

**STOCKTON POLICE DEPARTMENT**

**GENERAL ORDER**

**647(f) PC ARRESTS**  
**SUBJECT**

**DATE:** March 10, 2009

**NO:** P-8

**FROM:** CHIEF ERIC JONES

**TO:** ALL PERSONNEL

**INDEX:** Civil Custody of Inebriates  
Arrests for Drunkenness  
Intoxicated Persons

**I. POLICY**

Officers who arrest public inebriates under 647(f) of the Penal Code have the following options:

1. Civil Protective custody when there are no criminal charges
2. When there are criminal charges arrest under 647(f)
3. Place in an approved Detoxification Center

**I. LAW**

- A. All sworn personnel of the Stockton Police Department are to become familiar with Section 647(f), 647(g), and 849(b)(2) of the Penal Code.
- B. An intoxicated person is a person found in any public place under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, controlled substance, or toluene, in a condition that he or she is unable to exercise care for his or her own safety or the safety of others or obstructs or prevents the free use of any street, sidewalk, or other public way.

**II. PROCEDURE**

- A. 647(f) PC Arrests
  1. All persons found lying on the street, sidewalk, or other public way are to be treated as sick persons unless the investigating officer can clearly establish the essential elements of intoxication.
    - a. Persons unconscious, severely injured or sick must be transported by ambulance to the nearest hospital.
    - b. Persons with minor injuries or illness must be transported to a hospital, but the choice of the hospital and transportation will be at the discretion of the officer.
    - c. A diabetic person in insulin shock or reaction may exhibit the same symptoms as someone under the influence of alcohol and extreme caution must be used.
      - (1) The consumption of alcohol by a diabetic can be a contributing factor in insulin shock or reaction.
      - (2) Should there be any indication the arrested subject has a diabetic condition, that person will be transported to the San Joaquin General Hospital and checked by a doctor prior to booking.
        - (a) In no event will such an arrested person be placed in a holding cell or transported in a wagon.
    - d. It is essential that all persons meeting the description of 647(f) PC be checked at the wrist and neck to determine whether they are wearing a Medic-Alert emblem which would indicate they have a hidden medical problem, such as allergies, diabetes, epilepsy, heart disease, etc.

2. All intoxicated persons arrested for violation of 647(f) PC without any criminal charges will be placed in an approved Detoxification Center. If one is not available then the intoxicated persons will be taken to the San Joaquin County Jail without any criminal prosecution or court proceedings under 647(f)/849(b)(2) of the Penal Code, unless one of the following exceptions occurs:
  - a. The subject is under the influence of drugs or a combination of drugs and alcohol.
  - b. The subject committed a felony or misdemeanor in addition to 647(f) P.C.
  - c. The officer believes the subject will attempt to escape or will be unreasonably difficult for civilian personnel to control.
  - d. The subject is in need of medical care.
  - e. The detoxification centers refuse to accept the subject.
  
3. Persons arrested for 647(f)/849(b)(2) P.C. will be taken to the San Joaquin County Jail.
  - a. Arresting Officers shall assign a DR number to each 647(f)/849(b)(2) arrest and include it on the booking slip in lieu of the call history number. No arrest report will be required unless booking property. Any property booked for safekeeping will be handled according to General Order G-1.
  - b. The arresting Officer will submit a complete, accurate, and legible copy of the San Joaquin County Jail booking slip to the Records Section before securing from duty.
    - (1) The Booking Slip must contain the Stockton PD crime report number with the date, time, and location of the arrest. All identifying information on the Booking Slip shall be completed for entry into RMS.

B. Records Personnel Duties:

1. Upon receiving the Jail Booking Slip, Records Division personnel shall:
  - a. Enter the arrest into the "DLOG" file by utilizing RMS. Complete an RMS Incident Tab, Persons Tab, and Arrest Tab under the assigned case number.
  - b. File the booking slip on the board in Headquarters for one month. The book slip is retained at the Court Desk for 45 days and destroyed.
  - c. After 60 days, the booking slip will be destroyed.