	SALISBURY POLICE DEPARTMENT
	Written Directive: Processing and Temporary Detention
	Publication Date: March 20, 2018
	Approved: Barbara Duncan, Chief of Police
Related CALEA Standards: 71.1.1, 71.2.1, 71.1.3, 71.3.2, 71.3.3, 71.4.1, 71.4.2, 74.4.3	**Processing and Temporary Detention** Section #902

Processing and Temporary Detention

1. **Purpose:**

The purpose of this policy is to provide guidance and instruction relating to the obligations of police personnel in the transportation, handling and all other processing of detainees that come into official custody of the Salisbury Police Department.

2. **Policy:**

Detainees will at all times be secure in order to prevent escape and injury to themselves or others. The responsibility for the security of a detainee may be transferred as the detainee is processed at the department. Therefore, it is critically important each employee of the department who is handling a detainee assume these responsibilities as the situation presents itself. Detainees in police custody will at all times be guaranteed their constitutional rights. They will be treated civilly and with appropriate respect.

3. **Designated Rooms and Areas:**

A. Officer(s) who transport detainees to police headquarters shall drive to the sally port. Upon request of the officer(s), communication personnel shall electronically open the door of the sally port. The door to the sally port will be closed in the same manner. The processing areas and the holding cell areas are under constant audio and visual surveillance. The sally port area has constant video surveillance only.

B. The officer(s) shall secure his/her weapon in gun lockers located in the sally port or the squad room prior to entering the processing/holding cell area and personally maintain the key. Upon request the door from the sally port to the temporary detention cell area shall be opened by communication personnel. The detainee(s) shall be assisted from the transporting vehicle to one of the temporary cells and be handcuffed to the bench. The cell(s) shall be searched for weapons and contraband prior to usage.

C. Reasons for the temporary detention include, but are not limited to the following:
   a) Processing for an arrest, prior to being transported to central booking;
   b) Interview, interrogation and possibly investigational testing to include, but not limited to: major case prints, gunshot residue testing, DNA etc.

D. Whenever a detainee is removed from the detention cell he/she shall be escorted by an officer which will be under constant observation and recorded by video.

E. The concrete bench and attached rings in the processing area is designed and intended only for temporarily securing a detainee during processing. This part of the processing area is not to be used as a detention area on a normal basis. It would fulfill that function only when the regular detention cells were filled to capacity (e.g. mass arrest, civil disturbances, etc). If the bench is used for detention purposes the detainee(s) will not be left unattended.

F. Whenever a juvenile is placed in a temporary detention cell it is imperative to comply with the policy of the Maryland Association of Juvenile Justice Agencies and the following guidelines will be performed:
   a) Any time a juvenile is placed in a detention cell it will be necessary to record information required on the juvenile log and the detention cell log/personal property inventory form. It is most important that this log information is filled out completely to ensure our compliance; and
   b) At any time an officer encounters a juvenile that has been taken into custody for a non-status offense (no violation of criminal law, (i.e., run away from home), the officer may not place the juvenile in the detention cell. The juvenile will be supervised in the juvenile status room to await the arrival of the parents or the juvenile transportation van.

G. Members of the opposite sex and/or juveniles in custody will be detained separately in detention cells this will include adult males/females and juvenile males/females.
   a) At no time will a juvenile be placed in a cell with an adult; nor members of the opposite sex;
   b) All arrested juveniles will be detained for only that time that is necessary to complete booking procedures and in no case will be held longer than 6 hours;
   c) Status offenders will be supervised in the juvenile status room;
   d) Adult and juvenile detention cells are separated by sight and sound; and
   e) Adult detainees are not detained in excess of 8 hours, unless the detainee agrees and signs a "prompt presentment document".

H. The juvenile status room is located on the first floor of police headquarters and is separate from the temporary holding cells and processing areas. Officers will maintain constant supervision of detainees for as long as they are being held in the

juvenile status room.

I. The detention cell is designed to house Salisbury Police Department detainees for processing only. The Salisbury Police Department does not accept detainees from other agencies unless in an emergency or for processing only. If such an emergency does arise, positive identification will be made of the person requesting the detainee for detention, including verification of the officer's authority to make the detention. The detainee will remain under the constant supervision of the officer from the other agency with assistance, if needed, from departmental personnel. This type of assistance shall be documented as a call for service entry.

4. Training Of Personnel:

A. It is the responsibility of the department's training officer, under the direction of the administrative commander, to ensure that all law enforcement personnel are trained as to their role in the operation and maintenance of the detention cell and detention area, to include fire suppression and equipment provided for the use by the agency.

B. Initial training is provided during entry level recruit training. Additional training is provided during the field training officers program. The training officer shall schedule in-service training at least once every four years.

C. The quartermaster and the personnel under his/her supervision are responsible for the upkeep and maintenance of all departmental facilities. The quartermaster shall provide for the upkeep and maintenance of the temporary detention areas. Quartermaster personnel shall also attend the training and retraining provided at least once every four years.

5. Procedures For Use of the Temporary Detention Area:

A. The detention cell log/personal property inventory form contains the following information:
   a) Defendant's (Detainee) Name;
   b) Date and time in and out of temporary detention;
   c) Reason for detention; and
   d) A checklist for face to face observation of the detainee to occur every 30 minutes.

B. Detainees are held for processing only; they are not provided with meals. Under an exigent condition the detainee will be offered lite fare obtained from an outside source.

C. The squad room was designed with windows facing the four temporary detention cells which provide visual monitoring by the arresting officer(s) and all other officers present in the squad room.

D. No detainee shall be left unattended at any time in the detention area; the juvenile status room or any other location in the facility except when properly secured in a detention cell.

E. If a detainee has been determined to be under the influence of drugs or alcohol and their intoxication makes them a danger to themselves, the detainee will be secured to the bench and made to sit on the floor to eliminate the risk of injury to the detainee.

F. Video cameras are installed in various strategic locations in the facility for the safety and security of personnel. Those locations are as follows:
   a) Sally port
   b) Detention/Processing Areas
   c) Main lobby
   d) Parking area

G. Whenever personal property is removed during a search of the detainee and it is not used as evidence, it will be recorded on the personal property inventory section of the detention cell log/ personal property form. If the property is to be used as evidence, then the polices concerning collection/preservation of evidence will be followed. Property that is not contraband, evidence or illegal weapons will be placed in an envelope and placed in one of the property lockers provided in the detention area. The arresting officer will secure the property in the locker and retain the key in his/her possession. Once the detainee is removed from the cell and will no longer be detained, the detainee will sign the form and it will be attached to the arrest module. A copy of the form will be attached to the paperwork given to the intake officer at the Wicomico County Detention Center.

H. The envelope containing the personal property will be removed from the locker and returned to the detainee.

I. If no personal property is removed following a search of the detainee both parts of the personal property inventory section of the detention cell log/personal property inventory form shall be "x-out" by the officer and initialed by the detainee.

J. Without exception, all detention cell logs/personal property inventory forms shall be signed by the detainee (defendant). If the detainee refuses to sign, it will be noted by the officer on the form.

K. If an adult detainee is held in excess of 8 hours the reason(s) shall be listed on a separate paper and attached to the form and a "prompt presentation" form will be completed.

6. **Immovable Objects:**

The bench in each of the four temporary detention cells and the bench in the detainee processing area have been designed and intended to secure detainees to an immovable object.

7. **Security in Processing and Detention Areas:**

A. Panic buttons are located in the detention area. Upon the buttons being activated, communications personnel will be immediately alerted of any emergency and/or for the need of assistance.

B. These buttons are linked to the control panel of the central monitoring security located in the communications center.

C. The buttons are to be used in emergency situations, (i.e., the officer needs assistance right away for whatever reason, the defendant has a serious medical problem such as a heart attack, severe bleeding, stops breathing, etc.) In essence, the buttons are to be used in those situations when the officer feels immediate assistance is necessary.

D. Access to the detention cell is limited to authorize personnel only. Authorized personnel are squad supervisors, the arresting officer(s) or other officers engaged in the processing of the detainee(s). Civilian personnel and/or members of the public are prohibited; access to all nonessential persons is prohibited during emergency situations. Custodian personnel do have access to the processing area for purposes of maintaining the cleanliness of the area. Custodian personnel are prohibited from entering the processing area when there are detainees in the processing area of the holding cells.

E. At no time will the arresting officer interfere with the detainee's rights to confer privately with an attorney or his choice. If the attorney desires to talk to his/her client in person (prior to removal of the detainee to the Wicomico County Detention Center) arrangements will be made to use an interview room and in no way will the interview be monitored. The detainee, upon request will be allowed to make a local telephone call to a family member and to obtain the advice of an attorney. Once the detainee has talked to a family member and/or attorney no more telephone calls will be allowed. The detainee will have to make any long distance calls collect. If the detainee

requests help in making a telephone call, the officer shall render assistance. In no way will the phone calls of a detainee be monitored.

F. The squad commanders, prior to each tour of duty, will inspect the processing and detention cell areas for weapons, contraband, and sanitary conditions.
G. Face to face visual observation of unattended detainees at least every thirty minutes is recorded on the Detention Cell Log/Personal Property Inventory Form.

8. Conditions Provided For Access to Water, Restrooms, and Other Needs:

The administrative commander will ensure that provisions for adequate lighting, as required by code, circulation of fresh air and that all prisoners have access to a toilet, drinking water and a first aid kit.

9. Fire Prevention, Suppression And Evacuation:

A. To prevent the spread of fire and to assure the safety of detainees, smoking is not allowed in the detention area. During the search of the detainees all flammable material will be removed and retained until they are released or transported to another facility.

B. It is the responsibility of the quartermaster to:
   a) Make a weekly documented visual inspection;
   b) Make an annual documented testing of the fire equipment;
   c) Make a daily visual inspection ; and
   d) Make a documented testing of the automatic fire detection devices and alarm systems as required by the local fire code.

C. The quartermaster will report the results of these inspections/tests in writing to the administrative commander.

D. In the event of a fire or other emergency, it is the responsibility of the officer(s) to evacuate all detainees. The detainees will be moved to a hazard free area. If necessary, the detainees will be moved to the Wicomico County Detention Center.

E. Injured detainees are to be treated by fire department personnel or transported to Peninsula Regional Medical Center for treatment.

F. Suppression:
   a) All personnel, sworn and civilian are trained in the proper use of fire extinguishers.

G. Evacuation:

a) All personnel will become familiar with the location of all building exits;
b) Personnel shall determine the location of a primary (closest to your location or worksite) and secondary exit to be used in the event of an emergency;
c) Upon detection of smoke, a fire or other emergency situation, personnel shall go to the nearest fire alarm station, located on each floor by each exit, and activate the alarm by pulling down on the lever;
d) Upon activation of the alarm system or the determination that an emergency situation exists, all personnel and occupants of the building are to evacuate. The squad commander and PCO's will continue the communications function in the mobile command post;
e) The squad commander will also be responsible for contacting the appropriate emergency services personnel (Fire, EMS, etc) and notifying Wicomico Central Emergency Communications to forward 911 calls to the mobile command post;
f) Officers shall be responsible for the prompt evacuation of all detainees. The posted evacuation route located in the detention cell area shall be followed;
g) In the event of a fire, the elevator will not be used unless authorized by fire department personnel;
h) Personnel will assist facility visitors in locating the nearest exit. Those occupants requiring special equipment or assistance should notify a member of the command staff immediately in order that arrangements can be made;
i) Once outside the facility, all personnel and other occupants will assemble in the parking lot, adjacent to the garage and wait for further instructions;
j) The command staff will serve as evacuation personnel and will remain in the building during an evacuation to ensure that emergency response agencies have been contacted and that all personnel and other occupants have been evacuated safely; and
k) The following is a list of Evacuation personnel with their specific assignments:

NAME	ASSIGNMENT
CID Commander	Check entire 3rd floor and secure sensitive areas (i.e. CID, records, etc.)
Administrative Commander	Check entire 2nd floor and secure sensitive areas.
Operations Commander	Check entire 1st floor and secure sensitive areas and ensure evacuation of any detainees. Will remove the mobile command post from the sally port and proceed to the parking lot to the parking lot to coordinate assembly and count of personnel in the parking lot.
Squad Commander	Will notify 911/emergency services and evacuate the communications center of all personnel.

l) All supervisors on-duty will ensure (by head count) that their personnel have evacuated the building. Supervisors will report directly to the operations commander who will immediately notify emergency services personnel if any occupants were unable to evacuate safely.

m) Personnel shall not attempt to re-enter the building until authorized by emergency services personnel and the command staff.

n) The squad commander will assign an officer to each entrance of the building for security purposes assuring that no one, other than emergency services, re-enter the building.

H. Safety Officer Responsibilities and Training:

a) The quartermaster is designated as the safety officer and will fall under the supervision of the administrative commander, shall be responsible for coordinating facility fire drills in cooperation with the fire department. Fire drills shall be held semi-annually or as necessary.

b) All new employees will receive training during their orientation relative to the evacuation plan to ensure safe response in all emergency situations.

10. <u>Sanitation Inspections:</u>

A. The detention cells will be mopped daily with a disinfectant and will be treated monthly with a pesticide. The quartermaster will inspect the cells on a weekly basis for security, wear and tear, contraband, weapons and submit a report of his/her findings to the administrative commander.

B. At least once annually, the administrative commander or his/her designee shall provide for an administrative review of temporary detention areas and procedures. This review will be documented and forwarded to the chief of police.