



# Ripon Police Department

## Written Directive



Department Order: # 400-01

Effective Date: October 30, 2015

Updated: August 17, 2018

Index as: Non-Custodial Transports

Internal Review: Annual

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### **I. POLICY AND PURPOSE**

The purpose of this directive is to provide direction to staff members who come into contact with non-custodial persons within our community who requests assistance in finding services for their safety, welfare, or to protect them from potential harm.

Police Officers often perform duties other than responding to calls or initiating enforcement activities. Police Officers within the City of Ripon do encounter situations that merely require them to offer a helping hand. Officers often engage in activities to help people in danger and to protect property as part of their community-caretaking functions.

The United States Supreme Court recognized the community-caretaker function in their 1973 decision in *Cady v. Dombrowski*. This decision in part stated that police officers . . . "frequently investigate vehicle accidents [and other incidents] in which there is no claim of criminal liability and engage in what, for want of a better term, may be described as community caretaking functions, totally divorced from the detection, investigation or acquisition of evidence relating to the violation of a criminal statute."

### **II. DEFINITIONS**

#### **A. Non-Custodial Persons**

Any person(s) that are lawfully contacted by members of the police department that are not in-custody nor detained on suspicion of committing a crime.

## **B. Transport**

Transport or transportation is the movement of humans and goods from one location to another.

## **C. Jurisdiction**

The area contained within the defined boundary or border of the City of Ripon.

## **III. PROCEDURE**

Therefore, the general policy of the City of Ripon Police Department in providing assistance to persons who request help to ensure their safety, general welfare, or to protect them from potential harm is as follows:

Department staff should make reasonable efforts to make arrangements for shelter, food, or transportation for those persons who fall within the parameters of this directive and in accordance with our Voucher Program guidelines (Directive 17-01).

Department staff can provide transportation to persons who are in non-custodial care to ensure their safety, welfare, and protect them from harm as part of our community caretaker function. These types of transports are consensual in nature and are not required to be accepted by the persons within our community, in other words we do not force persons we come in contact with, to be transported to another location against their will.

Every reasonable attempt should be made, if transportation is given, to provide transportation to the nearest safe location within San Joaquin County, which would include transportation hubs or locations that provide services, such as shelter and food. Transportation to another county for services can be made when exigent circumstances exist and when authorized by a supervisor.

If any staff member transports a subject out of our jurisdiction the reason for transportation shall be authorized by a supervisor and be documented in a written report, i.e. a crime report, or informational report.

## **IV. ACCOUNTABILITY**

Every employee who receives a written directive, *new or revised*, will acknowledge electronically that he or she has received, reviewed, and understands the directive.

## **V. PROPOSER**

Administration Unit.

## **VI. CANCELLATION**

Cancellation of an issued directive will be made by the Chief of Police.

By the order of:

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Signature of Agency Authority/Title