

CAMBRIDGE POLICE DEPARTMENT

Title: ***PRISONER DETENTION
AND LOCKUP FACILITY***

Procedure: 5.100

Date Issued:
Revised: **March 1, 2009**

PURPOSE:

To provide for the administration, processing, supervision, security, and inspection of prisoners and the detention area.

POLICY:

It is the policy of the Police Department that any person incarcerated in the detention cells will be afforded their rights under the law, and will be treated humanely. Procedures will comply with State law.

PROCEDURE:

MANAGEMENT AND ADMINISTRATION

1. The Chief of Police or his designee is responsible for ensuring that arrest records are stored in a secure area, and will ensure that records are only released in accordance with the Freedom of Information Act, laws of privacy and confidentiality of records.
2. The Operations Commander is responsible for the maintenance and inspections of the detention area.
3. The on duty Supervisor is responsible for the direct supervision and care of prisoners detained in the detention cells.
4. No unauthorized or nonessential persons will be allowed access to the detention area. Maintenance workers or outside contractors required to work in the cell areas will be checked, by the on duty Supervisor, to ensure that no tools are left behind in the cell area.
5. All supervisors will ensure that all reports, records and documents pertaining to an arrestee are maintained in a secure area, 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 detention operation procedures. The following training will be provided at a minimum:

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

Non sworn members of the Department who provide matron duties will be trained in the correct techniques, when dealing with and searching prisoners;

Communications operators will receive instructions on monitoring prisoners with the video 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 detention facility.

PRISONER PROCESSING

1. 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.

2. Strip searches must conform to State law.

3. Property taken from the prisoner will be inventoried and documented on Prisoner

Personal Property 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 detention facility.
4. 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 Prisoner Personal Property form to acknowledge items that were inventoried.
 5. Persons arrested and booked by members of the department will be processed and the following reports will be completed, when required:
 - General Offense Report
 - Arrest Report
 - Arrest Fingerprint Cards
 - Prisoner Personal Property Form
 - Prisoner Detention Log
 Other forms or reports may be applicable depending on the specific circumstances of the arrest, i.e., DUI.
 6. 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, request a court ordered fingerprinting at his /her trial.
 7. All persons charged with a criminal offense will be photographed using the digital camera. A front photo and side photo will be taken. 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.

8. The apparent physical condition of all prisoners placed into the lockup facility will be indicated on the Arrest report and Incident report. Apparent physical condition of the prisoner will include such comments as; violent, injured (describe injury), addict, normal, or other conditions as, determined by the arresting officer
9. All prisoners placed in the detention cell will be logged in the Prisoner Detention Log. 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.
10. When placing a prisoner into the detention cell the officer will complete the Prisoner Detention Log. When filling out this form the officer will indicate the cell number or room where the prisoner was placed.
11. The Prisoner Detention Log will be completed whenever:
 - an adult detainee is held in the detention cell
 - a delinquent juvenile detainee is held in the detention cell
12. Male prisoners will be segregated from females.
13. Juvenile prisoners will be held in a room separated by sight and sound from adults.
14. The officer placing the prisoner into a cell is responsible for notifying the Communications operator to begin video monitoring of the prisoner in the cell. The officer will also notify the on duty Supervisor that a prisoner is in the cell.
15. 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 Prisoner Detention Log 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 transferred to a medical facility for evaluation.

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 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. If the prisoner makes suicidal threats the officer will transport the prisoner to the medical facility for evaluation.

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. If the prisoner shows evidence of mental disorder the prisoner will be transported to a medical facility for evaluation.

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.

16. 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.

17. The releasing officer will inspect the cell for damage. Any damage done by the prisoner will be reported to the on duty Supervisor who will ensure that an additional offense report covering the damage is completed and charges filed, if necessary.

18. 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 Prisoner Personal Property Form. The property of a prisoner who is released to another jurisdiction or facility shall accompany that prisoner.

SECURITY AND CONTROL

1. Officers will secure their firearm in the gun lockers provided before entering the detention area. Firearms will also be secured in the gun lockers while processing the prisoner. 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 detention cell, the officer should request the communication center closely monitor the cell. 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. Cell block 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 communications operator whenever they enter the station, booking room or detention cell with a prisoner. The communications operator will then activate the video system, Video surveillance of the prisoner is the responsibility of the communication operator.

6. Whenever an officer enters the detention area he should have his portable radio with him. Whenever an officer enters the lockup facility, he should check the video system to ensure its proper operation.

7. Prior to leaving the detention area, and after placing a prisoner in a cell, the officer should request that the communications operator check that the video equipment in the cell that the prisoner is occupying is turned on and 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 detention facility will be under constant supervision. The on duty Supervisor is responsible for ensuring that communications operators are informed that a prisoner is being held in the detention cell and that the operator monitor the video activity of the prisoner. Supervisors are also responsible to see that the proper security checks are conducted.

2. The Supervisor going off duty will inform the oncoming Supervisor of any prisoners being held in the detention cells.

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 a Juvenile Detention facility.

4. A personal inspection of each adult prisoner will be conducted every 15 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 complete the Prisoner Detention Log. This check list will be completed every time an officer does an inspection of the prisoner. The on duty Supervisor is responsible for ensuring that each

prisoner is checked at the required time intervals. This observation will be noted on the Prisoner Detention Log. Whenever possible members of the same sex will conduct prisoner inspections.

COMMUNICATIONS - In the event the communications operator must conduct a prisoner check, the communications operator will use the audio monitor. In the case of an emergency the communications operator will notify the on duty Supervisor.

5. Video 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.

6. 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. The video 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 in the cell area.

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. Weekly inspections of detention facility's sanitary condition, and security conditions will be conducted every Monday by the dayshift Supervisor. The fire extinguisher will be inspected for tampering and damage. The charge gauge will be checked to ensure proper operation. The inspection will also include the overall cleanliness and general sanitation of the detention cell for control of vermin and pests, and a check for weapons and contraband in each cell. The results of the inspection will be documented on a memorandum.

PRISONER ESCAPE

1. If there is an escape by a prisoner being held in custody by this Department immediate efforts will be made for recapture. The following steps will be initiated after an escape:

The officer discovering the escape will immediately notify communications and the on duty Supervisor.

Determine the number of escapees and if there is a risk of additional prisoners escaping custody. Sufficient personnel will be dispatched to secure the detention area and search the building, if necessary;

Complete description and identity of the escapee and offenses will be provided to adjoining police agencies and the Maryland State Police.

Make emergency notification to the on duty Staff Officer.

Contact additional personnel, oncoming patrol personnel and on-call investigator, to assist in searching for the escapee if necessary.

Check to see that all security doors and cell doors are functioning properly. Steps should be made to repair malfunctioning doors or locks as soon as possible.

The on duty Supervisor will initiate an investigation into the circumstances surrounding the escape and make a full report and recommendation to the Chief of Police through the chain of command.

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 on duty Supervisor. Lockup procedures for exceptional circumstances are as follows:

Communications personnel will obtain approval from the on duty Supervisor before making any arrangements for use of the detention cells by another agency.

If the Supervisor authorizes the use of the detention cells 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 Prisoner Detention Log the required information concerning the prisoner and the arresting agency, and indicate on the Prisoner

Detention Log 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 detention cells is responsible for the processing of the prisoner and transportation to the Court Commissioner.

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 Court Commissioner.

DETENTION CELL DEATHS

1. Upon discovery that a person confined in the detention cell has apparently died, the officer will notify the communications operator and request an ambulance and the on duty Supervisor.

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 Supervisor will contact the on duty Staff Officer and brief him on the circumstances surrounding the death. The Staff Officer will notify the Chief of Police.

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. At the direction of the Staff Officer the Criminal Investigations Supervisor 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;

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,

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

- b) natural disaster, building damaged by weather;
- c) a major electrical or plumbing malfunction;
- d) riot; or
- e) any other serious emergency or condition which would endanger the prisoner.

2. The communications operator will immediately notify the Supervisor in the event of any emergency and the Supervisor 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 facilities. If necessary, the Supervisor will post an officer to guard a prisoner placed in a temporary detention facility.

5. In the event of an emergency, which requires the evacuation of a prisoner(s), the following evacuation procedure will be followed:

The Supervisor will assign an officer to respond to the lockup facility and, if necessary, evacuate the prisoner(s). The watch commander will also respond to the station and supervise the evacuation.

The offense or reason the person is detained will be considered when evacuating the cell. The following guidelines should be considered when evacuating prisoners:

A person considered dangerous, or alleged to have committed a forcible felony will be moved after he has been handcuffed. Two officers should be present for this type of prisoner.

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:

- a) fire;

A person detained for a minor offense or violation of traffic laws, quasi-criminal offenses, or one known to be of good character who does not pose a potential danger or threat to the officer or the community may be evacuated from the cell without the use of handcuffs.

Juveniles will not be transported with adult prisoners.

The prisoner should be immediately secured in a marked police squad car or other secured temporary location.

The Supervisor will contact the Dorchester County Detention Center and request the use of their lockup facility.

Prisoner property will remain at the Police station. Arrangements for the release or transfer, if necessary, will be made by the Supervisor later.

All rules, regulations, policies and procedures at the Dorchester County Detention Center will be followed upon transfer of the prisoner.

Injured prisoners will be examined by CEMS paramedics who will determine whether the prisoner should be transferred to a medical facility.

Prisoners being detained for a serious felony, or considered dangerous, will be accompanied to the medical facility by a police officer.

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 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

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

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 Supervisor.

When left unattended, detainees will not be handcuffed to any movable object.

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.

3. 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 radio 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.