

REFERENCE

DATE: 06/01/09

POLICY OF THIS DEPARTMENT

PURPOSE:

To provide for the administration, processing, supervision, security, and inspection of prisoners and the lockup facility.

POLICY:

It is the policy of the Police Department that any person incarcerated in the lockup facility will be afforded their rights under the law, will be treated humanely, and will be provided with proper food, shelter, and if required, medical treatment. Procedures will comply with State law and Municipal Jail and Lockup Standards.

PROCEDURE:

MANAGEMENT AND ADMINISTRATION

1. The Shift Supervisor is responsible for the management and operation of the lockup facility.
2. The Shift Supervisor shall be responsible for ensuring that prisoner custody report is completed and maintained by the assigned turnkey personnel.
3. The Administrative Services Commander is responsible for the maintenance and inspections of the lockup facility.
4. The on duty shift supervisor is responsible for the direct supervision and care of prisoners detained in the lockup facility.
5. No unauthorized or nonessential persons will be allowed access to the lockup facility. Maintenance workers or outside contractors required to work in the cell areas will be only be authorized by the Chief of Police or his desiineer or the on duty shift supervisor.
6. All supervisors will ensure that all reports, records and documents pertaining to an arrestee are maintained by the turnkey, and checked for accuracy and completeness before forwarding them to the Records unit.

TRAINING

1. All Department personnel will receive the appropriate level of training in lockup operation procedures. The following training will be provided at a minimum:

6 All sworn personnel will receive instructions in prisoner processing and lockup facility operation;

7 Non sworn members of the Department who provide turnkey duties will be trained in the correct techniques, when dealing with and maintaining security watch for prisoners;

Turnkey Personnel will receive instructions on monitoring prisoners with the audio visual equipment and their responsibilities for prisoner inspections; and,

Employees who do not work, or come into direct contact with prisoners, will receive an orientation on the functions of the lockup facility.

PRISONER PROCESSING

1. The maximum period of detention should not normally exceed 48 hours, except when detention occurs at the beginning of a holiday or with permission of the Chief of Police.

2. When a prisoner is not confined to a locked cell, all officers will use extreme caution when a prisoner is being processed. When ever possible, a second officer will stand by while the prisoner is being processed.

3. All prisoners will be properly searched before entering the lockup facility. A search will be conducted of the prisoner and his property at the start of the booking process. The department's metal detector will be used whenever possible on all prisoners before the prisoner is placed into a cell.

4. Strip searches must conform to State law.

5. Property taken from the prisoner will be inventoried on a Lockup Record form. Special attention will be given to removing and inventorying the following items:

belt and drawstrings;

ties and scarves;

shoes and shoelaces;

jewelry, keys;

matches, lighters, smoking materials;

personal property;

medication;

coin, currency, checks, credit cards; and,

- any article determined to be potentially dangerous to the detainee or a Department member, or that may compromise the security of the lockup facility.
6. Prisoner property will be secured in a locker for safekeeping until release or transfer. The officer inventorying the property and the detainee will sign the Lockup Record form to acknowledge items that were inventoried.
 7. Persons arrested and booked by members of this Department for intake to the lockup facility will be processed and the following reports will be completed, when required:
 - General Offense Report
 - Juvenile Contact Report/ Juveniles
 - Arrest Fingerprint Card if applicable
 - Lockup Record form
 - Lockup log bookOther forms or reports may be applicable depending on the specific circumstances of the arrest, i.e., DUI.
 8. If a prisoner refuses to cooperate with the booking process, i.e., fingerprinting and photographing, or the prisoner's physical or mental condition inhibits processing, allow the prisoner a reasonable period of time to calm down, become sober or rest. If the prisoner still refuses to be processed, the prisoner will be taken before a judge and ordered to submit to processing.
 9. All persons charged with a criminal offense will be photographed. If unable to use the mug camera because of a malfunction, or because of the offenders' condition, officers will use the Polaroid camera. The position of the Polaroid camera should approximate that of the mug camera. If the photograph is taken with a background other than that of the arrest number placard and height chart, record the date and sequential arrest booking number on the front bottom of the Polaroid. Those individuals detained for investigation of a specific offense, (burglary, auto theft, theft, etc.), and not charged may be fingerprinted and photographed, for Department records, for later comparisons and investigations. Major case prints will be taken from offenders arrested for burglary and related offenses.
 10. The apparent physical condition of all prisoners placed into the lockup facility will be indicated on the Lockup Record Form. Apparent physical condition of the prisoner will include such comments as; violent, suicidal, injured (describe injury), addict, normal, or other conditions as, determined by the booking officer.

11. All prisoners placed in the lockup facility will be logged in the **Department Lockup Book**. Separate books for adults and juveniles are provided. All requested information is to be completed by the primary officer. The releasing officer will complete that part of the lockup book concerning release information.
12. When placing a prisoner into the lockup facility or detention room the officer will start a **Lockup Record form**. When filling out this form the officer will indicate the cell number or room where the prisoner was placed.
13. A Lockup Record form will be completed whenever:
an **adult detainee is held over 30 minutes** in the lockup facility or temporary detention room;
a delinquent juvenile detainee is held over 15 minutes in the juvenile cell or temporary detention room.
14. Adult male prisoners will be segregated from females.
15. Juvenile prisoners will be held in a room separated by sight and sound from adults and without bars.
16. **The officer placing the prisoner into a cell** is responsible for notifying the **Communications operator to begin audio and video** monitoring of the prisoner in the cell. The officer will also notify the watch commander that a prisoner is in the cell.
17. Prisoners who are **under the extreme influence of alcohol or drugs**, or who appear to be suicidal, violent, or prone to acts of self abuse may pose special security problems. Physical restraints will not be placed upon a prisoner to confine his movements other than for the specific purpose of preventing the prisoner from injuring himself or others, or from damaging property. A notation on the Lockup Record form will be made whenever a restraint device is used. The following guidelines are established for these special situations:
ARRESTEE UNDER EXTREME INFLUENCE OF ALCOHOL OR DRUGS
- A prisoner who appears highly intoxicated, disoriented or appears to be suffering some form of physical or medical problem should be examined by a Fire Department paramedic and, if necessary, transferred to a medical facility.
PRISONERS WHO APPEAR SUICIDAL OR SELF DESTRUCTIVE - The communications operator will be notified of the potential problem with the prisoner to ensure closer monitoring with the audio and video equipment. If necessary, leg and hand restraints may be used for the protection of the

prisoner and the officer. Information regarding the prisoner's tendencies will be documented and provided to other agencies that will later take custody of the prisoner. The supervisor will instruct the officer assigned to check on the prisoner to make more frequent inspections.

PRISONERS WITH MENTAL DISORDERS - Prisoners with a known history of mental disorder or mental defect, or who show evidence of such condition, will be detained only temporarily in the lockup and will be transferred as soon as possible. In the event such a prisoner is detained he will be afforded protective custody and constant supervision until transferred.

VIOLENT PRISONERS - Violent prisoners will be placed in a cell immediately after their personal property has been removed. Leg and hand restraints may be used for the protection of the officer. Arrest processing should be completed only when it can be done safely. Sufficient personnel should be available in these situations. The nature of the prisoners' actions will be transmitted to any receiving agency upon transferring the prisoner.

18. Before releasing a prisoner from custody the releasing officer must positively identify the prisoner as the one authorized to be released. Officers will verify prisoner identification by examining the Arrest Report, Arrest Fingerprint Card, identification in the personal property of the prisoner, or if necessary speak with the arresting officer if there is any question to the identity of the prisoner.
19. The officer releasing or transferring the prisoner shall instruct the prisoner to flush the cell toilet, deposit all garbage from the cell including the disposable blanket into the waste basket in the processing room. The releasing officer will inspect the cell for damage. Any damage done by the prisoner will be reported to the watch commander who will ensure that an additional offense report covering the damage is completed and charges filed, if necessary.
20. Prisoner property, except those items being held as evidence, will be returned to the prisoner upon his release. The prisoner and officer are required to sign the Lockup Report form. The property of a prisoner who is released to another jurisdiction shall accompany that prisoner. The appropriate jurisdictional personnel shall sign the Lockup Record form.
21. If there is an arrest that exceeds the maximum capacity of our lockup facility the watch commander will contact a neighboring department and request assistance in housing the excess prisoners. Whenever possible, prisoners should be processed at the Police station before being transported. Arrangements should be made by the watch commander

and the watch commander from the other agency to handle the feeding, bonding or other necessary requirements of our prisoners.

SECURITY AND CONTROL

1. Officers must follow all safety measures and make sure their firearm is secured while processing a prisoner and before entering the cell area. Exceptions for entering the cell area with a weapon are warranted under the following conditions:

building fire and evacuation is necessary;

weather related hazard;

suicide attempt;

other life threatening emergencies; and,

at the direction of a supervisor.

2. Entering an occupied cell is sometimes a dangerous situation. In an emergency it may be necessary for an officer to enter the cell alone to evacuate the prisoner. Depending on the circumstances, and considering why the prisoner is in custody, an officer may enter the cell to check the well being of the prisoner. However, before entering the lockup facility, the officer should request the communication center monitor, both visually and audibly. When dealing with a prisoner being held for a serious offense, or who is considered dangerous, an officer should not enter an occupied cell without the assistance of another officer.
3. The lockup facility doors will remain closed and locked always. The doors will never be propped open, or in any other way compromise the doors proper functions. Cellblock and cell doors will be left open when the cells are unoccupied.
4. A security check including searching for weapons and contraband will be made of each unoccupied cell before its use by the officer who will secure the prisoner in the cell. The releasing officer will also check the cell for weapons and contraband upon releasing the prisoner.
5. Officers will inform the shift supervisor when and if it is necessary to enter the cell area of a prisoner being held.
6. Whenever an officer enters the lockup facility he should have his portable radio with him. Whenever an officer enters the lockup facility, he should check the audio system to ensure its proper operation.

7. Prior to leaving the lockup area, and after placing a prisoner in a cell, the officer should request verify that all doors are locked and CCTV equipment in the cell is operating properly.
8. Due to the temporary nature of the detention, personal items such as mail, money, checks, food, smoking materials, or other personal items will not be accepted for delivery to the prisoner.

PRISONER SUPERVISION

1. Prisoners detained at the Police station lockup facility will be under constant twenty-four (24) hour supervision. The on duty shift supervisor is responsible for ensuring that turnkey personnel are assigned while a prisoner is being held in the lockup and that the CCTV monitor is operational. Supervisors are also responsible to see that the proper security checks are conducted and the prisoner is fed when necessary.
2. Shift Supervisors will ensure that all prisoners are properly searched and supervised during his/her tour of duty. All prisoners in the lockup facility will be logged in the custody log.
3. Juveniles accused of status offenses, i.e., running away, underage drinking, truancy, etc., under State or Federal law, or municipal ordinances, and non-offenders cannot be securely detained in a cell or detention room. Juveniles, 10 years of age or older, accused of delinquent acts may be securely detained for a maximum of six hours in a juvenile cell, locked detention room, or handcuffed to a stationary object. Juveniles must be under continuous supervision when placed in a locked room, cell or handcuffed to a stationary object. If housing over 6 hours is required for a juvenile prisoner, he will be transported to the Juvenile Detention Center.
2. A personal inspection of each adult prisoner will be conducted every 30 minutes. High-risk prisoners may require more frequent observation. A personal inspection of each juvenile prisoner will be made every 15 minutes. The following responsibilities apply to the inspection of prisoners:

PATROL - Officers that place a prisoner into the holding facility will initiate a Lockup Report form. This check list will be completed every time an officer does an inspection of the prisoner, or in some other way encounters the prisoner, i.e., feeding, telephone calls made or attempted, contact with attorney or family member, processing, etc. The **watch commander is** responsible for ensuring that each prisoner is checked at the required time intervals. This observation will be noted on the Lockup

Report form, i.e., sleeping, eating, awake. Whenever possible members of the same sex will conduct prisoner inspections.

4. Video cameras and audio speakers may be used to monitor the activity of prisoners in the lockup facility. When in use, these electronic devices will not be used in a way that will violate the personal privacy and dignity of the prisoner.

PRISONER ESCAPE

5. Whenever possible, Department members charged with the visual inspection of prisoners will be of the same sex as the prisoner. When this is not possible, Department members will take the necessary precautions to ensure the privacy of the prisoner. Video monitors will be temporarily turned off when a prisoner of a different sex needs to use the washroom facilities. The audio speaker can warn the prisoner when a member of the opposite sex needs to enter the cell area. Supervisors will ensure the privacy and dignity of the prisoner.

FIRE PREVENTION, INSPECTIONS, AND SANITATION

1. Fire prevention practices will include the following, at a minimum:
 - no smoking in the cell area by prisoners or officers;
 - flame retardant mattresses and blankets for each cell;
 - all lighters and matches are confiscated from prisoners during search procedures;
 - officers will be familiar with the location and use of fire extinguisher near the holding facility; and,
 - exits clearly indicated.
2. Fire extinguishers are located in easily accessible locations that afford the least opportunity for tampering. The location and type of fire extinguisher used in the holding facility meets applicable state and local standards. To ensure reliability, each fire extinguisher is equipped with a charge gauge and inspection tag.
3. Daily inspections of the lockup facility's automatic fire detection and alarm system will be done by the borough.
4. Weekly inspections of the lockup facility's sanitary condition, and security conditions will be conducted every day by the borough. The fire extinguisher will be inspected for tampering and damage. The charge gauge will be checked to ensure proper operation. The first aid kit will be inspected to ensure it is properly stocked. The inspection will also include the overall cleanliness and general sanitation of the lockup facility for

2. Obtaining a current health assessment of female arrestee should take into escapes or attempted escape;
3. The following are guidelines to be followed in the event a prisoner is in riots;
 - battery on an officer, visitor or volunteer by a detainee;
 - battery on detainee by an officer;
 - battery on detainee by another detainee if hospitalization or extensive medical treatment is required;
 - sexual assaults;
 - occurrences of contagious or infectious disease or illness within the holding facility;
4. use of chemical agents; and,
 - major property damage.

HEALTH/MEDICAL SCREENING REPORT AND HEALTH CARE SERVICES

1. Before being confined in a cell, each prisoner will undergo a health/medical-screening interview. The purpose of this interview is to obtain information about the prisoner's health, medical status and parental responsibility. The screening interview is the responsibility of the arresting officer and will be conducted during the booking process. Information will be completed on the Lockup Record form, and will include:
 - Current physical and mental health of the arrestee including communicable diseases;
 - Medication taken by the arrestee;
 - Behavior, including state of consciousness and mental status;
 - Body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.;
 - Suicide attempts or recent traumatic experiences; and,

If the arrestee has any children under the age of 18 that live with them who may be neglected as a result of the arrest.

2. Obtaining a current health assessment of female arrestee should take into account the special needs of women. Specific conditions such as pregnancy should be identified.

3. The following are guidelines to be followed in the event a prisoner is in need of medical assistance:

Prisoners who are ill or injured, should be treated by Fire Department paramedics. The paramedics will examine the prisoner and determine whether his condition warrants transportation to a medical facility.

If the prisoner needs to be transported to a medical facility the on duty watch commander will determine if an officer should accompany the paramedics or, if the hospital will be informed of the need to place a "hold" on the prisoner.

PRISONER RIGHTS

1. Whenever there is a doubt about the health or medical condition of a prisoner the officer should summon the paramedics. The final decision to transport to a medical facility rests with the paramedics.

4. If medication is needed by a prisoner, the following guidelines will be followed:

If the prisoner has prescription medicine on his person at the time of booking, the prescription should be verified prior to administering;

Medication prescribed by a physician is to be administered as prescribed. The watch commander, or his designee, will witness the prisoner actually taking the medication and will properly record on the Lockup Record form the time and the medication administered. Refusals will also be noted; Officers should use the Physicians Desk Reference book to check on questionable pills. A pharmacist should be consulted if the officer is unsure or has a question regarding the medication.

USE OF FACILITIES BY OUTSIDE AGENCIES

1. The Police lockup will not normally be used by officers from other law enforcement agencies. The use of the lockup may be granted due to exceptional circumstances by the watch commander. Lockup procedures for exceptional circumstances are as follows:

Communications personnel will obtain approval from the watch commander before making any arrangements for use of the lockup facility by another agency.

If the watch commander authorizes the use of the lockup, an officer will be assigned to assist in the safe intake of the prisoner. The officer will verify the position and authority of the person presenting the prisoner for detention. If the presenter is in civilian clothes positive identification will

be required. A telephone call may be necessary to verify the identity and authority of the presenting person.

The assisting officer will document on the Lockup Record form the required information concerning the prisoner and the arresting agency, and indicate on the Lockup Record form the prisoner's name and the name of the transporting officer, identification number, Department name, and a telephone number where a person familiar with the prisoner can be contacted.

The agency requesting to use the lockup facility is responsible for the medical attention, feeding, contact with attorney, and release or bonding out of the prisoner.

PRISONER RIGHTS

1. Persons held in custody at the Police Department will be granted all rights and privileges provided for by Federal Law, State law, and in judicial orders originating from the Courts.

2. Detainees' constitutional rights of access to the courts will not be inhibited. Persons arrested, with or without a warrant, will be taken without unnecessary delay before the nearest and most accessible judge.

3. Persons held in custody will be given every opportunity to make bail and members of this Department will not impede this right. The following is applicable for the bonding of prisoners:

Persons detained and charged with a misdemeanor or violation of a local ordinance will be permitted to post bond.

Persons detained for reasons identified above, who cannot post the required bail, will be evaluated for the qualifications for an I bond.

Persons detained for felony charges and domestic violence will be taken before a judge without unnecessary delay for a bond hearing.

During weekends, holidays, or after normal work hours, special bond procedures apply.

4. A reasonable number of phone calls will be allowed at the first practical opportunity beginning with the booking process and continuing throughout the term of detainment until the prisoner has communicated with a family member or an attorney. If the prisoner is physically or emotionally unable to complete a call, a department member may provide necessary assistance. Officers will record on the Lockup Record form all phone calls made or attempted by a prisoner.

5. Prisoners have the right to communicate with an attorney and family members by making a reasonable number of telephone calls or in any other reasonable manner.
6. Prisoners have the right to consult with an attorney except in cases of imminent danger of escape. The prisoner and attorney will consult alone and in private, as many times and for such period each time as is reasonable. The watch commander will determine whether the meeting between the prisoner and attorney will take place in the cell, interview room or in the security corridor of the lockup facility. The watch commander will ensure the right of the prisoner to have confidential access to his attorney.

PRISONER MEALS

1. When an adult prisoner is held in the lockup facility food will be provided. Feeding times will conform to normal eating times; morning breakfast, noontime lunch; evening dinner.
2. Juvenile detainees will be provided with a meal when they are detained during the normal meal period.
3. The watch commander will ensure that prisoners are fed. Feeding times will be logged on the Lockup Record form by the officer feeding the prisoner. A prisoner has the right to refuse a meal, refusals will be entered on the Lockup Report form. The form will be included with the prisoner's other reports to be submitted to the Records unit.
4. Food must be of sufficient nutritional value and provide a daily minimum of 1,800 to 2,000 calories for adults and 2,500 to 3,000 calories for juveniles. Food quantity must be sufficient to satisfy, within reason, the detainee's needs. A drink other than water shall be served with each meal. Of the three daily meals provided, at least one shall be a balanced and complete hot meal.
5. No eating utensils will be provided to prisoners.
6. The officer will ensure that the garbage is cleaned up from the cell area, as soon as possible, and deposited in a waste basket.

VISITATION RIGHTS

1. Persons arrested have the right to communicate with an attorney or family member, and they have the right to consult with an attorney. Generally, family members will not be allowed to visit with a prisoner. However, the watch commander may, under special conditions, allow a family member to visit with a prisoner. Visitors must provide full identification and register

their name, address, birth date, and relationship with the prisoner, and give permission to be searched before any visit.

2. Attorneys will be allowed to consult, alone and in private, with their client. However, attorneys are subject to a search before any meeting with a prisoner. A refusal to be searched is grounds to deny the visit.
3. Visits will be recorded on the Lockup Record form, noting the name, relationship, date, time, and officer's initials.

LOCKUP FACILITY DEATHS

1. Upon discovery that a person confined in the lockup facility has apparently died, the officer will notify the communications operator and request an ambulance and the watch commander.
2. The officer will check for vital signs of life and, if applicable, provide emergency first aid.
3. Every effort will be made to protect the scene for investigative purposes.
4. If the paramedic determines that the prisoner is dead, the body will not be moved. The Medical Examiner's Office will be immediately notified. Cell deaths are under the jurisdiction of the Medical Examiner's Office and an investigator will respond to the scene and take command of the investigation.
5. The watch commander will contact the Chief of Police through the chain of command and brief him on the circumstances surrounding the death.
6. Care will be exercised in removing an individual who has apparently died of hanging to avoid any additional injuries to the body, or destroying physical evidence.
7. The Support Services Commander will immediately initiate a Department investigation to include the following, at a minimum:
 - name, address, and birth date of victim;
 - reason for detention;
 - time placed in detention;
 - time of last visual and personal check;
 - property taken from prisoner;
 - apparent cause of death;

facilities. If necessary, the watch commander will post an officer to guard any individuals present immediately prior to or following finding the victim;

names of individuals who were detained in the lockup facility with or adjacent to the victim;

any notification made to other agencies or family, time of notification; findings and recommendations for avoiding future occurrences; and,

save the video tape and enter it into evidence.

8. **The victim will be transported to the Medical Examiner's Office.** Care should be made to avoid post mortem injuries during removal.

9. The Support Services Commander will complete the Report of Extraordinary Occurrences form required by the Department of Corrections.

EMERGENCY EVACUATION OF PRISONERS

1. If there is an emergency, prisoners will be evacuated from the cells through the closest and safest exit. Emergency situations that may

require evacuation of prisoners include, but are not limited to:

fire;

natural disaster, building damaged by weather;

a major electrical or plumbing malfunction;

riot; or

any other serious emergency or condition which would endanger the prisoner.

2. The communications operator will immediately notify the watch commander in the event of any emergency and the watch commander will determine the level of response required.

3. Notification to other occupants in the building, if the emergency is one that threatens their safety, and requests to the various emergency services will be made as soon as possible.

4. The nearest available sworn officer will be ordered to remove the prisoner from the cell area and secure the prisoner in a safe location. Prisoners may be temporarily secured in a marked police squad car, depending on the circumstances, until arrangements can be made for more permanent

The safety and well being of the general public, police Department employees, and the prisoners will be the primary consideration.

PHYSICAL CONDITIONS OF THE HOLDING FACILITY

1. The following minimum conditions are provided for detainees housed in the holding facility:

Lighting of at least 20 foot candles in the detention area;

Circulation of fresh or purified air that is in accordance with local public health standards;

Access to a toilet, wash basin or shower, and drinking water;

A bed and blanket for any detainee who is held for more than eight (8) hours;

A heating and cooling system that can provide temperatures within the normal comfort zone range of 67 to 85 degrees; and,

Temporary clothing is provided for those prisoners who need an immediate change of clothing. The watch commander will have the prisoner arrange to have clothing brought to the station before the prisoner is transported to court. The Department's temporary clothing is not to be worn to court, unless there is no other alternative. Temporary clothing worn by a prisoner will be disposed after use.

TEMPORARY DETENTION

1. The primary purpose of the interview room is for conducting interviews. However, due to the unpredictable nature of daily police operations this room may be used for the temporary holding of detainees.

2. When the interview room is being used as a temporary detention room, the following provisions shall apply:

The arresting officer will supervise and be accountable for the detainee.

Authorization to use the interview room for temporary detention will be approved by the watch commander.

When left unattended, detainees will not be handcuffed to any movable object. If necessary, the detainee will be handcuffed to the retaining ring.

Adults will be kept separate from juveniles and males kept separate from females.

The temperature and lighting in the room shall be consistent with other areas of the station. Access to water and restroom facilities will be made available to the detainee.

Detainees shall not be held for more than 2 hours.

A lockup record form will be completed if an adult detainee is held for more than 30 minutes and a juvenile more than 15 minutes.

3. The temporary detention room is equipped with an automatic heat/smoke detector. A fire extinguisher is located immediately outside the detention room. For the evacuation of a detainee the safest and quickest route will be taken.

4. The following safety and security precautions will be followed by officers using the temporary detention room.

Officers will be cognizant of their weapon.

Officers will use their portable personal radio's emergency alarm if needed to summon assistance.

Communications operators will be notified when the detention room is occupied.

Access to the detention room and detainee will not be blocked.

Detainees will be searched for weapons or contraband.

Detainees will be secured to prevent escape.

Security inspections of the room will be made before and after placing a detainee in the room.

A visual check of the detainee will be conducted at least every 30 minutes for an adult and 15 minutes for a juvenile.

5. All department personnel who may be in a position to be responsible for a detainee will receive appropriate training in temporary detention procedures.