



Alexandria Police Department

Directive 11.17



Public Intoxication

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11.17.01 POLICY AND PURPOSE

It is the policy of this Department to have persons who are subject to arrest for public intoxication (also called "drunk in public") and who meet the below criteria, evaluated for admittance to the Alexandria Detoxification Center (Detox) prior to being *transported to* the Sheriff's Office at the Adult Detention Center. [1.2.6]

The purpose of this directive is to set forth procedures for *evaluating and* transporting publicly intoxicated persons to Detox as an alternative to arrest. The diversion of such persons from the criminal justice system is intended to reduce the use of criminal justice resources and to assist individuals in receiving needed services. [1.1.3]

11.17.02 AUTHORITY

Detox provides non-medical alcohol and drug detoxification services. Since the General District Court has approved Detox, officers are authorized to transport public inebriates to the Detox Center in lieu of arrest, in accordance with **Virginia Code**

18.2-388, and Alexandria City Code 13-1-5. It should be noted that the charge of public intoxication, whether the intoxication results from alcohol, any drug, or other intoxicant is applicable under both the state code and the city code.

Under no circumstances will an officer issue a Virginia Uniform Summons for violating Virginia Code Section 18.2-388 or Alexandria City Code Section 13-1-5 to any person arrested for public intoxication. This includes any person transported to the Detox Center or a hospital.

11.17.03 RULES AND RESPONSIBILITIES

A. Adult persons *taken into police custody* for public intoxication will be taken to the Detox Center *in lieu of arrest and transport to the Alexandria Sheriff's Detention Center to be brought before a magistrate* except when:

1. *Other criminal* charges are placed *against the individual*, including those that are releasable on a summons and interdiction. *Note that officers should use appropriate discretion in placing additional charges that may arise as the result of the subject's intoxication.*
2. The person is wanted for other *criminal* charges.
3. The person is uncooperative or violent.
4. The person *refuses* to go to the Detox Center.
5. The person has walked away from the Detox Center in the last 72 hours.
6. The Detox Center is full.
 - a. Employees will notify the dispatcher when they become aware that the Detox Center is full.

11.17.04 PERSON MEETS CRITERIA FOR DETOX CENTER

A. **If the person meets the criteria for admittance to the Detox Center the officer will:**

1. Transport the person to the Detox Center in accordance with Police Directive 10.27, Prisoner Transport.
2. Allow the Detox Center counselor to advise the person of the rules and regulations of the program.

3. Complete a Police Diversion Record and turn it over to the Detox center counselor if the person is accepted.

4. *Complete an APD-7B and mark the appropriate box, (Detox or Arrest).*

B. If the person is **rejected** by the Detox Center for medical reasons only, the officer will transport the person to the hospital in lieu of arrest, **only** if the person is willing to go to the hospital.

1. *The officer may leave the person at the hospital in lieu of arrest.*

2. *If the officer chooses to charge the subject with drunk in public under the Virginia or City of Alexandria Code, the officer will respond to the magistrate's office and petition the magistrate for a warrant releasable as a summons. The officer will then respond back to the hospital and execute the summons. These actions will be documented on the APD-7B.*

C. *If the person is rejected by the Detox Center for reasons other than medical, or the person refuses to go to the hospital, the officer will:*

1. Transport the person to booking in accordance with Police Directive 10.27, Prisoner Transport.
2. Obtain a warrant from the magistrate for public intoxication.
3. Give the Police Diversion Record to the booking deputy, making sure the reason for rejection is put on the Police Diversion Record.
4. Mark the appropriate box, (Detox or Arrest) on the APD-7B.

11.17.05 PERSON DOES NOT MEET CRITERIA FOR DETOX CENTER

A. If the person does not meet the criteria for admittance to the Detox Center the officer will:

1. Transport the person to booking in accordance with Police Directive 10.27, Prisoner Transport.
2. Obtain a warrant from the magistrate for public intoxication.
3. Mark the appropriate box, (Detox or Arrest) on the APD-7B.

B. *Whenever the officer transports the inebriate to the Alexandria Sheriff's Detention Center, regardless of whether or not they meet criteria for Detox or has been refused by Detox, the person has been arrested.*

C. *If the Sheriff's Office refuses to admit the person for medical reasons, the officer will transport the person to the hospital and **must** retain custody of the person until he/she has been treated and cleared by the hospital. Once cleared, the person will be transported back to the Detention Center and brought before a magistrate.*

11.17.06 UNCONSCIOUS PERSONS

1. When an *officer encounters an* unconscious person or person in obvious need of medical attention, whether suspected of public intoxication or not, Emergency Medical Services (EMS) will be called to *evaluate the subject and transport him/her* to the hospital, *as necessary*.
2. If the *subject is transported to a hospital, no further action is required by the officer unless needed to escort EMS on the transport due to the person's behavior*.
 - a. *If medical staff requests an officer to respond to the hospital due to the person's behavior and they have completed treatment of the person or determined that the person does not need medical attention, the officer will obtain discharge papers, which may be required prior to admittance to the Detox Center or the Adult Detention Center.*
 - b. *The officer will then take the person to the Detox Center unless one of the exceptions under 11.17.03.A has been met.*
 - c. *If the person does not meet criteria for Detox he or she will be taken to the Alexandria Sheriff's Detention Center to be brought before a magistrate.*
3. *If the subject is not transported to a hospital by EMS, the officer will take the person to the Detox Center unless one of the exceptions under 11.17.03.A has been met.*

By Authority Of:

**Earl L. Cook
Chief of Police**