-502.01 (Transportation of Prisoners).
2. Members shall conduct a WALES check on the individual for any outstanding warrants or missing person reports. Members shall also document any information in their notebook obtained from witnesses or persons who notified police about the intoxicated person.
3. Any weapon found that is not prohibited by law, shall be handled in accordance with Department procedures outlined in GO-SPT-601.01 (Recording, Handling and Disposition of Property Coming into Custody of the Department). (CALEA 71.1.1 & 71.3.1)
4. In cases involving weapons prohibited by law, the weapon shall be recovered and the appropriate charges shall be placed against the violator. (CALEA 71.1.1 and 71.3.1)
5. As an aid for protection against non-sanitary conditions, disposable gloves shall be worn when handling intoxicated persons.

E. Personal Property Taken

1. Small amounts of personal property, for example a suitcase, a cardboard box or a paper bag containing clothing and/or sundries, shall be searched for weapons and may be taken to the Detoxification Center with the individual and turned over to the person in charge.
2. Larger amounts of personal property shall also be searched for weapons or dangerous devices, for the safety of persons handling the property. Only retain items that are of value for "Safekeeping", and process as outlined in GO-SPT-601.01 (Recording, Handling and Disposition of Property Coming into Custody of the Department).

F. Transporting Intoxicated Persons (CALEA 71.3.1)

1. When a member transports an intoxicated person to the Detoxification Center, the member shall make an entry in the logbook kept at the detoxification facility. The transporting member shall enter his/her name, badge number, element and vehicle designation. The name, date and

location where the intoxicated person was picked up, the time he/she was admitted into the Center and the name of the admitting employee at the Detoxification Center shall be recorded in the log and in the member's notebook, along with any other identifiable information about the intoxicated person.

2. Prior to returning to service, the transporting member shall notify Teletype and give the name and any identifiable information about the person who was admitted for treatment. Then, advise the dispatcher of the disposition and record the disposition on the PD Form 775. (CALEA 71.3.1)
 3. If the Detoxification Center is full, the Communications Division will be notified by the Detoxification Center staff, at which time the dispatcher shall advise members on patrol. Members shall request an ambulance for any intoxicated person who is in need of medical attention, or who needs to be transported to a hospital for emergency treatment. As a precaution, members who respond to the hospital shall notify hospital security prior to departing and advise them of the person's condition.
- G. Responsibilities of Station Clerks
1. The station clerk shall prepare a PD Form 799 (Citation to Appear) when an individual is arrested for intoxication (See GO-PCA-502.6 Citation Release Program).
 2. For those persons charged with intoxication, the station clerk shall notify the arresting officer of the decision made by the Corporation Counsel. The information shall be recorded on the PD Form 34, so that the arresting officer may appear in court on the date noted on the PD Form 799 (Citation to Appear).
 3. If the Corporation Counsel decides not to file the intoxication charge, the station clerk shall record the disposition of the case on the arrest book. All files in the district concerning these cases shall be cleared after one (1) year and forwarded to the Records Department, Information Technology Division, to be processed in accordance with GO-OMA-205.03 (Records Retention and Disposition).

H. Responsibilities of the Fifth District Commander

The Commander of the Fifth District shall:

1. Ensure that a logbook is placed in the Detoxification Center so that identifiable information of person being admitted can be documented. The

logbook shall be the standard record book (8-1/2" x 14") that is available through normal supply channels. The logbook shall be lined with columns and given appropriate headings as outlined in Part F, number 1.

2. Ensure that an official of the Fifth District conducts periodic inspections of these logbooks to:
 - a. Ensure compliance with this order;
 - b. Replace the logbooks when they become full; and
 - c. Deliver each completed book to the Records Department, Information Technology Division.

// SIGNED //
Charles H. Ramsey
Chief of Police

CHR:NMJ:MAR:wds