



Jacksonville Sheriff's Office

ORDER

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I. Purpose of the Policy

The purpose of this order is to establish procedures for making arrests.

II. Procedures

A. Arrest Definitions [CALEA 74.3.1]

1. Arrest Warrant – A judge's order for the arrest of a suspect based on probable cause prior to a filing decision being made by the State Attorney's Office (SAO).
2. Arrestee – An individual who has been placed under physical arrest.
3. Capias – A judge's order for the arrest of a defendant that is obtained after a case has been formally filed with the Clerk of Court by the SAO.
4. Detainee – An individual who has been held based on a reasonable suspicion or probable cause.



5. eWarrants – The electronic program used by the Jacksonville Sheriff's Office (JSO) to request, store, and execute local arrest warrants and capiases. [CALEA 74.1.3]
6. Field Release – The process of releasing a suspect upon the issuance of a Notice to Appear (NTA).
7. Misdemeanor Summons – A summons issued by the Clerk of Court that commands an at-large defendant to appear in court to face misdemeanor or municipal ordinance violation charges pursuant to information concerning a violation of the law filed by the SAO. Service of a misdemeanor summons is not an arrest and the defendant is not incarcerated.
8. Notice to Appear (NTA) – A criminal citation issued to a suspect by a law enforcement officer in lieu of physical arrest or incarceration.
9. Physical Arrest – The process of taking a suspect into custody based on probable cause for arrest for the purpose of having that suspect booked into the Pretrial Detention Facility (PDF).
10. Probable Cause for Warrantless Arrest – The legal standard that is met when the totality of the facts and circumstances known to the officer, of which he has reasonably trustworthy information, is sufficiently strong to support a reasonable belief that the suspect has committed a crime or is engaged in the commission or attempted commission of a crime.
11. Reasonable suspicion – An investigatory stop is justified when the officer is able to articulate specific facts from which a reasonable person could rationally infer that an individual has committed, is committing, or is about to commit a crime. "Reasonable suspicion" is lower than the level of justification required for a warrantless arrest, but is more than a mere hunch.
12. Writ of Attachment – A judge's order directing a sheriff or other official to physically bring before the court a person who has been found guilty of contempt of court.

B. Arrest Authority/Officer Discretion [CALEA 1.2.1]

1. JSO Members with Arrest Authority
 - a. JSO police officers are both municipal police officers and deputy sheriffs that possess full police authority and the responsibility for making arrests and executing all legal process within Duval County. [CALEA 74.3.2]
 - b. JSO dual-certified officers (DCOs) are corrections officers who have an active law enforcement certificate, allowing them to make arrests and execute legal process within JSO corrections facilities or other areas as designated by the Sheriff.



- c. JSO judicial officers are sworn bailiffs who are granted jurisdiction by the Sheriff to make arrests and execute legal process within the boundaries of the Duval County Courthouse.
 2. An officer may only arrest an individual when there is:
 - a. Probable cause for arrest; or
 - b. An arrest warrant, capias, or other court order to take an individual into custody.
 3. Prior to making a physical arrest, an officer must first objectively determine the most appropriate course of action, recognizing that there are other methods of effectively accomplishing the purpose of the law. Alternatives to physical arrest for minor and/or inadvertent misdemeanor offenses or municipal ordinance violations include: [CALEA 1.2.6, 1.2.7, 61.1.2]
 - a. A warning;
 - b. The issuance of an NTA, in accordance with this order;
 - c. The issuance of an SAO Referral Card form (P-0719), in accordance with Order 210 (Patrol Function);
 - d. The issuance of a criminal traffic citation, in accordance with Order 220 (Traffic Function);
 - e. The issuance of a Juvenile Civil Citation, in accordance with Order 231 (Juvenile Enforcement Programs); or
 - f. Involuntary admission pursuant to the provisions of the Baker Act and/or Marchman Act, in accordance with Order 213 (Mentally Ill and Intoxicated Subjects).
 4. When an officer determines that a physical arrest is the most appropriate course of action, he shall either:
 - a. Make a warrantless arrest, if permitted by Florida State Statutes (F.S.S.) 901.15 and 812.015(4); or
 - b. Seek an arrest warrant, in accordance with Order 302 (Filing Cases and Attending Court).
 5. Arrests in Residences [CALEA 74.3.1]
 - a. If an arrest is to occur in the residence of a third party, entry into the third-party residence to search for a suspect without consent or the presence of urgent circumstances shall be preceded by obtaining a search warrant. Officers shall consult with their supervisor if they are unsure of the necessity for a warrant. [CALEA 1.2.4]



- b. Arrest warrants must be obtained for the arrest of a suspect in that suspect's place of residence, unless any of the following circumstances exist, in which case an arrest warrant is not required:
- (1) Immediate arrest is essential for the protection of any person (including a police officer) and any delay caused by obtaining a warrant will jeopardize the safety of innocent persons;
 - (2) Immediate arrest is essential to prevent the suspect from successfully fleeing;
 - (3) Lawful entry into the residence was made to prevent the destruction of evidence and an immediate arrest is pursuant to that entry;
 - (4) The arrest is made by the officer in fresh pursuit of a suspect (i.e., the officer has maintained visual contact with suspect during the suspect's flight to avoid arrest), and the delay caused in obtaining an arrest warrant will jeopardize the safety of innocent persons or allow the successful flight of the suspect;
 - (5) The arrest is made for a crime committed in the officer's presence in a residence to which the officer has already been legally admitted;
 - (6) The arrest is made after the officer develops probable cause for the arrest after having been legally admitted to the residence (e.g., when admission is pursuant to a search warrant and the officer, while inside the residence, intends to arrest a suspect for a previous offense, an arrest warrant shall be obtained);
 - (7) The arrest is made after the officer has been lawfully admitted to the residence by consent of an adult also living in the residence. The consent must be obtained without the use of deception or coercion (e.g., domestic violence cases); or
 - (8) The arrest is made for a violation of law that is taking place in the residence and the arrest is necessary to prevent a continued violation.

C. Arrest Authority Outside Duval County/Cops Without Borders Agreement [CALEA 74.3.1]

1. JSO police officers may only make an arrest outside Duval County if one of the following conditions exist:
 - a. The officer is in fresh pursuit of a suspect who committed a felony, misdemeanor, or municipal ordinance violation in Duval County;
 - b. A felony has been committed and the officer has probable cause for the arrest of the suspect who committed the felony;
 - c. A misdemeanor constituting a breach of peace was committed in the officer's presence; or



- d. Within the state of Florida, a mutual aid agreement has been established that grants the officer the authority to make an arrest.
2. When feasible, JSO officers are required to notify their supervisors they intend to take enforcement action in Clay or Nassau County.
3. When a JSO police officer makes an arrest in Clay County or Nassau County, he shall adhere to the following procedures established under the Cops Without Borders agreement:
 - a. A JSO officer who locates a suspect(s) in Clay County or Nassau County who has an outstanding Duval County arrest warrant or capias shall contact the Clay County Sheriff's Office (CCSO) or the Nassau County Sheriff's Office (NCSO) via the JSO Investigative Police Emergency Communications Officer (PECO). After this notification has been made, JSO officers shall be permitted to arrest the suspect and take other appropriate law enforcement action should a crime occur in their presence while they are so engaged;
 - b. A JSO officer who has located a suspect in Clay or Nassau County for whom the officer has (or develops) probable cause to arrest for a serious, violent felony shall:
 - (1) Notify the CCSO/NCSO Watch Commander of the circumstances (including the suspect's description and location, and the facts of the offense) via the JSO Communications Center;
 - (2) The CCSO/NCSO Watch Commander shall then decide whether an immediate arrest is appropriate, based on the facts of the situation. The CCSO/NCSO Watch Commander's decision whether to authorize an immediate arrest by the JSO officer is final;
 - (3) If the CCSO/NCSO Watch Commander authorizes an immediate arrest, the JSO officer shall then be empowered to arrest the suspect and take appropriate law enforcement action should a criminal offense occur in his presence while they are so engaged; and
 - (4) If the CCSO/NCSO Watch Commander does not authorize an immediate arrest, the JSO officer shall not arrest the suspect. In that case, the JSO officer shall return to Duval County and obtain an arrest warrant for the suspect. The arrest warrant can then be served.
 - c. After making an arrest in Clay or Nassau County for a Duval County offense, a JSO officer shall transport the suspect to the Duval County PDF and have the suspect booked. If the arrest is pursuant to a warrant/capias and there is a bond amount on the warrant/capias, the suspect can request that he/she be booked in Clay County or Nassau County, rather than Duval County. However, officers are not required to inform suspects of this option.



- d. After making an arrest in Clay or Nassau County for a crime that occurred in either of those counties, the officer shall transport the suspect to that respective county's jail.
 - e. JSO officers taking law enforcement action in Clay or Nassau County shall ensure that they are readily identifiable as law enforcement officers. JSO officers in plain clothes are required to relay their physical and clothing descriptions to that county's Sheriff's Office so as to avoid the possibility of misidentification.
4. When a JSO police officer makes an arrest outside of Duval County, Clay County, or Nassau County, the arresting officer shall immediately notify the officer in charge of the jurisdiction in which the arrest was made. The arresting officer and officer in charge of the jurisdiction must take the arrestee, without unnecessary delay, before a county court judge or other committing magistrate of the county in which the arrest was made.

D. NTA Citations

1. Officers shall issue an NTA citation in lieu of making a physical arrest for a misdemeanor or municipal ordinance violation, provided the violator is eligible and there are no extenuating circumstances. Officers must obtain a supervisor's approval to physically arrest a violator who is eligible for an NTA. This approval shall be noted in the narrative of the Arrest & Booking Report. [CALEA 1.2.6, 1.2.7, 82.2.1]
2. For a violator to be eligible for an NTA citation in lieu of physical arrest, all of the following criteria must be met: [CALEA 1.2.6, 1.2.7, 82.2.1]
 - a. The violator is 18 years of age or older;
 - b. The violator can be identified using a government-issued form of identification, such as a driver's license, state identification card, military identification card, or the Driver and Vehicle Information Database (DAVID);
 - c. The violator is a resident of the State of Florida (unless the charge is an open container violation, in which case Florida residency is not a requirement);
 - d. The violator agrees to sign the citation and provide a fingerprint;
 - e. There is no risk of continued violence being committed by or against the violator;
 - f. The violator is not impaired by alcohol or drugs and he/she clearly demonstrates the ability to assume responsibility for himself/herself;
 - g. There is no warrant for the violator's arrest;
 - h. The violator has not been arrested within the last six months;
 - i. The violator has not failed to appear in court within the last 12 months pursuant to a court order or NTA;



- j. The violator does not have a prior petit theft conviction (when the offense is petit theft);
- k. The offense is not:
 - (1) A criminal traffic infraction (a Uniform Traffic Citation must be used instead);
 - (2) Cruelty to animals;
 - (3) Domestic violence or dating violence;
 - (4) Exposure of sexual organs;
 - (5) Prostitution;
 - (6) Stalking; or
 - (7) Violation of an Injunction for Protection.
- 3. To determine if a violator meets the NTA eligibility requirements regarding outstanding warrants, previous arrests, and previous failures to appear, officers must contact the Identification Unit, either via police radio (channel A-8) or by phone at (904) 630-2212, and request an "NTA eligibility check." The requesting officer shall obtain the employee identification number of the Identification Unit member who performed the check.
- 4. Completing and Issuing the NTA [CALEA 82.2.1]
 - a. Officers must fill out the NTA citation as completely as possible.
 - b. Up to two criminal offenses or two civil offenses can be listed on an NTA. Criminal offenses and civil offenses cannot be listed on the same NTA.
 - c. For violations that occurred at a business, officers shall:
 - (1) Enter the name of the business and the business' street address at the beginning of the narrative; and
 - (2) Ensure the violator leaves the premises after being issued the NTA.
 - d. Officers shall ensure the violator's fingerprint is legibly rolled on all copies of the citation in the space provided. To properly obtain a violator's fingerprint, an officer should roll the right thumb, or left thumb if the right one is missing or injured, from nail to nail using a JSO-issued fingerprint pad. If neither of a violator's thumbs is available, the officer shall use the violator's right index finger. Officers shall indicate when any finger other than the right thumb was used.



- e. Upon giving the violator the yellow copy of the NTA, officers shall advise the violator to bring his/her copy of the citation to the Clerk of Court Office (501 West Adams Street, Misdemeanor Department) within 10 working days. Officers must explain to the violator that failure to report to this location within 10 working days will result in the issuance of an arrest warrant.
 - f. Prior to the end of the shift, the issuing officer must submit the white and green copies to a supervisor, who shall:
 - (1) Review the NTA citation for accuracy;
 - (2) Sign the NTA citation in the space provided for the "Supervisor's Signature" and complete the "Notarization of Officer's Signature" section; and
 - (3) Ensure the approved NTA citation copies are properly submitted.
 - g. Officers shall retain all pink copies of NTA citations for 180 days beyond the date of issuance.
 - h. After 180 days, the pink copies may be purged in accordance with Order 436 (Citation Accountability).
- E. Physical Arrests** [CALEA 1.2.5, 74.3.1]
1. When making a physical arrest, officers shall:
 - a. Remain mindful of officer safety and request assistance when there is any potential risk to the safety of the officer or others;
 - b. Take necessary precautions to avoid contamination by blood-borne pathogens and airborne pathogens, as outlined in Order 531 (Communicable Disease Prevention and Protection);
 - c. Use only the minimum force necessary to effect the arrest, protect others, protect themselves, and prevent potential escape;
 - d. Restrain the arrestee in accordance with Order 553 (Physical Restraints), unless an exception is granted by a supervisor;
 - e. Search the arrestee in accordance with the procedures outlined in this order; [CALEA 1.2.4]
 - f. Secure all weapons and evidence, ensuring all nearby areas are searched for any evidence that the arrestee may have discarded; [CALEA 1.2.4]
 - g. Ensure any injured arrestee receives appropriate medical treatment as soon as feasible;



- h. Provide reasonable accommodations when the arrestee has impairments and/or other language barriers, in accordance with Order 504 (Providing Services for Disabled Individuals);
 - i. Advise the arrestee of his/her Constitutional Rights prior to questioning him/her about the incident (officers **shall** not read the arrestee his/her Constitutional Rights if the arrestee is to be interviewed by a detective, unless the assigned detective directs the officer differently); [CALEA 1.2.3]
 - j. Conduct a search of the National Crime Information Center (NCIC)/Florida Crime Information Center (FCIC) and eWarrants databases for any active warrants or injunctions for protection, ensuring all outstanding warrants and injunctions are verified and served prior to the arrestee being booked into the PDF;
 - k. Complete the Arrest & Booking Report(s) in accordance with the procedures outlined in this order;
 - l. Not transport the arrestee to the Property & Evidence Facility; and
 - m. Provide the PDF Intake Control Officer with all required paper support documents (e.g., teletypes, warrant printouts, warrant served notifications, etc.).
2. Searching Arrestees [CALEA 1.2.4]
- a. All arrestees shall be searched in accordance with the techniques taught by the JSO Training Academy.
 - b. Arrestees shall be searched prior to being placed in any vehicle, holding room, or interview room. Arrestees must also be searched upon the transfer of custody from one officer to another.
 - c. Arrestees should be searched discreetly, using an officer of the same gender as the arrestee when one is available. If an officer of the same gender as the arrestee is not available, the arresting officer shall ensure a witness officer or supervisor is present to witness the search.
 - d. In accordance with Order 612 (Corrections Search Procedures), strip searches of arrestees **shall** only be conducted by corrections officers and body cavity searches **shall** only be conducted by designated medical personnel. [CALEA 1.2.8]
 - e. During the search of an arrestee, when an officer locates a credit card, check, identification card, or other item containing a serialized number that appears to belong to another individual, the officer shall conduct a search of the NCIC/FCIC and Master Name Index (MNI) databases to establish the identity of the owner and determine if the item has been reported lost or stolen. The disposition of the item must be documented in the narrative of the Arrest & Booking Report.



- (1) If the item is listed as stolen, the officer shall conduct a follow-up investigation and determine the appropriate course of action.
- (2) If ownership of the item can be verified and the owner either consents to the item remaining with the arrestee or the arrestee's relationship with the item owner is established by some other reasonable means (e.g., vehicle registration verifying the owner is the arrestee's spouse, etc.), the item can remain with the arrestee or be released to the owner. These details must be included in the narrative of the Arrest & Booking Report so that Department of Corrections (DOC) personnel do not seize the item and generate a separate report documenting the location of property not owned by the arrestee.
- (3) If ownership of the item can be verified, but no connection to the arrestee can be established, or if the owner does not want the item to remain with the arrestee, the officer shall:
 - (a) Release the item to the owner if feasible, having the owner acknowledging the receipt of the property on a Signature Form (P-0214); or
 - (b) Submit the item to the Property & Evidence Facility as found property.

3. Arrest & Booking Reports [CALEA 82.2.1]

- a. A separate Arrest & Booking Report is required for each arrestee and for each separate case number, unless the charges are all from local capiases issued by the same Court division.
- b. The arresting officer must ensure the Arrest & Booking Report is thorough, accurate, written from a neutral perspective, and contains the elements of each criminal and traffic offense for which the arrestee is being charged. Probable cause must be established for each criminal and traffic offense listed in the narrative of the Arrest & Booking Report.
- c. Charges on an Arrest & Booking Report must be listed in the following descending order of severity:
 - (1) Felony charges;
 - (2) Misdemeanor charges; and
 - (3) Civil traffic infractions related to the case, including the Uniform Traffic Citation (UTC) number (e.g., 1234-ABC 1) in the space provided for each one.
- d. Arrest & Booking Reports must be approved by a supervisor, who shall ensure the report is complete and outlines the probable cause for each enumerated charge and infraction. Arresting officers who are not in a probationary status may self-approve Arrest & Booking Reports if they contain only:



- (1) Retail theft charges;
 - (2) Disorderly intoxication charges;
 - (3) Violation of probation charges;
 - (4) Charges from an active capias or court order; and/or
 - (5) Charges for which an arrestee is being rebooked.
- e. Prior to an arrestee being admitted to the PDF, the arresting or transporting officer listed on the Arrest & Booking Report shall sign that report in the presence of a certified law enforcement or corrections officer.
4. Habitual/Violent Offenders [CALEA 42.1.5]
- a. In accordance with F.S.S. 775.084 and 985.475, certain arrestees may be classified as habitual or violent offenders and may face enhanced sentencing guidelines.
 - b. All felony arrests in Duval County are reviewed by the SAO for the purpose of identifying any arrestee that should be classified as a habitual or violent offender.
5. Following the arrest of a suspect, the arresting officer shall ensure the victim and/or victim's family is notified of the arrest and provided with all relevant information regarding victim/witness services. [CALEA 55.2.5]

F. Detective Notifications

1. When an arrest is made for any Category B or C case, as established in Order 210 (Patrol Function), the arresting officer shall refer to the appropriate unit order to determine if any detective notification is required.
2. When a suspect is to be interviewed by a detective, the detective (not the arresting officer) shall ensure the suspect is read his/her Constitutional Rights (unless the assigned detective directs the officer differently). Even when an arrestee is to be interviewed by a detective, officers should not discourage the arrestee from talking about a case. When an arrestee makes unsolicited statements related to a case, the officer shall: [CALEA 1.2.3]
 - a. Document the statements, including any invocation of his/her right to remain silent or to counsel, as direct quotes in the narrative of the appropriate report; [CALEA 1.2.3]
 - b. Record the statements on a handheld recording device, if feasible; and
 - c. Relay the statements to the detective prior to the arrestee being interviewed.



3. When an arrestee is transported to the Police Memorial Building (PMB) for the purpose of being interviewed by a detective, the transporting officer shall remain with the arrestee until the detective advises the officer he can return to duty. Certain situations, such as multiple arrestees or the unavailability of additional detectives, shall require the officer to transport the arrestee to the PDF after the interview. With regards to interview room procedures, officers shall adhere to the provisions established in Order 310 (Investigations).

G. Serving Local Arrest Warrants and Capiases [CALEA 1.2.5, 74.3.1]

1. When serving an arrest warrant, an officer should first attempt to gain voluntary compliance from the suspect. If voluntary compliance is not possible or feasible, the officer shall confer with his supervisor to consider alternative methods, such as covert surveillance, the use of a ruse, or the involvement of the suspect's family.
2. After an arrestee is detained, all outstanding arrest warrants and capiases must be validated by the Identification Unit via radio. Upon the warrant/capias being validated, the Identification Unit will select "Validate" in eWarrants, along with the relevant status:
 - a. Original ("Served Notification" document will not be printed at the PDF); or
 - b. Electronic ("Served Notification" document will be printed at the PDF).
3. When completing an Arrest & Booking Report for a local arrest warrant, the arresting officer shall:
 - a. Use the Central Communication Report (CCR) number from the arrest warrant;
 - b. Include the circumstances under which the arrestee was taken into custody and any subsequent statements made by the arrestee;
 - c. Not include the narrative of the arrest warrant in the narrative section; and
 - d. Complete a supplemental report to the original Incident Report indicating the case has been cleared by arrest.
4. Serving Warrants in the eWarrants Database
 - a. The status of any local warrant or capias shall be updated in eWarrants immediately upon it being served, recalled, or dismissed.
 - b. To serve a warrant/capias in eWarrants, the arresting officer shall:
 - (1) Log into eWarrants;
 - (2) Choose the mode of search from the dropdown menu and select "Go";



- (3) Complete all required fields and select either "Extended Search" or "Exact Search," depending upon the desired type of search;
- (4) Ensure the status field shows "Active" and select the arrestee's name;
- (5) Select "Detail" to view additional details, such as the case number, defendant's address, and date of birth;
- (6) Once the warrant/capias has been validated by the Identification Unit, refresh the screen or return to the "Detail" page (after a warrant/capias is validated, it can only be served within the next 12 hours, after which the validation process must be completed again); and
- (7) Choose his name from the dropdown list of arresting officers and select "Serve Warrant" to complete the process.

- c. After serving an arrest warrant/capias in eWarrants, the officer shall retrieve the relevant paperwork from the Identification Unit and transport the arrestee to the PDF.

H. **Serving Arrest Warrants and Capiases from Other Jurisdictions** [CALEA 1.2.5, 74.3.1]

1. In order to arrest an individual for an arrest warrant from another jurisdiction, JSO must be in possession of the warrant or teletype with the following information:
 - a. Subject's name;
 - b. Description (if possible);
 - c. Warrant number;
 - d. Charge;
 - e. Bond amount;
 - f. Date of warrant;
 - g. Returnable date; and
 - h. Judge's name, court, and location.
2. When completing an Arrest & Booking Report for any capias or arrest warrant from another jurisdiction, the arresting officer shall:
 - a. Use the CCR number from the current call; and
 - b. Type "Arrest Warrant/Capias Served" in the narrative.




3. When serving an arrest warrant from an out-of-state jurisdiction with no additional local charges, the arresting officer shall:
 - a. Complete the Arrest & Booking Report using the "Fugitive from Justice" charge (not the charges listed on the warrant); and
 - b. Include the name of the issuing jurisdiction in the Arrest & Booking Report.
4. When serving an arrest warrant from an out-of-state jurisdiction with additional local charges, the arresting officer shall:
 - a. Complete the Arrest & Booking Report using only the local charges (not the charges from the warrant or teletype);
 - b. Complete a Detainer form (P-0839) with the "Fugitive from Justice" charge listed on the form; and
 - c. Provide the Intake Control officer with the Detainer form (P-0839) and a printout of the teletype confirmation from the out-of-state jurisdiction.
5. When serving an arrest warrant from another Florida jurisdiction with no additional local charges, the arresting officer shall:
 - a. Complete the Arrest & Booking Report using the "Out of County Warrant" charge and select the type of arrest (i.e., felony, misdemeanor, or civil) based on the charge(s) listed on the warrant or teletype; and
 - b. Enter all available information for each offense listed on the Arrest & Booking Report, including the name of the issuing agency.
6. When serving an arrest warrant from another Florida jurisdiction with additional local charges, the arresting officer shall:
 - a. Complete the Arrest & Booking Report using only the local charges (not the charges from the warrant or teletype);
 - b. Complete a Detainer form (P-0839) with the charge(s) listed on the warrant or teletype.

I. Privileges and Immunities

1. Certain individuals are entitled to privileges and immunities under various laws and treaties. However, officers must always take appropriate action during exigent circumstances to address a threat to public safety, to prevent the commission of a serious criminal act, and/or to defend oneself.
2. Foreign Diplomats and Consular Officials [CALEA 1.1.4]



- a. The United States (U.S.) Department of State (DOS) issues identification cards to foreign diplomats and consular officials, along with their family members and staff. These DOS identification cards indicate the specific types of privileges and immunities to which an individual is entitled under the Vienna Convention on Consular Relations (VCCR) and related treaties with foreign governments.
- b. When presented with a DOS identification card, an officer shall:
 - (1) Carefully examine the card to determine the individual's level of immunity; and
 - (2) Notify his supervisor of the circumstances of the contact. [CALEA 61.1.3]
- c. DOS Identification Cards
 - (1) Blue-bordered DOS identification cards are issued to diplomatic officers, United Nations (UN) diplomatic officers, and their families. They are entitled to full criminal immunity and may not be arrested or detained.
 - (2) Green-bordered DOS identification cards are issued to:
 - (a) Embassy administrative and technical staff employees, who are entitled to full criminal immunity; and
 - (b) Embassy service staff employees, who are entitled to immunity for official acts only.
 - (3) Red-bordered DOS cards are issued to:
 - (a) Career consular officers, career consular employees, and honorary consular officers, who are entitled to immunity for official acts only; and
 - (b) Consular officers, employees, and their families from certain countries (with which the U.S. has special agreements), who are entitled to full criminal immunity and may not be arrested or detained.
- d. For more information regarding a specific person's status or immunity, including claims that a crime was committed pursuant to an "official act," officers may:
 - (1) Contact the Bureau of Consular Affairs during working hours at (202) 485-7703;
 - (2) Contact the DOS Operations Center after hours at (202) 647-1512; and/or
 - (3) Visit the DOS webpage to view the Consular Notification and Access guide.
- e. Under the terms of the VCCR, foreign personnel with a DOS identification card cannot be arrested for a criminal traffic violation, but may be issued a traffic citation. While they are not required to pay any fines associated with the traffic citation, the issuance of

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the citations is important because it allows the DOS to track traffic violations and could lead to the revocation of immunities and privileges if continued violations are committed. [CALEA 61.1.3]

3. Foreign Nationals [CALEA 1.1.4]

- a. Under the terms of the VCCR, an arrested or detained foreign national has the right to contact and communicate with his/her country's consular officials without delay.
- b. When arresting or detaining any foreign national (a person who is not a U.S. citizen), the arresting officer shall notify his supervisor. The supervisor shall ensure the PDF Watch Commander is notified of any arrest of a foreign national so that the PDF Watch Commander can initiate the appropriate consular notifications.

4. Legislators [CALEA 61.1.3]

- a. U.S. senators and representatives are privileged from arrest or detention when attending, or traveling to and from, their respective sessions, unless the legislator commits:
 - (1) A felony, including treason; or
 - (2) Breach of peace.
- b. When detaining a legislator for one of the enumerated offenses, an officer shall immediately notify his supervisor.

5. U.S. Mail Drivers, Train Engineers, and Bus Drivers

- a. U.S. Mail drivers, train engineers, or bus drivers shall not be taken into custody for minor, non-violent criminal offenses when they are actively responsible for the operation of their respective vehicles.
- b. When a physical arrest is necessary due to the commission of a felony, violent misdemeanor, or threat to public safety, the officer shall notify his supervisor.
- c. Upon a supervisor's approval for arrest, the arresting officer shall ensure arrangements are made to either:
 - (1) Release the vehicle at the scene to an authorized person; or
 - (2) Transport the vehicle to the appropriate location.

J. Holding Rooms



1. Holding rooms are secured, temporary collection points used to maintain custody of detainees prior to transport to the PDF or a medical facility. These facilities must have: [CFA 22.01]
 - a. Security features necessary to prevent escape; [CALEA 71.1.1]
 - b. Controls to reduce the possibility of invading the detainee's privacy;
 - c. Sufficient lighting and adequate circulation of fresh or purified air; and
 - d. Signage directing detainees to knock on the door or call out if assistance is needed. [CFA 22.09]
2. The holding room approved for use by JSO officers is located at the TIAA Field Stadium Security Office. [CALEA 71.1.1]
3. The Chief of Special Events, or his designee, shall: [CALEA 71.4.3]
 - a. Ensure all holding rooms are inspected annually to ensure they meet the facility requirements enumerated above; and
 - b. Complete an annual administrative review of all holding rooms and procedures.
4. All affected agency members shall be given training regarding the use of holding rooms and temporarily detaining individuals. This training will be administered through initial training at the Academy and annual refresher training. [CALEA 71.2.1]
5. Before placing a detainee in a holding room, the officer shall:
 - a. Maintain constant supervision of the detainee until he is securely placed in the holding room; [CALEA 71.3.3]
 - b. Thoroughly search the detainee before entering the holding room, removing and securing all items, except money and jewelry; [CALEA 71.3.1, CFA 22.04]
 - c. Ensuring the detainee's personal property is securely stored and transferred to the transporting officer, if applicable; and
 - d. Conduct a security inspection of the holding room to ensure there is no contraband and no potential for escape. [CALEA 71.4.3]
6. Upon placing a detainee in the holding room, the officer shall: [CALEA 71.3.3]
 - a. Take necessary precautions to ensure his approved weapons remain securely in his possession at all times;



- b. Use his portable radio to immediately alert other officers to any emergency situation or to request medical assistance;
- c. Not permit any other non-detainee to access the room or visit the detainee;
- d. Lock the facility door when the detainee is left unattended to prevent any potential escape;
- e. Ensure the detainee remains handcuffed while in the holding room, in accordance with Order 553 (Physical Restraints), and is never secured to any fixed object within the holding room; [CALEA 71.3.1, 71.3.2]
- f. Ensure the detainee is not being placed in a holding room with another detainee of the opposite gender; [CALEA 71.3.1]
- g. Observe the detainee at least once every 15 minutes or every 10 minutes if the detainee is a juvenile using an officer of the same gender as the detainee when one is available. [CFA 22.05]
- h. Document the following information on the Holding/Interview Room Observation Form (P-0202): [CALEA 71.3.1, 71.4.1]
 - (1) The reason for the detention;
 - (2) The date and times the detainee was placed in and removed from the facility;
 - (3) Times of meals and personal breaks, if any; and
 - (4) Times the detainee was observed by the officer.
- i. If the detainee is a juvenile, in addition to the above procedures:
 - (1) Ensure the juvenile detainee is not placed in a holding room with an adult detainee; [CALEA 71.3.1]
 - (2) Complete a Juvenile Justice and Delinquency Prevention Act (JJDP) Compliance Monitoring Form and forward it to the Commanding Officer of Burglary Unit for the JJDP Compliance Monitoring Project; and
 - (3) Ensure the secure custody of the juvenile does not exceed six hours before the juvenile is delivered to the appropriate juvenile detention facility or is released.
 - (4) If the detention of the juvenile exceeds six hours, see Order 310 (Investigations) for guidance on non-secure custody status requirements.



7. In the event of a detainee escape, officers will follow the escape procedures established in Order 202 (Detainee Transport) and Order 361 (Intelligence). The detaining officer is responsible for:
 - a. Immediately alerting other members to the escape by providing a BOLO over the appropriate radio frequency; and
 - b. Informing other members, via radio, when the escapee is captured. [CFA 22.11]
8. All detainees' property must remain secured at all times and be delivered to the PDF or Property & Evidence Facility, so that it can be properly inventoried. Arresting officers shall transfer all of a detainees' property to the assigned transporting officer, if applicable, prior to the transporting officer leaving the holding room. [CFA 22.04]
9. In the event of an emergency situation (e.g., fire, hazardous device, etc.), which could potentially impact the holding rooms: [CALEA 71.4.2]
 - a. The appropriate unit (e.g., Hazardous Devices Unit, etc.) or external agency (e.g., Jacksonville Fire and Rescue [JFRD], etc.) shall be requested via radio to respond to handle the incident; and
 - b. All detainees shall be removed from the building by the detaining officer or designee.

K. Arrests of Individuals Requiring Medical Attention

1. When an arrestee needs or is requesting medical attention due to injury or illness, the arresting officer shall immediately request JFRD through the appropriate PECO. JFRD personnel will evaluate and treat the arrestee.
2. JFRD personnel will also transport the arrestee to a medical facility, if necessary. When an arrestee is transported to a medical facility, the arresting officer shall ensure an officer stays in close proximity to the arrestee at all times. If an officer accompanies an arrestee inside a rescue unit to a medical facility, a second officer must follow behind that rescue unit to the medical facility.
3. If JFRD transports the arrestee to:
 - a. UF Health, the arresting officer shall initiate the absentee booking procedures; or
 - b. Any other medical facility (e.g., Orange Park Medical Center, Memorial Hospital, etc.), the arresting officer's department director shall be notified via chain of command to determine the detention status of the arrestee.
4. If JFRD does not transport the arrestee to a hospital, but the arrestee still requires hospitalization, the arresting officer shall transport the arrestee to UF Health and initiate the absentee booking procedures.



5. Any juvenile who has been injured, is intoxicated, or is seriously ill must receive medical clearance from a medical facility before he/she can be taken to the PDF. Upon arrival at the medical facility, the arresting officer should initiate absentee booking procedures unless the medical staff advises the juvenile will be medically cleared and released within a reasonable amount of time. Arresting officers shall confer with their supervisors regarding these situations.
6. Once an arrestee has been declared medically unstable or infectious by a medical provider, JFRD shall be requested to transport the arrestee. Officers are prohibited from transporting medically unstable or infectious individuals.
7. Physical Arrests at Medical Facilities
 - a. Prior to arresting any individual who is receiving or about to receive medical care in a local hospital or medical facility, other than UF Health, an officer must:
 - (1) Obtain approval via his chain of command from his department director; and
 - (2) Notify and coordinate with hospital security, when feasible, so as to allow the hospital to arrange for the relaying of medical information.
 - b. When an officer experiences issues with the hospital security staff or if the arrest involves sensitive circumstances, he shall notify the on-call hospital administrator. Officers in need of further guidance shall confer with their supervisors.

L. Absentee Booking at Hospitals [CALEA 70.3.2]

1. To absentee book an arrestee who has been transported to UF Health, the arresting officer shall:
 - a. Contact the PDF Administrative Sergeant at (904) 630-5763 and request a contract security guard or corrections officer to assume responsibility for the arrestee;
 - b. Remain with the arrestee until relieved by the contract security guard or corrections officer;
 - c. Inform the contract security guard or corrections officer if multiple suspects from the same incident are being hospitalized, so they can be kept separate;
 - d. Complete an Addendum to Electronic Arrest Report form (P-0302), obtaining the arrestee's right thumbprint;
 - e. Document the following in the Arrest & Booking Report:
 - (1) The circumstances regarding the hospitalization, including the nature of the arrestee's injuries and the hospital to which he was admitted; and



(2) The name and arrival time of the contract security guard or corrections officer **who** took custody of the arrestee.

f. Upon approval of the Arrest & Booking Report, deliver the completed Addendum to Electronic Arrest Report **form** (P-0302) to the PDF and sign the Arrest & Booking Report.

M. Arrests of Intoxicated Individuals

1. When an adult arrestee is intoxicated, the arresting officer shall:
 - a. Ensure the arrestee receives any necessary medical treatment at the scene; and
 - b. Transport the adult arrestee to the PDF.
2. When a juvenile arrestee is intoxicated, the arresting officer shall:
 - a. Ensure the arrestee receives any necessary medical treatment at the scene;
 - b. Transport the arrestee to UF Health to be medically cleared; and
 - c. Ensure the juvenile is transported to the PDF once he/she is medically cleared or absentee booked if medical clearance is not expected in a reasonable amount of time.

N. Arrests of Juveniles [CALEA 1.2.5, 44.2.2, CFA 16.03]

1. While Florida law generally encourages the use of a home environment when possible for juveniles awaiting a court hearing, Florida law provides that a juvenile may be taken into custody under the following circumstances:
 - a. Pursuant to an order of the Circuit Court;
 - b. For a delinquent act or any violation of law that would be punishable by incarceration if the violation had been committed by an adult;
 - c. For failing to appear at a court hearing after being given adequate notice;
 - d. For violating the conditions of his/her probation, home detention, post-community probation, or conditional release supervision; or
 - e. The juvenile has absconded from non-residential commitment or escaped from residential commitment.
2. A juvenile alleged to have committed a delinquent act or violation of law may not be arrested and placed into secure, non-secure, or home detention care for any of the following reasons:
 - a. To allow a parent to avoid his/her legal responsibility;



- b. To permit more convenient administrative access to the juvenile;
 - c. To facilitate further interviews or investigation; or
 - d. Due to the unavailability of the most appropriate facility.
 3. When arresting a juvenile, an officer shall:
 - a. Determine whether the juvenile is alleged to have been harmed or was in danger of being harmed prior to being taken into custody;
 - b. Not transport the juvenile arrestee with an adult arrestee or an arrestee of the opposite gender, unless they were arrested during the same incident;
 - c. Properly restrain the juvenile arrestee during transport with a safety belt; and
 - d. Transport the juvenile arrestee to the appropriate receiving facility without delay.
 4. Notification of Parents or Guardians
 - a. In addition to ensuring a juvenile arrestee is afforded the same Constitutional Rights to which adult arrestees are entitled, the arresting officer is required to attempt to notify the parents, guardian, or legal custodian of the arrestee until:
 - (1) Successful notification has been made; or
 - (2) The juvenile is delivered to the receiving facility.
 - b. All parental notifications and attempted notifications shall be documented in the narrative of the appropriate report.
 - c. It is not required for an officer to await the arrival of a juvenile arrestee's parent before beginning a custodial interview or interrogation. However, when determining the admissibility of a juvenile's statement, courts consider the age of the juvenile and the officer's attempts to comply with any reasonable request from the parent or guardian. Failure to stop a custodial interview after a parent or guardian has requested to meet with the juvenile may result in the suppression of the statement. [CALEA 44.2.3]
 5. After arresting a juvenile, officers are required to conduct a name check through the Identification Unit to determine if the juvenile:
 - a. Has an outstanding custody order, the terms of which may require alternative placement; and/or
 - b. Has been certified as an adult by the Court, in which case the juvenile may need to be processed as an adult.



6. When arresting a juvenile who is also a truant or curfew violator at the time of the arrest, the arresting officer shall ensure the appropriate report is completed to capture the additional violation.
7. Upon arrival at the PDF with a juvenile arrestee, the transporting officer shall:
 - a. Notify the Intake Control Officer of the juvenile arrestee's name;
 - b. Proceed to the Juvenile Processing Area;
 - c. Not remove any restraining device from the juvenile; and
 - d. Maintain custody of the juvenile until the juvenile has been processed by DOC personnel and medically cleared.

O. Arrests of Mentally Ill Individuals

1. Misdemeanors/Municipal Ordinance Violations
 - a. When an arrestee qualifies for involuntary admittance under the provisions of the Baker Act and has been arrested for a misdemeanor or municipal ordinance violation only, the arresting officer shall:
 - (1) Complete the appropriate forms and reports in accordance with Order 213 (Mentally Ill and Intoxicated Individuals);
 - (2) Write "CRIMINAL CHARGES PENDING" in the "Additional Information" section of the State of Florida Form CF-MH-3052A "Report of Law Enforcement Officer";
 - (3) Transport the arrestee to the appropriate mental health receiving facility;
 - (4) Transfer custody of the arrestee to the facility personnel, informing them that the arrestee is under a police hold and must be released to PDF personnel only;
 - (5) Obtain the name and title of the facility staff member who was informed of the arrestee's police hold and document their name in the Arrest & Booking Report;
 - (6) Complete the Prisoner Admission Police Hold Form (P-0424) and distribute copies as indicated on the form;
 - (7) Complete an Addendum to Electronic Arrest Report form (P-0302), obtaining the arrestee's right thumbprint;
 - (8) Upon approval of the Arrest & Booking Report, contact the PDF Administrative Sergeant at (904) 630-5763 and notify him that the arrestee has been transported to a mental health receiving facility; and



(9) Deliver the completed Addendum to Electronic Arrest Report form (P-0302) to the PDF and sign the Arrest & Booking Report.

b. If a mental health receiving facility informs the transporting officer that it is unable to provide adequate security for an arrestee, the transporting officer shall:

(1) Note this information in the Arrest & Booking Report; and

(2) Transport the arrestee to the PDF, where the arrestee will be booked and receive mental health services.

2. Felony Offenses

When an arrestee qualifies for involuntary admittance under the provisions of the Baker Act and has been arrested for any felony, the arresting officer shall:

(1) Transport the arrestee to the PDF or UF Health if medical treatment is needed;

(2) Indicate the arrestee's mental health status in the Arrest & Booking Report narrative; and

(3) Upon arrival at the PDF, notify the Intake Control officer of the arrestee's mental health status so that the arrestee can receive the appropriate treatment.

P. Arrests at the Duval County Courthouse

1. All pre-planned arrests (e.g., warrants, capias, writs, etc.) by non-courthouse personnel (e.g., patrol, detective, special units, etc.) to be effected inside the Duval County Courthouse shall be coordinated through the Courthouse Security Control Office (Room 5133) by calling (904) 255-1710.

2. A Courthouse Security sergeant or higher authority shall accompany the officer to effect the arrest and assign other personnel as necessary.

3. In the event the arrestee has a pending court case, the presiding judge shall be notified by Courthouse Security personnel.

4. All arrestees shall be secured and transferred to the Courthouse Detention Section. Court Detention officers shall move all arrestees to the Sallyport for transportation to the appropriate facility.

5. Transportation will be arranged by the officer requesting the arrest, in accordance with the procedures outlined in Order 202 (Prisoner Transport).

6. All personal property (except contraband) shall be delivered to the receiving facility with the arrestee.



Q. Arrests for Violation of Probation

1. Officers may make warrantless arrests for violation of probation on individuals on probation who are found in violation of their probationary conditions, as listed in the NCIC/FCIC database (e.g., violating a designated curfew time, being intoxicated while under a no-alcohol consumption condition, etc.) upon confirming the individual's active terms of probation by contacting the appropriate agency.
 - a. For juveniles, contact the Florida Juvenile Assessment Center at (904) 798-4706.
 - b. For adults, during business hours (0800-1700, Monday-Friday) contact the Correctional Probation Senior Supervisor at (904) 486-4203, or (904) 563-5966.
 - c. For adults, after business hours, on weekends, or on holidays, contact the Circuit Court Administrator at (904) 263-2416.
2. The officer shall include a statement that the proper agency was contacted and subsequently verified the active status of the probation conditions in the narrative of the report. If the officer cannot confirm the terms of probation with an employee from the appropriate agency, he shall not make a warrantless arrest for violation of probation.
3. A warrantless violation of probation charge must always be placed on a separate Arrest & Booking Report; it cannot be combined with other charges.
4. Warrants and capiases that contain violation of probation charges are handled like any other warrant or capias.
5. Officers will frequently receive calls for service to assist Florida Department of Corrections (FDOC) Community Corrections Officers to serve arrest warrants or to assist in addressing other violations at their area offices. This may include transporting the offender to the PDF and the placement of evidence in the property room. The majority of these calls are completed with the assistance of FDOC Community Corrections Probation Officer.

R. Arrests for Violations of Adult Dancing/Entertainment City of Jacksonville (COJ) Municipal Code

The Commanding Officer of Vice Unit shall be consulted prior to enforcing any provisions of the COJ Municipal Code Chapter 150 (Adult Entertainment and Services) and Chapter 151 (Dancing Entertainment Code). The Commanding Officer of Vice Unit can be contacted via the investigative PECO.



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A handwritten signature in black ink that reads "Mike Williams".

Mike Williams
Sheriff

References: