

# UW Whitewater Police



## Protective Custody/ Release of Intoxicated Person

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Special Instructions:			
Approved By: Chief Kiederlen	Effective Date: 2/9/2010	Revised Date: 10/11/2022	Revision number: 6

### I. Purpose

The purpose of this General Order is to provide officers direction with intoxicated persons that cannot care for themselves.

### II. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) that all intoxicated persons with whom we have contact shall be cared for by a responsible person.

### III. Procedure

#### A. General

1. If an intoxicated person an officer has contact with cannot care for themselves, but can contact a family member/or relative, the officer should release the intoxicated person to the family member/relative. If the intoxicated person is unable to make the phone call themselves, due to their level of intoxication, etc., the officer will make the phone call.
2. If there is going to be a significant delay (as determined by an officer) of a family member/relative arriving at UWWPD to take responsibility of the intoxicated person, the intoxicated person will be taken to UWWPD Room 126 and they may utilize the cot within Room 126 to rest/sleep until the family member/relative arrives. Restroom facilities are also located within Room 126 for the intoxicated person to use. Police Personnel must monitor the person until someone arrives to take responsibility for the person.
3. Intoxicated persons who are not able to care for themselves MAY NOT be released to another UW-Whitewater Student, unless that UW-Whitewater Student is over 18 years of age and is a family member/relative of the intoxicated person.
4. If an intoxicated person an officer has contact with meets the requirements of Protective Custody, as defined in Wisconsin Statutes, Chapter 51.45(11)(b), and no family member/relative can be contacted to take responsibility of the intoxicated person an officer may take the person into custody and transport the person, or have Whitewater Rescue transport the person, to the appropriate hospital for

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medical clearance and placement into Protective Custody by the respective Health and Human Services Department.

## B. Amnesty of People Present if an Ambulance is Called

1. UWWPD values the protection of human life over the potential legal violations of a given situation.
2. If a UWWPD Officer is dispatched to a scene of a person that is incapacitated by alcohol, or other substances, by a concerned person that is also under the influence the officer shall grant all person(s) involved amnesty from legal charges and/or citations.