



PUBLIC INTOXICATION GENERAL ORDER #17.08

Adopted: 07/07/2010
Replaces: G.O.# 17.08 dated 1/10/02

Updated: 02/22/2010
Reviewed: 02/22/2010

POLICY

When a subject is intoxicated in public to a degree that he or she cannot care for his or her own safety, in violation of Penal Code section 647(f), deputies are encouraged to follow that disposition which serves the best interests of the subject and the people of Santa Clara County.

PROCEDURE

A. INITIAL CONTACT

A deputy who observes an individual suspected of being under the influence of intoxicating liquor or a drug to a degree that he or she cannot care for his or her own safety, in violation of Penal Code section 647(f), shall determine whether there are objective facts supporting a determination that probable cause exists to arrest the suspect.

B. ARREST OR RELEASE

1. If a deputy determines that probable cause exists to arrest the suspect for a violation of Penal Code section 647(f), the deputy should consider alternatives for disposition that are consistent with the best interests of the community, the suspect, and the Sheriff's Office.
2. The alternative dispositions available to a deputy who has probable cause to believe that a suspect is in violation of Penal Code section 647(f) are to:
 - a. Release the suspect to a responsible, sober adult at the scene. **Note:** If emergency medical personnel have been called to the scene, the deputy

should not call them off. The deputy should permit the emergency medical personnel to conduct a medical evaluation of the suspect.

- b.** Transport the suspect to his or her home or to a place where a responsible, sober adult will accept responsibility for him or her, if practical.
- c.** Book the suspect into county jail.

A handwritten signature in cursive script that reads "Laurie Smith".

LAURIE SMITH
SHERIFF