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I. Purpose

This Directive establishes procedures regarding the detention of prisoners in the Division's temporary holding facility and provides guidelines for prisoner searches, and explains the processing procedures.

II. Procedures and Responsibilities:

A. Temporary Holding Facilities (THF)

- 1. The Division's THF are located in the Park Police Headquarters Station and in the Northern District Station in Black Hills Regional Park.
- 2. The Management and Technology Commander or his/her designee is responsible for the operation of the THF at Headquarters. The Patrol Commander assigned to the Northern District Station or his/her designee is responsible for the operation of its temporary holding area. Temporary Holding Facilities will be inspected weekly by Watch Commanders. Watch Commanders will complete a Field Inspection Form and any deficiencies will be reported on the form. If any deficiencies are noted a copy will be forwarded to the Management and Technology Supervisor. A copy of all forms completed will be forwarded to the Accreditation Unit.
- 3. The THF policy and procedures will be reviewed every three years.
- 4. The holding facility is for the detention of adult and juvenile criminal offenders. The period of time that a detainee may be held without continuous control or supervision of agency personnel will not exceed two hours.
- 6. The Park Police Headquarters temporary holding facility is equipped with an interview and interrogation room.
- 7. The temporary holding facility will meet the following minimum standards:
  - a. Each facility will be equipped with a fire suppression system. A fire extinguisher will be maintained in an easily accessible location within the facilities.
  - b. Emergency evacuation plans that are clearly posted in all areas of the facility.
  - c. Provide for prisoner access to a toilet, wash basin and drinking water.
  - d. Designated and signed emergency exits.
  - e. A security (panic) alarm system linked to the Communications Section.
  - f. Firearms lock box to secure firearms.
  - g. A first aid kit

8. The safety of officers, prisoners and other users of the holding facility is of primary importance. Any violations of safety standards or any unsanitary conditions will be reported to the officer in charge immediately.
9. Whenever it is necessary for maintenance personnel to do any work within the holding facility or the temporary holding area, the facility manager will ensure that the area is inspected after completion of the work to make sure that no tools, contraband or other items were left behind.

B. Security

1. In the event of a fire or other emergency, which requires the evacuation of the facility, officers will notify the Communications Section immediately.
  - a. All prisoners are to be secured by handcuffs and evacuated via the posted evacuation routes to an area of the station out of danger from the emergency.
  - b. The Communications Section will immediately notify the appropriate Branch Commander, if available, or the officer in charge (OIC). The supervisor will be advised of the nature and location of the emergency and what notifications have been made.
  - c. Officers will attempt to extinguish fires if practical.
  - d. Vehicles equipped for prisoner transports may be used to temporarily secure prisoners during such emergencies.
2. Officers will obtain positive identification from all personnel of other agencies, including the verification of their authority and/or documentation to give or receive the prisoner, prior to accepting or releasing any prisoner.
  - Officers will verify identity of all prisoners being released to ensure that they are releasing the proper person.
3. No *firearms* will be brought into a holding facility, except at the direction of a supervisor. Officers will use either the lock boxes or lockers to secure all *firearms* before entering a holding facility when occupied by a prisoner.
4. Only those officers or persons necessary for the processing of prisoners will be allowed in the holding facilities during their use.
5. Areas in the facilities not necessary for the processing of prisoners will be closed off and secured when prisoners are in the facility. This includes hallways, cells and interview rooms, as well as doors allowing entrance/exit from the area.
6. At least one officer will be assigned by the OIC to remain with all prisoners being detained in the holding facility.
  - a. This officer will observe the detainee(s) at least once every 30 minutes.
  - b. Whenever possible, officers of the same sex as the detainee will be utilized.

7. Officers will search all prisoners prior to entering the holding facility and will inspect the holding cell for weapons, contraband, etc., prior to and after each use.
  - a. Prisoners should be searched by officers of the same gender.
  - b. When circumstances do not allow for this because of officer safety or officer of the same gender is not available, transporting officer should, whenever possible, secure the presence of another officer to witness the search process.
  - c. In those instances where the transporting officer must search a member of the opposite sex, searches will be conducted following established professional standards, with the primary importance being officer safety. Additionally, include information pertaining to search in report narrative.
8. All personal items will be removed from all prisoners prior to their being placed in a holding cell. This includes jewelry, belts, shoe laces and tobacco products.
9. All adult prisoners will have at least one arm handcuffed to the bar in the cell unless impossible due to a physical problem.
10. No smoking or flammable substances are allowed in any holding cell.
11. It is preferred that officers not enter an occupied cell alone. Whenever an occupied cell is to be entered, the officer(s) will take the following precautions:
  - a. At Park Police Headquarters: the officer(s) will notify the dispatcher and have them monitor the situation via the audio and visual equipment in Communications.
  - b. At the Northern District Station: the officer(s) will notify the dispatcher of their intended action and will equip themselves with the wireless DISTRESS ALARM prior to entering the cell.
  - c. At both stations the officer(s) will notify Communications when they are clear of the cell and it is again secure.
12. Officers will use the emergency alarm systems, or radio, to summons assistance when an emergency situation arises. When such an alarm or call is received, the following actions will be taken:
  - a. The Communications Section will immediately broadcast the alarm over the radio. At the Park Police Headquarters officers will also be notified over the public address system.
  - b. Officers in the building, except light duty personnel, and nearby field officers will immediately respond upon announcement of the emergency.
  - c. The dispatcher will ensure that sufficient officers and the OIC respond to the emergency and will advise responding field units whether or not officers are responding from within the building.
  - d. As soon as the emergency situation has been stabilized, officers in the holding facility will contact the Communications Section. Communications will then announce that no further response is necessary.
13. When not in use, cell keys will be stored in the weapons lock boxes at each station. Spare keys will be kept at Communications. While the facility is in use,

the keys will be kept by the processing officer.

14. Officers will document the removal of a detainee from the THF. The documentation will include the reason, date and time in and out of the facility.
15. Meals provide to detainees will be documented.
16. In the case of a prisoner escape from a holding facility, the Watch Commander and/or OIC will be notified immediately. The Communications Section will broadcast a lookout with all pertinent information and will notify the Montgomery County Police Communications Section. The Watch Commander or OIC will utilize those resources deemed necessary to perform a thorough search. Control of any area search will be the responsibility of the agency with primary jurisdiction.
17. Officers will immediately report any unusual incidents which occur in the holding area, or incidents which threaten the facility or any person therein, to the Watch Commander and/or OIC. The Watch Commander, or OIC will investigate and submit a Commander's Report on the incident. This will include, but not be limited to: suicide attempts, injuries to prisoners, overcrowding, fires, escapes, or attempted escapes.

C. Separation and Placement of Prisoners

1. It will be the responsibility of processing officers to segregate prisoners in the holding facilities.
  - a. At no time will male and female prisoners be held in same cell.
  - b. At no time will adult and juvenile prisoners, regardless of sex, be held in the same cell.
  - c. Officers will be governed by the procedures established in Division Directive, Juvenile Holding Facility whenever they detain a juvenile in the juvenile holding facility.
  - d. Prisoners will be separated by sight and sound from other prisoners while detained in the holding facility. This will include times when a prisoner is removed from a cell for either processing, interview/interrogation or use of the restroom facility.
  - e. Prisoners who are violent, self destructive or under the influence of alcohol or other drugs will be segregated from other prisoners.
2. In the Park Police Headquarters:
  - a. Cells 1 and 2 are specifically designated for the temporary detention of adult prisoners.
  - b. Cells 3 and 4 are specifically designated for the temporary detention of juvenile criminal offenders and are separated by a security door from the adult area.
3. In the Northern District Station:

- a. Cells 1 and 2 are specifically designated for the temporary detention of adult prisoners.
    - b. Cells 3 and 4 are specifically designated for the temporary detention of juvenile criminal offenders and are separated by a security door marked "Juvenile Holding Facility."
    - c. Cells 3 and 4 may be used for the temporary detention of adult prisoners provided there are no juvenile offenders detained in the facility.
  4. In the event that a group arrest exceeds the maximum capacity of a holding facility, the Watch Commander, if available, or the OIC will contact the nearest Montgomery County Police Department District Station and request the use of their facility.
- D. Property of Prisoners
1. All property belonging to prisoners detained in the THF will be removed from their possession prior to being placed in a cell.
  2. Prisoner property will be inventoried and listed on a Property Record form. The property will be placed in an evidence type bag by the officer and secured.
  3. Upon the release or transfer of the prisoner, the releasing officer will compare the property to the Property Record, and release the property to the owner or next custodial officer on their signature.
    - a. The original copy of the Property Record form will be included with the Arrest Report.
    - b. When property is retained for evidentiary or other purposes it will be noted on the Property Record form. Follow the reporting procedures in Division Directive, Evidence and the Report Writing Manual.
- E. Medical Care for Prisoners
1. Processing officers will routinely check on the health of any prisoner(s) and immediately notify the Communications Section and OIC, of any unusual medical conditions. This information will be thoroughly documented. These conditions include, but are not limited to:
    - a. Unusual behavior, such as unstable mental or emotional status, fainting, seizures.
    - b. Body deformities, trauma markings, broken bones, lacerations, and bruises.
    - c. Observation of signs of contagious diseases, or report of contagious diseases by the prisoner, relative or friend of a prisoner.
    - d. Medication in the possession of a prisoner when arrested, and reported to be essential by the prisoner.
  2. The following procedures, (which are posted next to the first aid kit in the THF) will be followed in the event any prisoner being held in the THF requires medical

attention.

- a. The officer will, as soon as practical considering the nature of the illness/injury, notify the Communications Section of the exact location and nature of the problem.
- b. The Communications Section will contact the Fire/Rescue Communications, advising them of the location and nature of the problem.
- c. Officers in the holding facility will render any necessary first aid until relieved by Fire/Rescue personnel.
- d. All prisoners complaining of illness or injury may be transported under police guard to a hospital by ambulance for examination and treatment. The on-duty supervisor will ensure that sufficient officers are present to guard the prisoner during transport and examination.

3. Officers will not dispense any medication to prisoners.

F. Prisoner Rights

1. Prisoners will be transported to the Montgomery County Central Processing Unit (CPU) for their initial appearance before a District Court Commissioner as soon as possible after the processing and investigation have been completed. Officers should avoid any unnecessary delay in transporting the prisoner to CPU.
2. Officers will not impede a prisoner's attempt to make bail in any way.
3. Prisoners are permitted to make at least two local or collect long distance telephone calls. These calls should not exceed five (5) minutes each. It is the responsibility of the processing officer to ensure that the prisoner is given the opportunity to make the telephone calls, unless the calls would jeopardize an ongoing investigation. Such information will be noted in the Arrest Report.
4. Prisoners, upon request, are permitted to have confidential access to their attorneys. The attorney is subject to a pat-down search prior to contact with the prisoner. Attorneys interviewing clients will be given the use of a private room within the holding facility. Officers must respect the confidentiality of the attorney/client relationship and may not listen to their conversation.
5. Audio and visual monitoring equipment covering the holding cells and hallways will be controlled so as to reduce the possibility of invading the privacy of any prisoner.
6. Since both types of holding facilities are designed to be used for short periods of time, the following restrictions apply:
  - a. Prisoners are not permitted to receive visitors while in either holding facility, unless authorized by the Watch Commander in an emergency situation.
    - (1) If a visitor is authorized, they must provide their name, address and relationship to the prisoner to the arresting/processing

- officer.
- (2) An authorized visitor will be escorted to and from the meeting with the prisoner by an officer, and will be searched prior to any contact with the prisoner.
  - (3) The escorting officer will note the visitors information and the beginning and ending times of the visit. This information will be included in an arrest or incident report.
  - (4) Any visitation will be monitored by one or more officers.
- b. No mail, packages or other correspondence will be accepted for a prisoner being held in any holding facility.
7. Any information gained from a prisoner is to be retained on a confidential basis, as part of the Division's reporting system and is not permitted to be used in any capacity not specifically authorized.

### III. Prisoner Searches

#### A. Strip Searches

- 1. The decision to strip search must be based on specific factors which give rise to a reasonable suspicion that the prisoner may be concealing weapons, escape implements, contraband, or evidence.
- 2. Strip searches will be conducted only with the approval of either the Watch Commander, if on duty, or the OIC.
- 3. The search will be conducted by an officer of the same sex and observed by a witness of the same sex whom is an employee of the Division or other public safety agency. At no time will ride-alongs or other non-employee civilians be used as witnesses.
- 4. The search will be carried out in an area that cannot be observed by persons not involved in the search and which is out of the cameras view.
- 5. The prisoner will not be required to remain unclothed any longer than is absolutely necessary.
- 6. The mouth is the only body cavity that may be searched without a warrant. If an officer has probable cause to believe that a prisoner is concealing something in his/her mouth, the officer may use reasonable force to prevent the swallowing of the object and may remove the object.
- 7. Under no circumstances will any civilian be used to conduct a strip search.
- 8. The arresting officer will note the following information in the narrative section of the arrest report:
  - a. The fact that a strip search was conducted; and
  - b. The names of the authorizing supervisor, witnessing officer, and search officer (if not the arresting officer), reason for search.

#### B. Body Cavity Searches

1. Applications for search warrants for body cavity searches will only be made with the approval of the senior OIC and the on-duty or on-call detective.
2. All body cavity searches (except for searches of the mouth) will be conducted only after a search warrant has been obtained.
3. All body cavity searches will be conducted by a physician at a medical facility.
4. Force may be used to the extent necessary to effect a body cavity search.
5. Body cavity searches will be witnessed by at least one officer of the same sex as the prisoner. The officer will immediately take custody of any item(s) recovered in the search.
6. The primary officer involved in the body cavity search will include the following information in the report:
  - a. The fact that a body cavity search was conducted; and
  - b. The names of the approving supervisor, the witnessing officer, the judge signing the search warrant, and the physician conducting the search.

C. Supervisory Responsibilities

1. Supervisors must consider the following factors before approving either a strip search or an application for a body cavity search warrant:
  - a. The type of crime for which the person was arrested.
  - b. The age of the defendant.
  - c. Prior arrest record (example - known drug offender).
  - d. Circumstances of the arrest.
  - e. The specific factors giving rise to the belief that the item(s) sought are concealed somewhere on or in the prisoner's body.
2. Supervisors will ensure that during all searches of this type the officers on-the-scene will take necessary precautions concerning disease contamination.

IV. Prisoner Processing

- A. Adult Prisoners will be processed in accordance with the current arrest procedures posted in the processing area and the requirements of the Montgomery County Central Processing Unit (CPU).
- B. Juvenile Prisoners will be processed in accordance with Division Directive, "Juvenile Procedures".

V. Emergencies

- A. In the event of a fire or other emergency which requires the evacuation of the Holding Facility, officers will notify the Communications Section immediately.
- B. Communication Section personnel will notify Fire & Rescue when necessary.

- C. Nothing contained herein prohibits personnel from calling for Fire & Rescue assistance whenever it is deemed necessary.
- D. Likewise, if on-duty Communications Section personnel become aware of a fire or other emergency which either requires, or may require, the evacuation of the Holding Facility, they will notify the officers in the Holding Facility area immediately.
- E. If evacuation is required, the following procedures will be adhered to;
  - 1. All prisoners are to be secured by handcuffs and evacuated via the posted evacuation routes to an area of the station out of danger from the emergency. There are four (4) primary evacuation routes from the Holding Facility area. A copy of the evacuation routes is attached.
    - a. Three of the routes exit onto the rear fenced parking lot. If feasible, one of these routes should be used in order to maintain prisoner security.
    - b. In order to reduce the possibility of fire spread all doors should be closed whenever possible.
  - 2. The Holding Facility area is constructed of cinder block and is equipped with smoke detectors. It is anticipated that most fires will be minor in nature. Therefore, depending on the extent, officers may attempt to extinguish the fire if practical.
    - a. Any attempt at extinguishment will not delay any necessary evacuation.
    - b. A fire extinguisher is located on the wall inside the door between the Holding Facility area and the Management & Technology section.
    - c. If initial extinguishment efforts are not successful, there will be no delay in calling for Fire & Rescue assistance.

VI. Training

- A. Officers will receive refresher training, every three years, in the operation of the temporary holding facilities
- B. All newly hired officers will receive training in the operation of the temporary holding facilities.

**Approved Park Police Document  
Signed Original on File**

**End of Directive**