

**NEW CANAAN POLICE DEPARTMENT**

**SUBJECT: BOOKING AREA & HOLDING FACILITY**

**GENERAL ORDER NUMBER: 89-13-66**

**FILE: SRVS 4-5**

**PRISONER & COURT**

**I PURPOSE/POLICY**

It is the purpose of this general order to provide guidelines for operating, managing, securing and controlling all activities associated with the booking area and holding facility.

This general order is for departmental use only and does not apply in criminal or civil proceedings. This order should not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this order will only form the basis for Departmental administrative sanctions. Violations of law will form a basis for civil and criminal sanction in a recognized judicial setting.

**II RESPONSIBILITY**

It is the responsibility of all department personnel to adhere to this general order. It is the additional responsibility of the Command Staff to insure compliance.

**III PROCEDURES (ORGANIZATION, MANAGEMENT AND ADMINISTRATION)**

**A** The New Canaan Police Department maintains and operates a five unit cell block connected to a booking facility with an additional temporary holding cell. The purpose of this cell block is to house detainees awaiting arraignment at the State Superior Court or to temporarily hold the detainees until they are released to another law enforcement agency.

- 1.** The contents of this general order shall be used to determine the procedures in operating, managing, securing and controlling all activities associated with the holding facility and booking area.
- 2.** The term " *Holding Facility,*" for purposes of this general order, shall include the cell block areas.
- 3.** The term " *Booking Area,*" for purposes of this general order, shall include the processing area and temporary holding cell.

**B** The Commander of the Staff Services Division is responsible for the operation, management and maintenance of the holding facility and booking area.

**C** Access to the holding facility and booking area shall be limited to essential personnel only. All police department personnel who are conducting business within either area will be considered essential personnel. All others are to be considered non-essential personnel.

1. Non-essential personnel shall only be admitted into the booking area or holding facility with the approval of the Chief of Police, Commander of Staff Services, Commander of Operations or the Shift Supervisor.
  - a. When non-essential personnel are granted access into the holding facility or booking area, their presence should not violate a detainee's right to privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for the presentation in court by either the prosecution or the defense.
2. Non-essential personnel shall be denied access to the booking area and holding facility during an emergency situation.

**D** All records associated with the arrest of a detainee shall be stored and maintained by the records unit. The arrest information may only be released in accordance with General Order 88-4-48, Records.

#### **IV PROCEDURES (PHYSICAL PLANT)**

- A** The department's holding facility will provide the following minimum conditions for prisoners.
1. Adequate lighting (as required by local code or ordinance, if applicable).
  2. Circulation of fresh or purified air in accordance with local public health standards.
  3. Access to a toilet, wash basin, and drinking water.
  4. A bed and bedding for each prisoner held over eight hours.
    - a. The shift supervisor shall have the authority to have all items removed from the cell block (including bedding, mattress, etc.) that could jeopardize the safety of the detainee. This would, for example, be required if a detainee is suspected of being suicidal.

#### **V PROCEDURES (SAFETY AND SANITATION)**

- A** In the event that there is a fire within the booking area or holding facility, the following procedures shall be implemented:
1. If a person, other than the dispatcher, discovers the fire, they shall immediately notify the dispatcher and advise them of the following; location, type and size of the fire, whether anyone is injured and any other pertinent information.
  2. The dispatcher shall immediately notify the shift supervisor, fire department and, if necessary, emergency medical personnel of the situation.
    - a. The shift supervisor shall, upon notification, proceed immediately to the facility and shall assume command of the situation. Additional Command Staff shall be notified pursuant to General Order 87-7-42, Notification.
    - b. Additional personnel shall be directed to the facility to assist in the evacuation and controlling of the fire, as necessary.

**DETAINEES SHALL REMAIN UNDER GUARD AT ALL TIMES**

- c. If a fire precludes the use of the cell block, arrangements shall be made with area police departments and/or court to hold the detainees.
- B** The type and location of fire equipment located within the booking area and holding facility shall conform to existing fire code requirements and be approved in writing by the New Canaan Fire Marshall's Office. This equipment includes:
1. **Fire Extinguisher** - the extinguisher shall be located in a storage cabinet and will be readily accessible while affording minimum opportunity for tampering. A prominently displayed sign will direct personnel to its location.
  2. **Heat/Smoke Detector** - The Detector shall be located on the ceiling of the main cell block corridor. It's location provides effective fire detection while limiting the potential for tampering. When activated, an alarm sounds within the communications room.
- C** All fire detection and suppression equipment located within the booking area and holding facility shall be inspected and/or tested, as follows:
1. Fire detection and suppression equipment shall be visually by police maintenance personnel on a daily basis.
  2. Testing of fire detection and suppression equipment shall be conducted at least semi-annually by a qualified maintenance provider to insure proper functioning of said equipment and compliance with applicable fire code(s).
  3. The inspection log, documenting the daily visual inspections shall be maintained within the booking area.
- D** There shall be a written and posted emergency evacuation plan adjacent to both the male and female cell block areas. The plan shall include a floor diagram and arrows directing the way to emergency exits.
1. If an evacuation is necessary, the primary emergency exit will be from the door leading from the booking area into the lower corridor. If the primary exit is inaccessible, a secondary exit, leading from the booking area into the Sally Port shall be used.
    - a. When necessary, the New Canaan Emergency Medical Service or other qualified emergency service will be summoned to provide medical aid and/or transportation to outside facilities.
- E** The booking area and holding facility will be inspected for any condition which would be conducive to harboring insects, rodents, vermin or create an unsanitary atmosphere. Said inspection shall be conducted weekly by the department's maintenance personnel. Documentation of the inspection shall be accomplished using the inspection log located within the booking area.

**VI PROCEDURES (SECURITY AND CONTROL)**

- A** In order to insure the safety and security of officers and detainees, firearms will not be permitted in the booking area or holding facility. The only exception to this shall be when an emergency situation arises, and then only with the approval of the shift supervisor or member of the command staff.
1. Personnel entering the booking area or holding facility will be required to secure their firearm in the weapons locker prior to entering the facility. A weapons locker is located outside each of the two entrances into the booking area.
    - a. Officers escorting detainees are not to remove prisoners from the patrol vehicle until the sally port door is closed and their firearms are secured in the weapons locker.
- B** Generally, officers should enter an occupied cell block only when accompanied by another officer and under the following conditions;
1. All other detainees are secured in a cell block (re; section V,K).
  2. Officer(s) have possession of an emergency alert transmitter.
  3. Entry is monitored audibly and visually by the dispatcher.
  4. Entry is made for good reason (i.e. medical emergency, transport, phone calls, and interviews).
- C** Keys are critical to the security of the booking area and holding facility as well as to the safety of the detainees and officers. Therefore, there shall be strict control of keys used in the facility.
1. Officers shall possess a key to secure entrances, exits and storage rooms. This key shall be required for entry into and exit from the booking area.
  2. The cell block key will be located within the storage room in the booking area, where it will be accessible to all officers. The door to this room must remain locked at all times. A second, emergency key shall be located in the key control box adjacent to the communications room.
  3. In the event of a lock or key malfunction, the officers will immediately notify the shift supervisor who will in turn notify the Commander of the Staff Services Division so that repairs may be made.
  4. If a key becomes lost or misplaced, the officer shall immediately notify the shift supervisor of said loss in writing.
- D** In order to maintain security within the booking area and holding facility, all doors, excluding the interview room, shall remain closed and locked when not in use. This includes entrances into the facility, storage rooms and both occupied and unoccupied cell blocks.
1. After a door has been locked it should be tested to insure that it is in fact secure.

- E** A security check shall be conducted of each cell prior to its use and when it becomes unoccupied. The officer who processes and/or releases the detainee shall be responsible for the security check.
1. If, during the security check, the officer discovers a weapon or other contraband in a cell, a written report of the incident shall be submitted to the shift supervisor (re; General Order 88-1-44, Property Management).
    - a. Copies of said report shall be forwarded to the Division Commanders and Chief of Police.
- F** A general inspection of the booking area and holding facility shall be conducted weekly. This inspection shall be in addition to the inspections outlined in sections V,C of this general order. Said inspection shall be conducted by police maintenance personnel and will include, but not limited to the following:
1. Unoccupied cells.
  2. A visual check of bars, locks, walls, floors, ventilator covers, access plates and other security devices for operational wear and detainee tampering.
  3. A search of booking and holding areas and other areas where detainees have access for weapons and contraband.
  4. The results of the inspection shall be documented on the inspection log located within the booking area. The shift supervisor and commander of the Staff Services Division shall be notified of any damaged or defective equipment.
- G** Unless, extenuating circumstances prevail (i.e. equipment repair etc.), tools will not be brought into or stored in the booking area or holding facility. Tools and other equipment shall be stored in the storage room adjacent to the communications room. Such equipment may only be brought into the facility with supervisory approval.
1. Detainees shall have meals and beverages served in paper products only. These products should be removed as soon as possible from the cell blocks. Plastic utensils, cans, etc. are not acceptable.
  2. Tools brought into the booking area or holding facility by workman will be kept to a minimum. Repairs made will be closely monitored by police personnel. A complete inspection of the facility, including occupied and unoccupied cells shall be conducted immediately after repairs have been completed.
- H** Combustible materials, excluding food and beverage containers, as per section VI,G above, shall not be permitted within a cell block area. Such items may include magazines, newspapers, notebooks, etc.
- I** Smoking shall not be permitted within the booking area or holding facility.
- J** In order to enhance the supervision of detainees, several areas of the booking area and holding facility are visually and audibly monitored by the dispatcher.
1. These areas include;
    - a. Processing Area

- b. Booking Camera
  - c. Men's Cell Block
  - d. Women's Cell Block
  - e. Sally Port
2. Detainees may use this system to advise the dispatcher of an emergency. Signs shall be posted within the facility which instruct the detainee how to communicate with dispatch or access the emergency medical service.
    - a. Access procedures will be explained orally to detainees who are unable to read.
  3. Monitoring equipment will be controlled to reduce the possibility of invading a detainees personal privacy.
- K** Officers entering the booking area or holding facility, when occupied by a detainee, are required to carry an emergency transmitter. The emergency button on each officer's portable radio may serve this purpose. When activated, an audible alarm will sound in the communications room and alert the dispatcher that an emergency situation exists within the facility.
1. If more than one officer remains in the booking area or holding facility at the same time, only one officer is required to carry an emergency alert transmitter.
- L** In the event of an escape from the holding facility, the following procedures shall be implemented;
1. Notify the dispatcher immediately of the escape.
  2. Immediately notify the shift supervisor, division commanders and Chief of Police (Re: General Order 87-7-42, Notification).
  3. Secure the area of escape, check all cells and determine the identity of the escapee(s).
  4. Obtain additional information including; clothing description, method of escape and if detainee is armed or dangerous. Release this information as soon as possible.
  5. Call in a K-9 Unit, if available and conduct a search of the building and grounds.
  6. Call in additional police personnel as necessary.
  7. Notify neighboring law enforcement agencies and media of the incident and request appropriate resources.
  8. Complete a written report concerning the escape and submit copies to the Division Commanders.
    - a. Shift supervisors shall ensure the report is completed.

**M** All unusual incidents which affect detainees, officers or the holding facility will be documented. Minor incidents will be documented in the Prisoner Log. More significant incidents shall, at the discretion of the shift supervisor, be documented in an incident report. All incident reports involving a prisoner will be included in their case file. Circumstances which would necessitate an incident report include, but is not limited to, the following:

1. The use of force.
2. Attempted suicide.
3. The finding of weapons or contraband.
4. Requests for medical aid or transportation to a medical facility.
5. Damage to the holding facility.
6. Assault or injury to an officer.
7. Any external threat.

## **VII PROCEDURES (BOOKING AREA)**

**A** The Booking Area will be used for the processing of all adult detainees. Access to this area will be controlled by two separate locked entrances. Normally, detainees will be brought in by cruiser transport through the Sally Port. In the event that the Sally Port is occupied, or a detainee is not transported via cruiser, he/she may be brought into the Booking Area via the locked door in the basement hallway.

**B** Detainees will be processed on the fixed bench in the Booking Area. The Booking Officer will remain with the detainee at all times until the detainee is either secured in a Holding Cell or released from custody. This bench will also be monitored by the Dispatcher via video camera.

**C** All access in or out of the Booking Area can only be gained by use of officer-issued keys.

**D** While the Booking Officer has custody of a detainee, that officer shall be responsible for the following minimum physical conditions of the detainee:

1. Access to water.
2. Use of restroom facilities.
3. Any medical needs.

**E** In the event that multiple detainees are brought into booking, no more than one detainee shall be processed at one time. All other detainees shall be secured separately in either the Temporary Holding Cell or a normal Holding Cell.

**F** Under no circumstances shall Juveniles be brought into the Booking Area.

**G** Any time an officer detains an individual in the Booking Area, an Incident Report must be completed and reviewed by the Shift Supervisor. The following will be documented in the Incident Report and/or Prisoner Log Book:

1. The reason for the detention.
2. The date and time in and out of the Booking Area.
3. Any meals provided during the detention.

## VIII PROCEDURES (DETAINEE PROCESSING)

- A It shall be the policy of this department for officers to search an arrestee when initially taken into custody. The purpose of this search shall be to ensure the safety of the officer(s) and to secure any evidentiary property which could be lost or destroyed if it remained in the arrestee's possession.
1. A secondary search of the arrestee will be performed upon arrival at the police department.
  2. Personal property/possessions removed from the detainee, will be recorded in LEAS under the Jail Management Property Received Field. A Property Receipt will then be printed out and shall be signed, and witnessed whenever possible, by the officer(s) as well as the arrestee. If the arrestee refuses, to sign the form, that notation should be made on the form.
    - a. Said property shall be locked in one of several property storage lockers located within the Booking Area. Once secured, the locker key shall be turned over to the shift supervisor, who will secure same in the central key box.
    - b. When released from custody, all prisoner property shall be marked as released in LEAS. A Prisoner Property Release will be printed out and the detainee shall sign for the property. When released to court or another law enforcement agency, the officer representing said agency shall sign for and take possession of the property.
      - 1) The detainee, court or law enforcement agency shall receive a copy of the property form.
      - 2) The original copy shall be included in the case file.
      - 3) All property deemed unacceptable by the court or law enforcement agency shall be secured in Property Management and recorded in LEAS as Safekeeping under the Property Field.
        - a) A list of all property deemed unacceptable by the court will be posted in the Booking Area.
  3. Evidentiary property shall be inventoried and recorded in both LEAS and the Inventory Seized Without a Warrant form. (Re: General Order 88-1-44, Property Management)
  4. Officers will, prior to securing a detainee in a cell, remove all articles of clothing from the detainee which may be used to injure themselves. Such items should include; belts, neckties, shoelaces, drawstrings, and jewelry.

**B** Unless extenuating circumstances prevail, detainees will not be subjected to a strip search. However, C.G.S. 54-33k and 54-33l, provide that a strip search can be performed if the following conditions are followed:

1. If a person is arrested for a motor vehicle infraction or misdemeanor violation, a strip search may only be conducted if there is a reasonable belief that the person is concealing a weapon, controlled substance or contraband.
2. The mouth is the only body cavity which may be searched without a warrant. Searches of all other body cavities must be authorized by a search warrant in accordance with the procedures outlined in C.G.S. 54-33l(b).
3. All strip searches must be performed by a person of the same sex as the arrestee and on premises where the search cannot be observed by persons not physically conducting the search or not necessary to conduct the search.
4. The officer conducting the search must obtain written permission from the Shift Commander and submit a written report on the search. The report shall contain the following information:
  - a. Written authorization from Shift Commander or his/her designated authority.
  - b. The name of the person subjected to the search.
  - c. The name of the person conducting the search.
  - d. The date, time and location of the search.
  - e. Unusual findings (i.e.: cuts, bruises, scars, needle scars, deformities, etc.).
5. A copy of the written report shall be provided to the person subjected to the search.
6. Any weapon or contraband discovered during the search shall be processed in accordance with General Order 88-1-44, Property Management.

**C** When an arrestee is processed at the police department, the following information shall be recorded in LEAS under the Arrest Tab.

1. Arrest Information - This information should include the following:
  - a. Time and date of the arrest
  - b. Name and alias
  - c. Charges/Statute Numbers
  - d. Date of Birth
  - e. Home Address and Phone Number
  - f. Marital Status/Spouse
  - g. Social Security Number
  - h. Sex, Race, Height and Weight

- i. Employment Information
2. Apparent Physical Condition - This information should include the following:
    - a. General Description (i.e., Complexion, hair and eye color, build, dress etc.)
    - b. Identifying characteristics (i.e., scars, tattoos, deformities, etc.)
    - c. Handicaps
    - d. Physical Health
    - e. Mental Health
    - f. Consciousness
    - g. Behavior
    - h. Specific medical needs
  3. Detainee Behavior Questionnaire - If a detainee is to be secured in a Holding Cell for any length of time, a Detainee Behavior Questionnaire (State Form JD-MS-5) shall be completed by the Booking Officer.
- D** Juveniles detained by this department shall be temporarily held in the Office of Youth Services or any other appropriate room in the department. Any area used for juvenile detention will be separated by sight and sound from the adult holding facility. Juveniles shall not be left unattended while being detained in any area of the department.
1. Juveniles shall be processed and/or interviewed in the office of Youth Services or other private interview room. Such processing shall be conducted in accordance with General Order 88-6-50, Juvenile Operations and C.G.S.46G-133(G).
    - a. Photographs and fingerprinting of Juveniles will not be performed in the booking area. This processing shall be completed at the fingerprint station, located in the Property Management Office.
    - b. A portable camera will be made available to photograph juveniles.
    - c. The processing shall be brief and completed so as to insure the privacy of the juvenile.
- E** Female detainees will be held in a designated cell within the holding facility. The cell is separate from the male cell block area.
1. The female cell can be monitored visually by the dispatcher. The camera will be modified to allow female detainees some privacy while using the toilet facilities.
  2. If the male cell block is occupied, the officer/matron will close the door leading into the female cell block in order to prevent oral communication between male and female detainees.
  3. When utilized, female officers assigned to monitor the female detainees will remain outside the cell and monitor the female detainee until her release or transport.

4. In the event that the video monitoring equipment is not functioning in the female cell, the following procedures shall be followed:
  - a. If no male prisoners are being detained, and the monitoring equipment is functioning in the male cell block, the female prisoner(s) may be moved to the male cell block and monitored there.
  - b. If the monitoring equipment is not functioning in the male cell block or if there are male detainees, the shift commander should assign an on-duty female officer to watch the detainee, provided the assignment does not bring the shift below minimum staffing levels.
  
5. In the event that no female officer is available the Shift Commander may choose one of the following options:
  - a. Attempt to hire a female officer via overtime hiring procedures
  - b. Request assistance from a neighboring agency (i.e. Norwalk, Stamford, Wilton or Darien PD).
  - c. The Bail Commissioner may be consulted regarding the possibility of bond reduction or release on a written promise to appear.

**F** The following procedures shall be implemented for detainees who are under the influence of alcohol or other drugs, who are violent, self-destructive, and/or suicidal.

1. Detainees under the influence of alcohol or drugs:

- a. Any detainee who exhibits symptoms which would indicate that this condition may endanger their health or life shall be examined by emergency medical personnel as soon as possible. The emergency medical personnel will be responsible for evaluating the detainee and determining if the detainee should be transported to a medical facility.
  - 1) If it is determined that the detainee should be transported to a medical facility, such transport shall be in accordance with General Order 89-20-73, Prisoner Transport.
- b. A detainee who exhibits symptoms, and whose conditions shows no apparent signs of a health risk, shall be placed in a cell block and monitored closely by the dispatcher.

2. Detainees who are violent:

- a. When an officer encounters a detainee who is violent, the officer shall use only that force which is necessary and reasonable to control the situation (Re: General Order 89-17-70, Use of Force).
- b. If the detainee requires a greater degree of restraint than is provided by handcuffs, the officers shall utilize additional restraint devices as necessary.
  - 1) If the detainee exhibits behavior which would indicate that they are mentally ill, they shall be transported and evaluated at a medical facility. (Re: section VII,A)

3. Detainees who show tendencies towards violence and are self-destructive and/or suicidal.

a. A detainee may exhibit signs and which may indicate suicidal tendencies. What a detainee says and how he/she behaves while being arrested, booked or held may be vital in detecting suicidal behavior. Warning signs and symptoms may include:

- 1) Depression (Physical Signs)
  - a) Sadness and crying
  - b) Withdrawal or silence
  - c) Mood variations
  - d) Lethargy
- 2) Intoxication
- 3) Talking or threatening suicide
- 4) Previous Suicide attempts
- 5) History of Mental Illness
- 6) Projecting hopelessness or helplessness
- 7) Speaking unrealistically about the future
- 8) Severe aggressiveness
- 9) Paranoid delusions or hallucinations

b. When an officer believes or the detainee clearly demonstrates suicidal tendencies, the shift supervisor shall be notified and assess the behavior to determine if said behavior warrants an emergency examination at a medical facility.

- 1) If an emergency examination is required, officers should follow procedures as outlined in Section VIII,A and General Order 89-20-73, Prisoner Transport.
- 2) If transport is not required, the dispatcher shall closely monitor the detainee's behavior.
- 3) The dispatcher shall be notified of any suicidal behavior and shall make a notation in the Prisoner Log Book.

**G** When a detainee is received from an outside law enforcement agency, positive identification shall be made of the person presenting the detainee for detention, including verification of the person's authority to make the commitment.

1. The person presenting the detainee shall produce the proper credentials, (i.e. badge, photo ID Commission Card, etc.).
  - a. If such person refuses or is unable to produce the proper credentials, the police department will not accept custody of the detainee until the difficulty is resolved.
2. Verification of the person's authority to make commitment may be in the form of a warrant, summons, court order, affidavit or other official document.

**H** The following procedures shall be implemented in the event of a group arrest that exceeds the maximum capacity of the holding facility.

1. Group arrests such as demonstrations should, whenever possible, be planned in advance.
2. The Commander of the Operations Division or designee shall evaluate existing manpower and arrange for additional manpower as necessary.
  - a. If assistance from another law enforcement agency is required, refer to General Order 89-18-71, Agency Jurisdiction, Mutual Aid and Regional Services.
3. The shift supervisor shall contact the court officer and make arrangements for the detention of females and overflow male arrestees who are unable or unwilling to post bond.
4. Standard processing procedures (Re: General Order 88-4-45, Records) will be followed with the following exceptions;
  - a. If juveniles are included with the arrestees, they shall be separated immediately and processed in accordance with General Order 88-6-50, Juvenile Operations and Section VII,D of this general order.
  - b. When small children are brought in with their arrested parent/guardian, they shall be segregated immediately and arrangements made so that the child may be released to another parent/guardian or responsible adult.
  - c. Whenever possible, arrestees who are able to post bond or accompany a juvenile/child will be processed first.

**I** Positive identification shall be made of each detainee prior to their release from police custody. This may be accomplished through photo identification, personal knowledge, comparison between physical appearance and information or criminal ID sheet, or other reliable method of identification.

## **IX PROCEDURES (TEMPORARY DETENTION)**

**A** The following procedures will be followed for the occasional situation where there is a need to keep a detainee in temporary detention. Examples of such a situation include, but are not limited to: overflow of the booking area, arrests with multiple detainees to be processed, uncooperative and/or combative booking subjects.

1. It will be at the discretion of the Shift Supervisor to utilize either the Temporary Holding Cell (Cell #6) or one of the normally designated Prisoner Cells for temporary detention of a detainee.
  - a. In the event that a normally designated Prisoner Cell is utilized for temporary detention, all procedures outlined under Section VI of this General Order will be followed by the booking officer(s).
  - b. In the event that the Temporary Holding Cell is utilized for temporary detention, at least one booking officer will remain in the booking area as long as the detainee is held in that cell.
2. In the event that a detainee is uncooperative, however use of a cell for detention is deemed unwarranted, the booking officer may handcuff the detainee to the booking bench during processing. Upon doing so, the booking officer will notify the Shift Supervisor. The booking officer will maintain visual contact with the detainee for as long as he/she is handcuffed to the bench.

**X PROCEDURES (MEDICAL & HEALTH CARE SERVICES)**

**A** The following procedures, as approved by a licensed physician, shall be implemented when a detainee is in need of medical assistance;

1. Physical Illness or Injury - When a detainee exhibits or complains of illness or injury;
  - a. The dispatcher shall promptly notify the shift supervisor. The shift supervisor will speak with the detainee and establish the nature of the illness and/or injury and determine if medical treatment is required.
    - 1) When the detainee exhibits symptoms which may be serious or life threatening, the emergency medical service will be immediately notified.
    - 2) Once the shift supervisor has determined that medical treatment is required, the emergency medical service will be notified. The emergency medical personnel shall be responsible for evaluating the detainee and determining if the detainee should be transported to an outside medical facility.
      - a) If transport is required, an officer will accompany the detainee to the facility and remain with him/her at all times. As a general policy, restraining devices should be utilized when transporting sick or injured detainees. Exceptions to the policy include; if such devices would further compound the injuries or illness, age, past history, psychological state, handicaps or other attributes which may reduce the risk posed by the detainee. When a detainee is transported without the use of restraints, it is recommended that a second officer shall accompany the detainee. (Re; General Order 89-20-73, Prisoner Transport).

- b) Upon completion of the treatment, the accompanying officer(s) will obtain a written release and any prescribed medications from the medical facility. The officer(s) must also obtain any special instructions regarding the care of the detainee.
  - b. The shift supervisor shall be responsible for insuring that prescribed medications in the department's possession are made available to the detainee.
    - 1) Medication will be verified, if possible, by a pharmacy, doctor or PDR (Physician's Desk Reference).
    - 2) Only medication prescribed by a physician, with instructions, shall be given to the detainee in the presence of an officer. Officers will not administer or coerce the detainee into taking medication.
    - 3) All medication taken by the detainee will be documented in the Prisoner Log Book.
  - c. Dispatchers should closely monitor the behavior of detainees who have been treated for an illness, or injury, or who have taken medication.
2. Mental Illness - When a detainee conducts him/herself in such a manner that it appears that he/she is mentally disturbed (Re: General Order 06-01-113, Mentally Ill Persons);
- a. The dispatcher shall promptly notify the shift supervisor. The shift supervisor will speak with and observe the detainees actions.
    - 1) If in his/her opinion, the detainee is mentally ill or is suffering from extreme emotional distress and is in need of immediate medical treatment, one of the area hospitals shall be contacted and approval obtained for an emergency psychological examination.
      - a) Prior to transport, the Police Emergency Exam Request Form must be completed in detail.
    - 2) Once arrangements for the examination have been made, the detainee will be transported by a patrol unit to the hospital.
      - a) The use of restraints shall be in accordance with section VIII,A of this general order. If a detainee is violent or has a history of such behavior, it may require the use of additional restraints and transport by ambulance to the hospital.
    - 3) The officer(s) accompanying the detainee shall remain with the detainee at all times or until the hospital has accepted responsibility for his/her care.
    - 4) If the detainee is not admitted to the hospital, the accompanying officer(s) will obtain a written release and any prescribed medications from the hospital. The officers must also obtain any special instructions regarding the care of the detainee.

- 5) The procedures for the taking of prescribed medications by a detainee shall be as outlined in Section VIII,A.
  - 6) Dispatchers should closely monitor the behavior of detainees displaying symptoms of mental illness, or who are under medication.
3. Whenever a detainee requires medical assistance, no matter how minor, a supplemental report is required which documents the treatment received including the circumstances or events necessitating such treatments.
- B** A first aid kit shall be stored in the storage cabinet located in the booking area. It will contain an inventory list and an adequate supply of medical supplies.
1. Police maintenance personnel shall inspect and replenish supplies to same as part of the general weekly inspection of the booking area and holding facility.
  2. A sign will direct officers to its location.
- C** When an arrestee is processed, the following "receiving-screening" information shall be obtained and recorded in LEAS under the Arrest Tab and/or the Prisoner Log Book.
1. Current health of the arrestee.
  2. Medications taken by arrestee.
  3. Behavior, including state of consciousness and mental status; and
  4. Body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.

## **XI PROCEDURES (DETAINEE RIGHTS)**

- A** A detainee will typically be held in the holding facility a maximum of 72 hours (Friday night through Monday morning). All detainees will then be transported to court in accordance with the guidelines established by Norwalk Superior Court, thereby ensuring a timely court appearance.
- B** In addition to a detainees right to confer with counsel (Re: section XI,C below), they shall be afforded a reasonable opportunity to telephone persons who may be of assistance to them (i.e., secure bond, make notifications etc.).
1. During their processing, detainees will be allowed to place at least one completed telephone call. Officers should use their discretion on the number or length of the calls. This decision may be based upon available personnel, time constraints or other factors.
  2. Once a detainee is placed in a cell, they may be allowed additional telephone calls at the discretion of the shift supervisor.
  3. Detainees have no reasonable expectation of privacy while in custody. Conversations with police, and other non-privileged conversations may be recorded and/or monitored without violating a detainee's rights. The detainee will be alerted to this fact through the use of signs prominently displayed within the Booking Area and Holding Facility.

4. Incoming telephone calls for a detainee will not be permitted unless the caller is an attorney, physician, clergy, bondsman or other person directly involved in the case or if an emergency situation exists.
  - a. If the caller is privileged (i.e. attorney, physician, clergy) the dispatcher should make arrangements for the caller to telephone the detainee using the private line (i.e. interview room telephone).

**C** The right of the detainee to communicate with an attorney is protected by Article VI of the United States Constitution. In addition to these rights, both federal (Title III) and state (54-41a) regulations stipulate that a detainee's right to counsel shall not be audibly monitored under any circumstance. Therefore, the following procedures shall be followed to ensure that these rights are not violated:

1. The accused will be informed of his/her right to legal counsel (i.e. Miranda Warning) when in custody, prior to any questioning or interrogation.
  - a. These rights may be waived by the detainee if it is waived intelligently, understandably and in a competent manner.
2. If the detainee desires to speak with an attorney, physician or clergy member, he shall be allowed to do so as soon as practicable.
  - a. All telephone calls by the accused to such persons shall be made using the telephone located in the interview room.
  - b. Officers shall dial the telephone and verify the identity of the person being called. Once identification has been established the officer must exit the interview room, close the door and allow the detainee to speak in complete privacy.
    - 1) For security reasons, the officer shall visually monitor the accused from outside the interview room.
    - 2) This procedure shall be followed for each telephone call requested by the detainee.
3. Person to person attorney/detainee consultations shall be conducted using the interview room. As with telephone conversations, such consultations shall be made in complete privacy. Officers shall visually monitor the consultation from outside the interview room.

**D** Consular Notification and Access

1. The following guidelines are related to the arrest and detention of foreign nationals. Whenever a foreign national is arrested or detained by this Department, there is a legal requirement to extend the opportunity for the detainee's government to be notified in order to offer appropriate consular assistance. In all such cases, the foreign national must be told of the right of consular notification and access.
2. There are three (3) situations where the officer shall initiate consular notification obligations:
  - a. The arrest and detention of a foreign national.

- b. The possible appointment of a guardian or trustee for an incapacitated foreign national adult or for a minor.
- c. The death of a foreign national adult.
- 3. The full text and information on consular notification and access is available at: [http://www.travel.state.gov/law/consular/consular\\_636.html](http://www.travel.state.gov/law/consular/consular_636.html).
- 4. If consular notification is made the notifying officer shall insure that such notification is noted in the incident report.
- E All detainees held in the holding facility for an extended duration will be provided with 3 meals during each 24-hour period (i.e., breakfast, lunch, dinner).

## **XII PROCEDURES (SUPERVISION OF DETAINEES)**

- A In order to ensure the welfare and safety of the detainees, the department shall provide 24-hour supervision. This task is accomplished using an audio/visual monitoring system.
  - 1. The dispatcher shall be responsible for the monitoring of detainees via monitors located in the communications console.
    - a. Said visual monitoring will be continuous. In the event of equipment malfunction that prevents video supervision, every possible measure should be taken to ensure that the detainee is continuously monitored. This may include: calling a technician to fix the equipment, assigning an officer to watch the detainee in the Holding Facility, and transporting the detainee to another facility that would provide continuous monitoring. When extenuating circumstances arise that prevent continuous monitoring, each detainee shall be physically checked at least once every thirty (30) minutes.
    - b. A physical count of the detainees held in the facility shall be conducted at least once per shift by the shift supervisor or designee.
- B In order to eliminate the problems and hazards associated with receiving property on behalf of a detainee, it shall be the policy of the department not to accept such property while the detainee is the custody of this department.
  - 1. Exceptions to this policy shall include;
    - a. When cash is received in order for the detainee to post bond
    - b. When the property is necessary to ensure the safety and well being of the detainee, and with the approval of the shift supervisor. When permitted, the property will be thoroughly examined for weapons, contraband and/or unauthorized items prior to turning over the property to the detainee. The receipt of such property shall be documented in the arrest report and inventoried in LEAS under the Jail Management Tab.
      - 1) All property that requires storage will be secured in a property storage locker.
      - 2) Any medication received shall, whenever possible, be verified as to its authenticity by a physician or paramedic (re; section VIII,A)

C Unless extenuating circumstances exist, visitors will not be permitted to speak with or visit detainees. This policy does not pertain to probation officers, legal advisors or other professionals directly involved with the case. These visitors will be allowed under the following conditions:

1. Shift supervisors approve such visitations.
2. A search/pat down of the visitor and their belongings shall be conducted.
3. Visitors shall be escorted by an officer at all times.
4. Visitations will be documented in the incident/arrest, continuation or supplemental report and should include the following information:
  - a. Name
  - b. Address
  - c. Time of visit (start/end)
  - d. Reason for visit
  - e. Escorting officer

### **XIII TRAINING**

All officers shall receive formal training in the operations and procedures of the booking area and holding facility. This training will also cover use of all fire safety equipment and documentation in the Booking and Holding areas. The training shall be administered during the officer's Field Training Program. Retraining on the aforementioned will be conducted at least once every three years.

### **XIV ADMINISTRATIVE REVIEW**

At least once every three years, an administrative review will be conducted regarding the Booking and Holding Areas. The purpose of this review will be to ensure that the facility remains adequate for the needs of the Department and that all department policy governing the facility is being followed.

### **XV DISTRIBUTION**

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

**XVI EFFECTIVE DATE**

This general order approved by the Police Commission on April 18, 1990, and is effective June 18, 1990.

Revised June 1992

Revised June 1997

Revised June 2000

Revised May 2003

Reviewed July 2006

Revised September 2008

Revised January 2012

Per Order,

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Edward J. Nadriczny  
Chief of Police