

GENERAL ORDER

August 2017

Immediately

III-20

Distribution: All Employees

Subject: **HOSPITAL PROCEDURES**

Index as:	Emergency Medical Care Provider Emergency Room Procedures Guarding of Detainees at the Hospital	Hospital Emergency Room Procedures Hospitalized Detainees, Guarding of Prisoners, Guarding while Confined to Hospital
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Accreditation Standards: 44.2.2, 70.3.2

Cross Reference: [G.O. III-10, Transporting and Booking Detainee](#)

§784.07(1)(a) and (2)(b), F.S.S.

Replaces: G.O. III-20, Hospital Procedures_Interim Change_Chief's Memo 19-013 (June 7, 2019)

This Order establishes policy for the continuation of ongoing investigations in hospital emergency rooms and the guarding of detainees confined to a hospital prior to transfer to the Pinellas County Jail or arraignment. It consists of the following sections:

- I. Policy
- II. Definitions
- III. Trauma Area Procedures
- IV. Battery on Emergency Medical Care Provider
- V. Guarding Hospitalized Detainees
- VI. Visitor Procedures
- VII. Hospitalized Juveniles

I. POLICY

A. Police Officers will not allow their investigative responsibilities to hinder emergency room personnel who are performing their medical duties. However, if there is an IMMEDIATE investigative need and it does not interfere with the treatment, the Officer may talk with the patient/detainee. These procedures are applicable to anyone in police custody, whether they are under arrest or not.

B. Detainees who are hospitalized before their arraignment, and not yet in the custody of the Sheriff's Office, **will** be kept under guard in a manner which affords security for the hospital, its staff, and other patients. Consistent with good security, detainees will be provided with minimal visitation benefits.

II. DEFINITIONS

A. Emergency Medical Care Provider – A physician, employee, agent, or volunteer of the hospital, who is employed, under contract, or otherwise authorized by the hospital to perform duties directly associated with the care and treatment rendered by the hospital's emergency department, including the hospital's emergency behavioral health department.

III. TRAUMA AREA PROCEDURES

A. Bayfront Health - St. Petersburg

1. When entering the emergency room, the Officer will use the trauma area entrance, bypassing the waiting area and going directly to the nurse's station. The detainee will be assigned to a room as soon as possible by the hospital staff.

2. The detainee's admitting data will be completed in the assigned room. If a room is not immediately available, the Officer will be directed by emergency room personnel to take the detainee to an area in the emergency room other than the waiting room.

3. Except for emergency situations, there will be no more than two (2) Officers with each detainee in the trauma room.

4. Should it become necessary for Officers to confer away from the detainee, one Officer (or two if necessary), will be left to guard the detainee, while the other Officers confer outside of the trauma room. Emergency room personnel will provide the Officers with a place for the conference.

B. St. Anthony's Hospital - St. Petersburg

1. When an Officer transports a person to St. Anthony's hospital for medical treatment, they **will** bring the person through a marked *EMS Entrance* only.

2. If the person is not a detainee, the Officer will hand the person off to a doctor or nurse before leaving.

3. If the person is a detainee, they will be assigned to a room as soon as possible by the hospital staff.

4. The detainee's admitting data will be completed in the assigned room. If a room is not immediately available, the Officer will be directed by emergency room personnel to take the detainee to an area in the emergency room other than the waiting room.

5. Except for emergency situations, there will be no more than two (2) Officers with each detainee in the trauma room.

6. Should it become necessary for Officers to confer away from the detainee, one Officer (or two if necessary), will be left to guard the detainee, while the other Officers confer outside of the trauma room. Emergency room personnel will provide the Officers with a place for the conference.

C. Emergency Rooms, Other Area Hospitals

1. The Officer should make every effort to accommodate the procedures of other area hospitals to maintain a professional working relationship with each of those institutions.

2. The Officer should not congregate in areas that will hamper emergency room operations, such as hallways, treatment rooms, or admission desks, etc.

IV. BATTERY ON EMERGENCY MEDICAL CARE PROVIDER

A. When a person who is receiving medical care at a hospital or other medical facility commits a felony battery, the Officer **will** make a physical arrest and transport the defendant to the jail when the Officer confirms that all of the following conditions are present:

1. There is probable cause for the arrest;

2. The victim desires to prosecute;

3. The treating doctor "medically clears" the defendant; and

4. The treating medical professional provides the defendant with completed "discharge instructions."

5. The Officer **will** document in their report that the doctor provided the “discharge instructions” to the defendant and **will** transport the “discharge instructions” to the jail.

B. Note: where the defendant “knowingly” batters an “emergency medical care provider,” a battery may be upgraded to a felony. [See F.S.S. § 784.07(1)(a) and (2)(b).]

C. Reports

1. When a physician, nurse, employee, agent, or volunteer of the hospital or other medical facility desires to report a crime, the Officer **will** take the report.

2. The Officer **will** not attempt to persuade a victim not to file a report.

V. GUARDING HOSPITALIZED DETAINEES

A. The arresting or transporting Officer(s) accompanying the detainee to the hospital for treatment **will** thoroughly document all the personal property of the detainee who will be confined for treatment.

1. Upon admission to the hospital, the personal property should be accounted for with hospital personnel.

2. Personal items taken from the detainee who is hospitalized **will** be documented as part of the report and the Officer **will** maintain custody of the property and will arrange transportation of those items to the jail.

3. The Officer learning that a detainee will be retained for treatment **will** notify a Supervisor as soon as practical of the need for a guard.

4. The Supervisor **will** ensure the necessary advisories are completed and delivered, along with the detainee’s property, to Central Booking at the Pinellas County Jail.

5. After receiving the appropriate paperwork, the records Supervisor at Central Booking will make the necessary arrangements for arraignment of the detainee.

B. The Supervisor **will** notify the Watch Commander as soon as practical of the need for a guard. A guard will be maintained until the arrested person is arraigned. At that time, the Pinellas County Sheriff’s Office will take custody of the detainee.

C. Prior to an Officer assuming guard duty at a hospital, the Officer **will** be briefed by a Supervisor.

1. The Supervisor will ensure a copy of this Order is given to the Officer before they go on guard duty.

2. Field Training Officers, who have a probationary Officer assigned and working with them, will not be used as hospital guards unless there is no other unit available.

3. Probationary Officers who have not completed the Field Training Program will not be used as hospital guards, unless there is no other unit available, and the situation will allow a Field Training Officer to observe and evaluate.

D. The guarding Officer is required to have the detainee in full view at all times, unless otherwise directed by this Order or by a treating physician or nurse.

VI. VISITOR PROCEDURES

A. Whenever an arrested person is transported in-custody to a hospital and remote booking is anticipated, the patient:

1. Is not permitted to use cell phones or any phone for any reason.

2. Is not allowed any visitors while in our custody.

3. In addition, the Officer should avoid contacting relatives or acquaintances to alert them the person is

hospitalized, or to provide them information about the person.

4. If the hospital deems there is a medical reason to **contact** the family, visitors are still prohibited.

A. Officer Duties and Responsibilities

1. The Officer assigned guard duty will remain in the room with the detainee during all visits and telephone calls, observing and listening to conversations, except for conversations with the clergy and attorneys. During conversations with the clergy and attorneys, Officers should remain out of hearing range but **will** maintain visual observation.

2. The guard Officer **will** verify the authenticity/identity of the clergy or attorney and note the identification in their supplementary report.

3. An Officer assigned guard duty **will** complete a supplementary report; documenting their time of arrival, time of departure, the name of the Officer they replaced and the name of the Officer relieving them.

4. The guard Officer is responsible for the contents of this Order and **will** not leave the detainee unless relieved by another Officer or is directed to do so by a Supervisor.

VII. HOSPITALIZED JUVENILES

- A. When a juvenile arrested for a felony offense will be confined to a hospital for treatment, the investigating Officer will notify a Supervisor of the arrest and the need for a possible guard.

- B. The Supervisor will notify the Watch Commander of the situation. Under certain circumstances; *e.g.*, a serious felony offense, it may be necessary for an Officer to continue to guard the detainee until other arrangements are made.

- C. The Watch Commander will coordinate security with the Investigative Services Bureau (ISB) regarding the continued necessity to guard the juvenile.

- D. Visitor procedures for hospitalized juveniles are the same as detailed in this Order for adults.

- E. The Investigating Officer **will** complete the necessary juvenile referral(s).

1. The original referral will remain at the hospital with the juvenile.

2. The goldenrod copy of the referral will be attached to the *Incident Report*.

Anthony Holloway
Chief of Police