

April 21, 2010

**CITY OF FERGUSON
OFFICE OF THE CHIEF OF POLICE****Index as:**

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MEDICAL TREATMENT FOR PRISONERS**473.00 PURPOSE**

The purpose of this General Order is to outline the procedures to be followed when a prisoner becomes sick or injured while in the custody of this Department. Generally, due to the rapid response capabilities of local EMS personnel and the Ferguson Fire Department and the close proximity of Christian Northeast Hospital, police personnel are limited to first responder life saving procedures to include CPR, airway obstructions and control of bleeding.

473.01 POLICY

This Department is responsible for the welfare of each prisoner from the time he is taken either into custody on the street or from another jurisdiction until the time he is released either from custody or to another jurisdiction. Prisoners who are taken for immediate treatment should be closely monitored. Opportunities for escape, suicide and assault on hospital personnel or the transporting officer should be guarded against and will be more prevalent if the prisoner is unrestrained and/or out of sight. If restraints should be removed for treatment, caution should be exercised while the prisoner is unfettered. Only under unusual circumstances will the prisoner be allowed out of the transporting officer's sight.

473.02 PROCEDURE - SICK OR INJURED PRISONERS

- A. Prisoners who are in need of medical treatment will normally be conveyed in an EMS Unit to the point of medical treatment. After the prisoner has been treated and released, the prisoner will then be conveyed to this Department in a Department police vehicle.
- B. Officers will provide first aid and life saving measures to the extent they have been trained for prisoners suffering serious injury or illness such as severe bleeding or

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cardiac arrest. Officers are generally not trained in life saving techniques beyond CPR and control of bleeding. EMS personnel shall be summoned immediately.

- B. A police officer may accompany the prisoner in the rear of the EMS Unit when conveying the prisoner to a hospital if circumstance dictates. A prisoner may be transported in a patrol car after treatment only if two officers are assigned to the vehicle, unless a lock up car is utilized. The officers will consider the physical condition of the prisoner when determining the method used to restrain the prisoner in the vehicle.
- C. Information concerning the medical treatment rendered a prisoner will be included by the assigned officer in either the original or a supplementary report if that information complies with privacy laws and is provided by health care personnel.
- D. When a prisoner is taken to an area hospital for treatment, the accompanying officer will ask the prisoner if he has any type of hospitalization insurance. If the prisoner does, the information will be given to the admitting clerk. This procedure will apply in those instances when the prisoner is being examined for fit for confinement for possible injuries suffered at his own hand or is the victim where the injuries were inflicted by someone other than the police (10-50, assault, etc.).
- E. If circumstances permit, a suspect requiring medical attention at an area hospital should not be taken into custody and booked. The suspect should be transported to the hospital and treated as an injury/illness case. A report should be written and warrants applied for in the usual manner. However, if the suspect has committed a violent felony, Ferguson Police will standby and provide security of the suspect until warrants have been obtained and custody of the prisoner is turned over to the St. Louis County Department of Corrections. If the Ferguson Police Department maintains custody of the admitted prisoner, the watch commander shall ensure adequate relief of the custodial officer is provided.
- F. The Watch Commander will have the discretion in deciding if a suspect is to be held or released PAW. The circumstances of the incident, seriousness of the offense, and character of the suspect should be considered in making the decision. In any case of confinement of transportation to the St. Louis County Department of Corrections, a *Fit For Confinement* form must be obtained from the treating medical facility.
- G. In cases where a prisoner is released from custody prior to being transported to a hospital, officers will not accompany EMS to the hospital unless their presence is requested by EMS for safety reasons. In those situations, an officer will follow the ambulance to the hospital in a police vehicle unless otherwise directed by a supervisor.

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473.03 PRISONERS REQUIRING MEDICAL ATTENTION

Whenever a person taken into custody is injured or complains of injury or illness, or the officer believes that the person might be injured, that person will be offered medical treatment. A prisoner may refuse medical treatment at any time (see next section for further). EMS personnel will normally be summoned to the scene of the arrest or to the station to determine whether medical treatment and transportation to the hospital is required.

473.04 PRISONERS REFUSING MEDICAL ATTENTION

- A. Prisoners may refuse an offer of medical treatment prior to EMS being notified. In that situation, the prisoner will be asked to read and sign FPD Form 134, "Refusal of Medical Care." The signed form will be witnessed by the officer, with the date and time recorded. The form will be attached the booking sheet. EMS will not be notified unless the officer believes it is still necessary.
- B. Prisoners may also refuse medical care after the arrival of EMS. Prisoners that sign a Department of Health and Hospitals "Against Medical Advice (AMA) Form" will not be transported in EMS Units. The AMA Forms used by EMS Units are the same forms used by Hospital Emergency Rooms. The form has the same force and effect when signed at the scene as when signed at the hospital. The EMS log number on the AMA Form, along with the names of EMS personnel should be noted in the body of the police report.
- C. If a prisoner refuses to accompany EMS personnel and also refuses to sign the AMA Form, the officer will note this information in the report and include the names of the EMS personnel at the scene. The prisoner will then be conveyed directly to the Department for processing.

NOTE: If an injury or possible injury occurs after either refusal Form has been signed by the prisoner, the prisoner will then again be offered medical attention. If he again refuses medical attention, another form will be signed as described above. If the prisoner then requests medical attention, he will be conveyed by an EMS Unit to the hospital for treatment.

473.05 PRISONERS WHO BECOME SICK OR INJURED WHILE CONFINED

- A. Upon learning of a sick case or accidental injury of a prisoner confined in the holdover, the officer or communications personnel will inform the on-duty Watch Commander / Supervisor that there is a sick case or injury in the holdover.
- B. The Watch Commander / Supervisor will request the dispatcher to have an EMS Unit respond and if necessary, have the sector car respond to the station to handle the assignment. If the prisoner is conveyed for medical treatment in an EMS Unit, the assigned officer will accompany the prisoner in the rear of the EMS Unit.

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- C. The officer assigned to handle the illness or injury of a prisoner while confined at this department will indicate the sequence of events relative to the medical treatment rendered the prisoner.
1. An officer who receives an assignment of a Sick Case or Accidental Injury in the holdover will document the incident by initiating a complaint number through the Computer Aided Dispatching System (CAD) and complete a narration of the details regarding the incident.
 2. If the illness or injury may have a bearing on the original incident or arrest, the reporting officer will notify the arresting officer(s) so that further investigation can be initiated if necessary.
 3. Incidents where the prisoner alleges police brutality will be referred to the Watch Commander.

473.06 MEDICATION FOR PRISONERS

- A. All medication prescribed by a physician after the prisoner was conveyed to the hospital will be maintained in the prisoners property. The correction officer(s) will dispense the medication in accordance with the directions indicated by the physician.
- B. Any medication that the prisoner has in his possession at the time of arrest that had been prescribed for him by a physician will dispensed in accordance with the directions indicated by the physician. No “over the counter” medications will be administered.

By order of:

A handwritten signature in cursive script that reads "Colonel Thomas Jackson". The signature is written in dark ink and is positioned above the printed name and title.

COLONEL THOMAS JACKSON
Chief of Police

Distribution

All Department Personnel

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**FERGUSON POLICE DEPARTMENT
REFUSAL OF MEDICAL CARE**

I _____ voluntarily
acknowledge that I have been offered medical treatment for any
injuries or conditions that might have occurred as a result of my
arrest or detainment by the Ferguson Police Department.
At this time, I hereby voluntarily decline the offer of medical
treatment. I do not want an ambulance to respond and do not
want to be transported anywhere for medical treatment.

(Signature)

Date: _____

Time: _____

Witness: _____