

DATE:	AUGUST 29, 2017
NUMBER:	Q.8
SUBJECT:	REFUSAL TO COOPERATE WITH THE BOOKING PROCESS
RELATED SECTIONS:	Q.5 , Q.6 , Q.7 , I.52 , I.89

PURPOSE

To provide a standard procedure for handling inmates who refuse to cooperate with custody processing (e.g., booking interview, fingerprinting, and photographing).

POLICY

All arrestees brought to Sheriff's detention facilities will be accurately identified. Uncooperative arrestees will be processed in accordance with state/federal laws and state guidelines. Only reasonable and necessary force will be used to obtain fingerprints or photographs when an arrestee is refusing to cooperate with custody processing. Whenever force is used to obtain fingerprints and photos the process will be recorded on video.

PROCEDURE

I. DEFINITIONS

- A. Booking: Penal Code Section 7 defines the verb "to book" as: the recordation of an arrest in official police records, and the taking by the police of fingerprints and photographs of the person arrested, or any of these acts following an arrest.
- B. Booking Interview: A procedure in which the Detentions Processing Technician (DPT) conducts a series of questions directly to the arrestee in order to record obtained information.

II. Inmates who refuse to cooperate with any part of the booking process will:

- A. Be administratively segregated until identified. Confirmation of identification is required on all persons admitted to the San Diego County Sheriff's detention facilities. This will allow for the following:
 - 1. Proper classification and possible "keep separate" status.
 - 2. The detection of aliases and outstanding wants and warrants of a serious nature.
 - 3. Proper recordation and evidence of an arrest or other custodial/judicial process.
- B. Be given the same amount of telephone access as other arrestees.
- C. Receive food, sanitary facilities and all other essential services provided for all other inmates in the receiving/booking area.

- III. When an arrestee refuses to provide the arresting officer with his/her correct name, the arrestee will be processed into custody under the names "John or Jane Doe." The following procedures will be followed:
- A. Unnamed arrestees who are obviously under the influence of drugs or alcohol will either be placed in a holding cell, sobering cell or safety cell as is appropriate for his/her condition and the configuration of the detention facility.
 - B. After the detoxification period, the arrestee will be given another opportunity to identify himself/herself and to cooperate with the booking process.
 - C. Inmates who do not cooperate with the booking process due to possible mental impairment will be referred to the facility medical staff.
 - D. Sober and sane inmates who, after the above steps, conscientiously continue to refuse to submit to booking will be handled as described in subsections IV and V below. Incident reports will document the inmate's actions and staff's actions taken in response to the inmate's refusal.
 - E. Arrestees who meet the requirements of a mandatory strip search per section [1.52](#) of the Detention Policy and Procedures and who refuse to cooperate with the strip search, will be forcibly strip searched pursuant to Policy and Procedures section [1.52](#)- Inmate Searches.
 - F. All "John or Jane Doe" bookings will be handled according to Section [Q.6](#)-Unidentified Persons (AKA: John/Jane Doe) of the Detention Policy and Procedures.
- IV. If an inmate refuses to answer booking interview questions, but cooperates with fingerprinting:
- A. The staff will attempt to identify him/her by submitting the fingerprints to the CAL-ID System.
 - B. The booking/property screen will be completed as much as possible, with information from the intake slip and from the CAL-ID System. If the CAL-ID System cannot provide identifying information, the procedure described in subsection V of this policy shall be followed.
 - C. Nothing in this policy will preclude the use of legal investigative techniques, records searches or contact with other agencies and/or citizens in an effort to competently identify an arrestee.
- V. If an inmate refuses to be fingerprinted or photographed, the following steps will be taken:
- A. The watch commander shall order the use of reasonable and necessary force to obtain fingerprints and photographs of the inmate and the following practices shall be followed:
 - 1. Only reasonable and necessary force will be used to obtain the prints.
 - 2. A sergeant will be present and oversee the procedure.

3. As in all uses of force, a documenting NetRMS Use of Force Report and Supplemental Use of Force Report (SO-120) form will be prepared and filed.
4. Suggestions for forcibly taking fingerprints are set forth below. However, each inmate and situation being different, other more suitable methods may become necessary.
 - a. Live Scan is the preferred method for obtaining fingerprints from an inmate for transmittal to the CAL-ID System. It is recommended a gurney be used to facilitate the taking of fingerprints. The use of a gurney will enable deputies to minimize movement as they obtain the fingerprints. Deputies may have to immobilize and/or assist the inmate into a prone position or necessary posture in order to manipulate the inmate's fingers onto the aperture for electronic capture.
 - b. Ink prints are an alternate method for obtaining fingerprints from an inmate. In order to facilitate the taking of ink prints, the use of a safety or sobering cell is recommended. The padded floor will serve as a protective setting for deputies to obtain the fingerprints. Deputies may have to immobilize and/or assist the inmate into a prone position or necessary posture to manipulate the inmate's fingers onto a fingerprint card.
5. Video of the incident shall be attached to the NetRMS report.