

POLICY STATEMENT

Police Officers are frequently required to remove persons to hospitals for a variety of reasons. Officers may elect to remove persons who have relatively minor injuries or illnesses rather than calling a Medic Unit to make the removal. Officers may be called upon to remove victims of crime for treatment or examination for trace evidence. Certain prisoners must be removed to a hospital for treatment or examination.

The Department of Police is responsible for the cost of any medical treatment provided to a person while they are in police custody, regardless of whether the injury or illness requiring treatment was in any way related to the arrest or criminal activity. It is therefore, very important that the department maintain complete and accurate records relating to the removal of persons to hospitals. This must be done so that we can both honor our legal obligations for the cost of medical treatment, which is our responsibility, and avoid expenses for which we are not obligated.

I. COURTESY REMOVALS

- A. Courtesy Removals can be made to a hospital for a person who is not and will not be taken into police custody, due to illness or injury. The department has no obligation for the costs of treatment provided to persons under these circumstances.
- B. Officers who make a Courtesy Removal to a hospital will complete a Removal: illness/injury (REM) FIC type for the person removed via the FIC screen on the MDT or MIS terminal. They must note the date, time, and location from which the removal was made. The comment field will include "Courtesy Removal", the reason for the removal, and name of the facility to which the person was taken. No such entry will be required for Courtesy Removals that are made by a Medic Unit.

II. INVESTIGATIVE REMOVALS

- A. Investigative Removals are made to a hospital for a person who requires medical treatment or examination for trace evidence. These circumstances may include either crime victims or suspects. The department may or may not have an obligation for the costs of treatment provided to persons under these circumstances.
- B. Officers who make an Investigative Removal, or call a Medic, will complete a Removal: illness/injury (REM) FIC type for the person removed by MDT or MIS terminal noting the date, time, and location from which the removal was made. The comment field will include "Inv. Removal", the reason for the removal, and the name of the facility to which the person was taken

III. IN-CUSTODY REMOVALS

- A. In-Custody Removals are made to a hospital for a person who is in police custody. The removal may be required by policy, such as in cases of Use of Force, Use of Chemical Irritants, or Use of TASER, or required due to illness or injury suffered by the individual prior to or during their arrest. The department is legally responsible for the cost of any medical treatment provided to any individual in police custody, regardless of the origin of the injury or illness that necessitates the treatment. That responsibility continues until the prisoner is released from police custody or booked into the Montgomery County Jail.
- B. Officers who make an In Custody Removal to a hospital, or call a Medic, will complete a Removal: illness/injury (REM) FIC type for the person removed via the FIC screen on the MDC or MIS terminal. They must note the date, time, and location from which the removal was made. The comment field will include, "In Custody Removal", the reason for the removal, and name of the facility to which the person was taken.



IV. PRISONERS ADMITTED TO HOSPITALS AND/OR PLACED UNDER GUARD

All removal screens must include a D.I.B.R.S. number in the appropriate field. If not already reported in a crime report, officers shall complete a D.I.B.R.S. memorandum anytime they place a prisoner under guard or admit them to the hospital and reference the appropriate information in the report and on the removal screen.

- A. **Non-violent misdemeanor prisoners'** injuries or illnesses may require admission to the hospital. A Sergeant will be contacted to determine whether the prisoner will be placed under guard or released from police custody. The preferable action will be to release the prisoner and complete a summons - The totality of circumstances must be taken into account prior to any release, i.e. type of the crime, any threats to victim, injuries to the suspect, etc.
1. If the prisoner is to be released from custody, the supervisor will complete a Handcuff/Custodial Release (HNC) type FIC by MDC or MIS terminal noting the exact date and time that the prisoner was released from custody.
 2. The FIC screen will also include the date, time, and location from which the removal was made. The comment field will include, "Rel. from Custody" and name of the facility to which the person was taken. This is to be done in addition to the officer's original REM Screen in MIS or on the MDC.
- B. Persons arrested for **Felonies and Violent Misdemeanors** may be released from custody, by order of a police commander or in their absence, the ranking on-duty supervisor or the Court, prior to being booked into the Montgomery County Jail. The totality of circumstances must be taken into account prior to any release, i.e. type of the crime, any threats to victim, injuries to the suspect, etc.
- C. Prisoners that require being hospitalized for serious injuries or conditions that did not result from police action should not be arrested or should be released prior to being hospitalized under the same guidelines as listed in this section above.
1. Hospital security will be notified of the situation and asked to contact the Police Department when the person is going to be released if necessary.
 2. The supervisor making this decision will also be required to send an E-mail to the appropriate detective squad that will be investigating the initial complaint so that they are aware of the location and condition of the suspect.
 3. The commander/supervisor responsible for the release of the prisoner from police custody will complete a Handcuff/Custodial Release (HNC) FIC type screen by MDC or MIS terminal noting the exact date and time that the prisoner was released from custody. The comment field will include, "Rel. from Custody", the reason for the release, and who authorized the release. This is to be done in addition to the officer's original REM Screen in MIS or on the MCT.
- D. **INDICTED PRISONERS** - Certain felony prisoners who are under guard may be indicted by the Grand Jury after admission to the hospital but prior to being booked into the Montgomery County Jail. In such cases the officer serving the indictment will complete a Handcuff/Custodial Release (HNC) FIC type for the prisoner by MDT or MIS terminal. The FIC must note the exact date and time that the prisoner was served with the indictment. The comment field will include, "Indictment Served" and note the charge(s). The department's obligation for the cost of the prisoner's care ceases when the indictment is served.

V. REMOVALS FROM THE MONTGOMERY COUNTY JAIL

- A. Officers may be summoned to transport a Montgomery County Jail prisoner, who was arrested by the Dayton Police Department, to a hospital for treatment of an illness or injury arising after the prisoner was booked. The department is not responsible for the cost of treatment provided to such persons. These do not include removals that are made from the jail prior to booking a prisoner, when jail personnel refuse to accept the prisoner due to illness or injury.



- B. Officers who make removals of previously booked prisoners from the Montgomery County Jail will complete a Jail Transport (JLT) FIC type for the person removed, via the FIC screen on the MDC or MIS terminal. The location of the removal should be listed as "330 W. Second St". The officers must note the date and time when the removal was made, and name of the facility to which the person was taken. The comment field will include, "Jail Removal", the reason for the removal, and the name of the facility to which the person was removed.