



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: PLACEMENT OF DUI ARRESTEES
IN MISSION STREET RECOVERY
STATION IN LIEU OF BOOKING**

DATE: October 10, 2023

Bulletin #2023-023

The Mission Street Recovery Station (MSRS) is a [REDACTED] facility operated by the County of Santa Clara that provides a voluntary, short-term stay for individuals who are not safe to remain in the community due to intoxication. Since late 2018, the San Jose Police Department has used the MSRS, which is located at 151 W. Mission Street, as an alternative to incarceration for eligible inebriated individuals, allowing them to regain functionality in a safe place as the effects of alcohol intoxication subside.

Beginning on October 16, 2023, the Department will partner with the County on a pilot program that gives SJPD officers the option of taking first time misdemeanor Driving Under the Influence (DUI) arrestees to the MSRS in lieu of booking them into Santa Clara County Jail.

This new program will benefit the specified stakeholders in the following ways:

- It will allow non-violent, first-time misdemeanor **DUI arrestees** to avoid spending time in jail, while receiving alcohol-related support services, as needed
- It will save **arresting officers** a significant amount of time by allowing them to avoid the often lengthy booking process at jail
- It will benefit the **community** by enabling officers to return to their assigned beats in a timely manner.

The decision of whether or not to offer placement at the MSRS in lieu of booking is at the discretion of the officer and should be made on a case-by-case basis. Not all DUI arrestees should qualify for placement at the MSRS. For example, the following types of arrestees should be booked into jail:

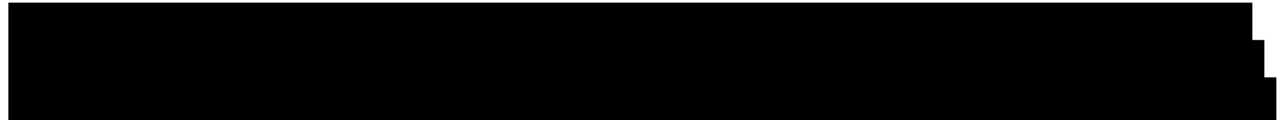
- Arrestees who have additional charges;
- Arrestees who are non-compliant;
- Arrestees who have warrants for their arrest that are not eligible for cite and release;
- Arrestees are charged with a Felony DUI;
- Arrestees who cannot be properly identified;

- Arrestees who request to be booked;
- Arrestees who have prior DUI cases within the last 10 years; and
- Arrestees who are on the MSRS prohibited list.

Additionally, officers can and should choose the booking alternative any time they feel that booking the arrestee into jail is in the best interest of the arrestee or the public.

Officers should use the same investigative procedures when placing an arrestee into the MSRS that they would use when booking an arrestee into jail. Arresting officers should conduct a complete DUI investigation, including interviews, Standardized Field Sobriety Tests, and the collection of biological samples, prior to transporting to the MSRS. The MSRS is not a suitable location for these portions of a DUI investigation.

After the arrestee has been checked into the MSRS, the officer will issue a criminal citation to the arrestee and mark the "pre-booking required" box on the criminal citation. Arrestees will be required to "pre-book" at the SJPd prior to their arraignment date. Instructions on how to pre-book will be provided to MSRS staff, who will help the individual through the process. There is no need for the arresting officer to complete a booking sheet or a felony affidavit.



In-person trainings on the process of placing a DUI arrestee in the MSRS are forthcoming and will be done after patrol briefings. Officers should not participate in this program until they have received the training.


Anthony Mata
Chief of Police

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