

Module 6
Intake Procedures

ADMISSIONS

6.1.0 Unit Goal: Summarize an inmate's admission process into a jail facility.

6.1.1 Identify pertinent Code of Criminal Procedure (CCP) statutes.

- A. Commitment – Code of Criminal Procedure, Art. 16.20
- B. Early Identification of Defendant Suspected of Having Mental Illness or Intellectual Disability – Code of Criminal Procedure, Art. 16.22
- C. Warrant of Arrest – Code of Criminal Procedure, Art. 15.01
- D. Requisites of Warrant – Code of Criminal Procedure, Art. 15.02
- E. Capias
 - 1. Definition of a "Capias" – Code of Criminal Procedure, Art. 23.01
 - 2. Its Requisites – Code of Criminal Procedure, Art. 23.02
 - 3. Capias or Summons in Felony – Code of Criminal Procedure, Art. 23.03
 - 4. Capias Pro Fine – Code of Criminal Procedure, Art. 43.015(2)
 - 5. Further Enforcement of Judgement – Code of Criminal Procedure, Art. 43.08
- F. Writ of Attachment (Bench Warrant)
 - 1. Requisites of an "Attachment" – Code of Criminal Procedure, Art. 24.11
 - 2. Attachment for Convict Witnesses – Code of Criminal Procedure, Art. 24.13
 - 3. Attachment for Resident Witness – Code of Criminal Procedure, Art. 24.14
- G. Certified Copy of Judgment and Sentence
 - 1. Authority for Confinement – Code of Criminal Procedure, Art. 43.11
- H. Magistrate's Warrant (Fugitive)
 - 1. Magistrate's Warrant – Code of Criminal Procedure, Art. 51.03
 - 2. Complaint – Code of Criminal Procedure, Art. 51.04
- I. Sheriff's Duties Related to Custody of Defendants – Code of Criminal Procedure, Art. 2A.064
- J. Refusing to/Failure to Execute Writ
 - 1. Refusing to Execute Writ – Code of Criminal Procedure, Art. 11.60
 - 2. Fine for Failure to Execute Process – Code of Criminal Procedure, Art. 2A.055

6.1.2 Identify pertinent Penal Code statutes related to the custody of inmates.

- A. Permitting or Facilitating Escape – Penal Code, Sec. 38.07
- B. Unlawful Restraint - Penal Code, Sec. 20.02

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6.1.3 List the different types of credentials required before receiving an inmate.

- A. Agency credentials
 - 1. Peace Officers: Texas Peace Officer License
 - 2. Correctional officers from Texas Department of Criminal Justice (TDCJ), another county jail, or authorized transport agencies.
 - 3. Depending on department policy:
 - a. Driver's license
 - b. State bar card
- B. Person specially named to execute process.

6.1.4 List methods for obtaining an inmate's identification.

- A. State Issued Driver's license/Identification Card
 - 1. Name
 - 2. Date of birth
 - 3. Address
- B. Run Computerized Criminal History (CCH):
 - 1. Name
 - 2. Date of birth
 - 3. Other acceptable identifiers
 - a. Social Security number and/or card
 - b. Texas Department of Public Safety (DPS) number known as a State Identification (SID) number
 - c. Federal Bureau of Investigation (FBI) number
 - d. Passport
- C. Utilize Automated Fingerprint Identification System (AFIS) to determine an individual's identity through fingerprint identification.
- D. Contact supervisor.

6.1.5 Explain requirements for updating an inmate's status.

- A. Check and update the inmate file daily for:
 - 1. Indictments/No bill
 - 2. Dismissals
 - 3. Declines of prosecution
 - 4. Convictions
 - 5. Acquittals
 - 6. Releases
 - 7. New charges
 - 8. Bond information (amount, any special requirements)
 - 9. Report as to prisoner's status (Code of Criminal Procedure, Art. 2A.204)

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- B. The legal ramifications of not updating a file can result in:
 - 1. Criminal Liability
 - a. State Charges:
 - 1) Official Oppression – Penal Code, Sec. 39.03
 - 2) Violation of the Civil Rights of Persons in Custody; Improper Sexual Activity with Persons in Custody or Under Supervision – Penal Code, Sec. 39.04
 - b. Federal Charges:
 - 1) Conspiracy Against Rights (USC Title 18, Section 241)
 - 2) Deprivation of Rights Under Color of Law (USC Title 18, Section 242)
 - c. Civil Liability
 - 1) Civil Action for Deprivation of Rights (USC Title 42, Section 1983)

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IDENTIFICATION PROCEDURES

6.2.0 Unit Goal: Summarize the process of identifying incoming inmates.

6.2.1 List the requirements for identifying inmates.

- A. Visual identification
 - 1. Review prior photographs.
 - 2. Fingerprint to confirm identity through Automated Fingerprint Identification System (AFIS).
- B. Failure to Identify – Penal Code §38.02
- C. Record the inmate's physical condition at time of booking to prevent possible litigation (i.e. identifying scars, marks, and tattoos of incoming inmates).
- D. Law enforcement identification numbers:
 - 1. Local
 - 2. Sheriff's Office Tracking Number
 - 3. Police Department Tracking Number
 - 4. State Identification Number (SID) - Department of Public Safety Tracking Number
 - 5. Federal Bureau of Investigations (FBI) Number

6.2.2 List the requirements for preparing identification photographs.

- A. Verify the agency ID number and the correct date.
- B. Take the photos:
 - 1. Front view with/without accessories (hat, glasses, wig, etc.)
 - 2. Side view, left and right, with/without accessories (hat, glasses, wig, etc.)
- C. Retain photos according to departmental policy.

6.2.3 Explain considerations for taking a useable set of fingerprints.

- A. Enter the required information in AFIS.
- B. Denote any irregularities of the inmate's hands prior to fingerprinting.
 - 1. Missing digits
 - 2. Deterioration of ridge details (example: work involving concrete and masonry).
 - a. Distilled water can be utilized to enhance ridge detail.
 - 3. If an injury is temporary, the prints should be taken after it heals, not before (if possible)
 - a. Different fingerprinting techniques must be used when physical problems so indicate.

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4. Have the inmate clean their hands and fingers with soap and water or a good waterless hand cleaner.
5. Use recommended equipment for ink prints (for proxy booking – i.e. hospital bookings):
 - a. Inking plate with printer's ink or inking pad
 - b. Appropriate fingerprint card
 - c. Cardholder
 - d. Roller
6. Manual submissions require Criminal History Reporting Form (CR 4345)
www.dps.gov/administration/crime_records/pages/cjis/RptngForms.htm

6.2.4 Identify the proper method of taking prints.

- A. The inmate should stand in front of, and at a forearm's length from, the fingerprint location.
- B. To take advantage of the natural movement in making finger impressions, the hand should be rotated from the more difficult to the easy position.
 1. This requires that the thumbs be rolled toward and the fingers away from the center of the subject's body.
 2. This process relieves strain and leaves the fingers relaxed upon the completion of rolling so that they may be lifted easily.
- C. Two types of impressions are recorded.
 1. Rolled – the fingers are rolled individually
 2. Plain impressions – all fingers are taken simultaneously
- D. Used when a subject's identity is in question and the fingerprints are sent to DPS for identification purposes.
- E. Take the prints according to normal procedures utilizing the two finger look up option.
- F. When finished taking the prints, the option to submit to DPS must be checked before clicking the submit button.
- G. A positive response will return a State Identification Number that will then need to be checked through TLETS on the QR form.
- H. This will return the specific criminal record attached to the State Identification Number.

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INTAKE PROCEDURES

6.3.0 Unit Goal: Perform general intake procedures.

6.3.1 Discuss establishing an inmate's file.

- A. Intake - recording of certain information relating to the inmate during the admission process.
- B. Procedures - record information specified in Texas Commission on Jail Standards.
 - 1. Inmate Files – Texas Commission on Jail Standards, Rule 265.4
 - 2. Record System – Texas Commission on Jail Standards, Rule 269.1
 - 3. Health Tags – Texas Commission on Jail Standards, Rule 265.5
 - 4. Health Records – Texas Commission on Jail Standards, Rule 273.4
 - 5. Completion of Screening Form for Suicide and Medical/Mental/ Developmental Impairments – Texas Commission on Jail Standards, Rule 273.5(b)
 - a. Record any other information required by department policy.

6.3.2 List methods for checking existence of wants and warrants.

- A. Perform a Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC) check during intake procedure.
- B. Information to be submitted to telecommunications operator or intake officer:
 - 1. Name (include AKAs, maiden name)
 - 2. Date of Birth
 - 3. Race
 - 4. Sex
 - 5. Social Security Number
 - 6. AFIS Return
 - 7. Continuity of Care Query (CCQ)

6.3.3 Define a “detainer.”

- A. Detainer – a report form that documents an agency's authority to retain a person in custody pending a fulfillment of a legal obligation or transfer to another jurisdiction.
 - 1. The use of a “detainer” is a temporary measure pending confirmation or transfer to issuing agency.
 - 2. A writ authorizing a prison official to continue holding a prisoner in custody .
 - 3. Separate Written Record – Texas Commission on Jail Standards, Rule 269.1(3)
 - 4. Escape from Custody Report – Texas Commission on Jail Standards, Rule 269.1(4)

INSTRUCTOR NOTE: Provide an example of a “detainer” used by your agency.

6.3.4 List methods for informing an inmate of bonding procedures.

- A. Inform the inmate of their right to bond.
- B. Inform the inmate if the bond has been set and amount.
- C. After completion of booking, allow the inmate the opportunity to make bond. (Texas Commission on Jail Standards, Rule 265.9)

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- D. Family violence – department can detain for 4 hours, magistrate can detain for additional 24 hours, not to exceed 48 hours (Code of Criminal Procedure, Art. 17.29 and Art. 17.291)
- E. Requirement to notify a victim of family violence before the inmate is released from custody (Code of Criminal Procedure, Art. 17.29)
- F. Prohibited procedures related to bonds (Occupations Code, Sec. 1704.304):
- G. Departmental policy will dictate specific bonding procedures

6.3.5 Summarize phone call procedures for inmates.

- A. Inmate Telephone Plan – Texas Commission on Jail Standards, Rule 291.1
- B. Telephone Use – Texas Commission on Jail Standards, Rule 265.7
- C. Contacting Attorney – Texas Commission on Jail Standards, Rule 265.8
- D. Telephone calls after booking are considered privileges, unless telephone access is the only access available to religious leaders or attorney representation.
- E. Refer to your approved operational plan.

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INVENTORY

6.4.0 Unit Goal: Summarize the process of maintaining an inventory of inmate property.

6.4.1 Identify the requirements of inventorying inmate property.

- A. Inmate Property Checking – Texas Commission on Jail Standards, Rule 265.10
- B. Update the property list of all inmate property, incoming and releasing.
- C. Accountability of inmate's property:
 - 1. Civil liability - negligence action in tort.
 - a. Tort – a wrongful act other than a breach of contract for which relief may be obtained in the form of damages or an injunction.
- D. Inventory will be listed as follows:
 - 1. Obtain and complete the departmental inventory form.
 - 2. Let the form be the guide when questioning the inmate.
 - a. Example: Ask the inmate, "Is this your ring?" If they say "no," then ask whom it belongs to, etc.
 - 3. The assistance of another officer will be necessary when you are dealing with an uncooperative inmate to witness and document the property received.
 - 4. Refer to departmental policy and procedures for recording and securing inmate property.
- E. Documenting and securing property
 - 1. List and describe the property in the presence of the inmate and document each inventoried article on the correct form.
 - 2. Common articles include, but are not limited to:
 - a. Money
 - b. Billfold, wallet, or purse
 - c. Watch
 - d. Jewelry
 - e. Knife
 - f. Keys
 - g. Credit cards
 - h. Eyeglasses
 - i. Belts
 - j. Shoelaces
 - k. Clothing

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F. If a large amount of money or any suspicious items are found, follow departmental policy.

G. When describing property, be specific as to:

1. Color
2. Shape and Size
3. Identifying characteristics
4. Serial number
5. Visible damage
6. Design
7. Inscription

6.4.2 Identify guidelines for specific inmate property.

A. Jewelry

1. Color of metal and/or stone:
 - a. Metal: white, yellow, pink
 - b. Stone: green, red, rose, etc.

INSTRUCTOR NOTE: Explain why one never refers to precious metals, gems, or stones by proper names in the description.

B. Stones and how many were found.

C. Initials, inscriptions and dates: quote the exact initials or name (instead of describing the articles by stating “owner's name on same”).

D. Jeweler's inscription – Quote the exact inscription.

E. Design – rings and pins.

F. Descriptive characteristics peculiar to certain types of jewelry:

1. Rings: Man's, woman's, or child's band
2. Watches: type, engraved or set with stones
3. Necklaces/pendants: kind, color, and number of strands
4. Brooches and pins
5. Bracelets: type of material (leather, fabric, or metal)
6. Earrings and body jewelry: style

G. Clothing

1. Color and pattern, ex: solid color (black), striped (black with white stripe), plaid (gray and white plaid), checked (black and white check)
2. Type, design, and general condition – Describe all articles of clothing.

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6.4.3 Identify methods for completing an inventory form.

- A. Upon completing the inventory form, have the inmate sign the form to acknowledge that the inventory is true and correct.
- B. If the inmate refuses to sign, have another correctional officer witness the refusal and sign the receipt.
- C. The correctional officer must sign the receipt.
- D. Route the signed receipt to the inmate's file.

INSTRUCTOR NOTE: Have the students demonstrate the process of inventorying inmate property.

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MONEY ACCOUNTS

6.5.0 Unit Goal: Summarize maintaining inmate money accounts and commissary procedures.

6.5.1 Identify the requirements for establishing an inmate money account.

- A. Texas Commission on Jail Standards, Rule 269.1(L)

6.5.2 Define the purposes of an inmate money account.

- A. Safe keeping of money
- B. Commissary purposes
- C. Medical expenses
- D. Bonds, fines (including agency fines), and various court costs

6.5.3 Identify the method of receiving money into an inmate's money account.

- A. Money should be handled by jail staff only.
- B. Verify the identification of the inmate.
- C. Verify the amount of the deposit.
- D. Deposit the money according to departmental policy.
- E. Write a receipt according to departmental policy.

6.5.4 Identify the steps for verifying funds in an inmate account.

- A. Check the amount of money that the inmate has in their account.
 - 1. Notify inmate of balance, upon request.
 - 2. If balance is not enough to cover purchases, notify inmate.
- B. Inmates shall not be denied medical/mental health services due to insufficient funds. (Government Code, Sec. 501.063(c))

6.5.5 Identify minimum standards applicable to commissary.

- A. Inmate Commissary Plan – Texas Commission on Jail Standards, Rule 291.3

6.5.6 Explain considerations of commissary privileges.

- A. Verify the purchasing ability of inmate – ensure inmates are not on restriction due to disciplinary status.
- B. Inmates shall not be allowed access to another inmate's money account.
 - 1. Inmates shall not use another inmate's identity to purchase commissary items.
 - 2. Inmates may not authorize another inmate to make purchases or inquiries on their behalf.
- C. The purchase of non-hygiene items is a privilege.

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D. Hygiene and correspondence items can be provided through jail indigent programs.

6.5.7 Identify the methods of distributing inmate commissary purchases.

- A. Confirm inmate's identity.
- B. Distribute and count the commissary items in the inmate's presence.
- C. Have the inmate sign a commissary receipt.
- D. Update all records by debiting the inmate's account.

6.5.8 Identify other uses for commissary funds.

- A. Commissary Operation by Sheriff or Private Vendor – Local Government Code, Sec. 351.0415

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INMATE SUPPLIES

6.6.0 Unit Goal: Summarize the process of issuing inmate clothing, personal hygiene, and bedding.

6.6.1 Identify TCJS requirements for issuing and storing clothing.

- A. Inmate Clothing – Texas Commission on Jail Standards, Rule 277.1
 - 1. Undergarments, if issued to males, must be issued to females.
- B. Search clothing for contraband prior to issue.
- C. Note the condition of the clothing upon issue.
- D. Document all clothing issued.
- E. Laundering – Texas Commission on Jail Standards, Rule 277.2
- F. Personal Clothing – Texas Commission on Jail Standards, Rule 277.3

6.6.2 Identify TCJS requirements for personal hygiene supplies.

- A. Personal Hygiene – Texas Commission on Jail Standards, Rule 277.4
- B. Toilet Paper – Texas Commission on Jail Standards, Rule 277.5

6.6.3 Identify TCJS requirements for inmate showers.

- A. Shower – Texas Commission on Jail Standards, Rule 265.11
- B. Showers – Texas Commission on Jail Standards, Rule 277.6
- C. Identify inmates who need supervised showering (ex: those who are violent or having a mental illness):
 - 1. Make a showering schedule. Ex: Inmates in isolation for disciplinary reasons must be showered at least once every other day.
 - 2. Supervise showering procedures:
 - a. Issue necessary articles for showering.
 - b. Supervision should be by an officer of the same gender.
 - c. Assure cleanliness of inmate.
 - d. Collect all showering supplies before returning the inmate to their cell.
 - e. Document the time, date, and the names of inmates who shower.

6.6.4 Identify TCJS requirements for compelling haircuts.

- A. Compelling Haircuts – Texas Commission on Jail Standards, Rule 277.7

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6.6.5 List TCJS requirements for issuing laundering of bedding and linens.

- A. Search bedding for contraband prior to issue
- B. Bedding and Linens – Texas Commission on Jail Standards, Rule 277.8
- C. Note the condition of the bedding upon issuance.
- D. Document all bedding that is issued.
- E. Laundering of Bedding and Linens – Texas Commission on Jail Standards, Rule 277.9

6.6.6 Identify the TCJS requirements for cleaning and storage of mattresses.

- A. Mattresses – Texas Commission on Jail Standards, Rule 277.10

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INMATE ORIENTATION

6.7.0 Unit Goal: Recognize the basic requirements of orientating an inmate into a jail system.

- A. Disciplinary and appeal procedures
- B. Emergency procedures
- C. Grievance procedures

6.7.1 Recognize the requirements for explaining the facility's rules and regulations to the inmate.

- A. Inmate Rules and Regulations – Texas Commission on Jail Standards, Rule 283.2
- B. Verbally determine what language the inmate understands.
 - 1. Contact a translator service for an interpreter, as needed.
 - 2. Have the inmate read aloud.

Note: An inmate cannot be processed until adequate communication can be established.

- C. If illiterate, read the rules and regulations to the inmate.
- D. Document that the facility's rules and regulations were made available to the inmate.

INSTRUCTOR NOTE: Instructor may want to provide a sample inmate file.

6.7.2 Explain methods of processing persons of foreign nationality.

- A. Steps to processing foreign nationals:
 - 1. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.
 - 2. The nearest consular officials must be notified of the arrest or detention of a foreign national from certain countries, regardless of the national's wishes.
 - 3. Consular officials are entitled access to their nationals in detention and are entitled to provide consular assistance.
 - 4. When a government official becomes aware of the death of a foreign national, consular officials must be notified.
 - 5. When guardianship or trusteeship is being considered, with respect to a foreign national who is a minor or incompetent, consular officials must be notified.
 - 6. Refer to department policy and procedures.
- B. Steps to follow when a foreign national is arrested or detained:
 - 1. It is imperative that the determination of citizenship be on your department's record. Refer to your department for appropriate forms.

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2. Determine the defendant's citizenship. This can be established by asking place of birth of the defendant, whether the defendant was born out of the United States, or whether the defendant has been naturalized under the Constitution and laws of the United States. In the absence of other information to the contrary, assume this is the country on whose passport or other travel document the foreign national travels.
 3. If the foreign national's country of citizenship is not on the mandatory notification list:
 - a. Offer without delay, to notify the foreign national's consular officials of the arrest/detention.
 - b. Inform the foreign national that you are making this notification.
 - c. If the foreign national asks that the consular notification be given, notify the nearest consular officials of the foreign national's country of citizenship without delay.
 4. If the foreign national's country of citizenship **is** on the list of mandatory notification countries, notify that country's nearest consular officials, without delay, of the arrest/detention regardless of the foreign national's wishes.
 5. For suggested information on statements, translations of statements, foreign embassies and consulates in the United States, and mandatory countries, refer to: <https://travel.state.gov/content/travel/en/consularnotification.html> (Publications, Magistrate's Guide for Consular Notification).
- C. Consular Notification and Access
1. Refer to the Resource Guide under "Guide to Consular Notification" (p. 7) for a recommended process
 2. Consular Notification Access Reference Card: Instructions for Arrests and Detentions of Foreign National. U.S. Department of Justice, refer to website:
 3. Consular Notification and Access. Department of Justice. Revised 1998. Office of Legal Advisor.
 4. Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities. Department of Justice. Revised 2003. Office of Legal Advisor.
 5. It's the Right Thing to Do. (Video). U.S. Department of State. Bureau of Consular Affairs. (202) 647-4110.
 6. Magistrate's Guide to the Vienna Convention on Consular Notification, refer to website: (Under Publications)