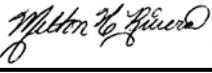


	PALACIOS POLICE DEPARTMENT	
	Policy 10.1 Holding Facility Operations	
	Effective Date: 1/04/2012	Replaces: 02/07/2006
	Approved:  Milton Rivera, Chief of Police	
	Reference: TBP: 10.01, 10.05, 10.06, 10.07, 10.08, 10.09, 10.10, 10.11, 10.12, 10.13, 10.14, 10.15, 10.16, 10.17, 10.18, 10.19, 10.20, 10.21, and 10.22.	

POLICY

It is the policy of this law-enforcement agency to provide secure temporary holding cells for prisoners and to maintain these facilities in a sanitary and safe manner. These prisoners are ones awaiting interrogation, the arrest process, transfer to the county jail, or any other administrative procedure. Normal operations will limit a prisoner's stay to less than 72 hours if he/she is to be filed on in county or district court.

I. PURPOSE

To provide for operational procedures for the department's holding facility and to ensure the safety of prisoners housed therein.

II. GENERAL ISSUES

A. Supervision

The Chief of Police shall assign the Patrol Sergeant to serve as supervisor of the prisoner holding facility. Said individual shall be responsible for all aspects of the holding facility to include prisoner processing, record keeping, training, security, sanitation and maintenance, safety, and supervision.

B. Training

1. All sworn officers and all communications personnel charged with the responsibility of operating, maintaining, or functioning within the holding facility shall receive all state mandated training for jail operations as applicable. This training shall include emergency evacuation and the use of all life-safety equipment located in the facility area.
2. All agency personnel shall receive, at a minimum, basic training and in-service training on the application of physical restraints, searching, and booking prisoners into holding cells. All agency personnel shall receive all state-mandated training for jail operations as applicable.

C. Access to Facility (TBP: 10.06)

1. Access to the holding facility is limited to authorized personnel. Non-essential personnel that are allowed access to the holding facility ensure their presence does not violate a detainee's privacy, impede facility operations, or hamper the gathering of information to be used in court. Non-essential personnel are prohibited from entering the holding facility in emergency situations. Juveniles are prohibited from entering the facility at any time a prisoner is being held or is present. (TBP: 10.04)
2. Other than sworn members of the department or communications personnel, any person who enters the facility will be accompanied at all times by a sworn member or communications personnel.

D. Privacy of Prisoner Records

1. Prisoner control records are confidential unless their release is required by law.
2. Agency personnel are permitted to respond to inquiries regarding whether or not a specific person is being held, on what charges, and the bond amount if any.
3. Agency personnel are permitted to answer inquiries regarding the various options of how an individual may be visited or released.

III.SAFTY AND SANITATION

A. Fire Protection (TBP: 10.08)

1. The holding facility is equipped with an automatic fire alarm system incorporating both heat and smoke detection systems. This system is inspected and approved in writing by the fire marshal or fire inspector.
2. A dry chemical fire extinguisher is located in the book-in area mounted on the wall. A second extinguisher is located in the hallway just outside the break room entrance door for use in entering the facility if needed.
3. Fire- prevention activities include the following:
 - a. No smoking or smoking materials -- lighters, matches, etc. -- are allowed in the facility with the exception of items belonging to the prisoner, which will be placed in prisoner's property.
 - b. Prisoners are searched completely prior to being placed in cells.
 - c. The facility is kept clean of loose debris, trash, or lint.
 - d. Mattresses and blankets are made of fire-retardant materials.
 - e. Cells are cleaned and inspected before and after every prisoner.
4. Emergency Evacuation (TBP: 10.09)
 - a. An emergency evacuation diagram is posted in the book-in area.
 - b. Emergency exit signs are posted above the exit doors.
 - c. In the event that a fire requires that the facility be evacuated, the prisoners are released from their cells and directed out the cell area Prisoners may be directed to the parking area outside the north east door. Priority should be on getting the prisoners out of

the facility rather than the security of the prisoners. High-risk prisoners may be handcuffed if time and opportunity permits. If prisoners are going to be out of the building for an extended period, arrangements should be made to transfer the prisoners to Matagorda County Jail.

B. Inspections (TBP: 10.18)

1. On every shift, the oncoming shift supervisor or officer in charge conducts a visual inspection of the holding facility and documents the inspection in the **daily jail log**. This inspection includes the following:
 - a. fire alarm systems,
 - b. emergency lighting systems,
 - c. cell door operation,
 - d. overall safety and security of the holding facility.
2. Any defective equipment or facility issue will immediately be brought to the attention of the supervisor of the holding facility, who shall then notify the **Chief of Police** immediately.
3. The holding facility supervisor conducts routine inspections of the holding facility and booking area at least weekly, recording the appropriate information to document the activity. The weekly inspection includes, but is not limited to, the following:
 - a. cleanliness
 - b. adequate supplies
 - c. medical-emergency kit
 - d. adequate food
 - e. fire/smoke detectors operational (tested)
 - f. video and audio monitors operational
 - g. fire extinguisher access and within inspectional date
 - h. fire alarm system
 - i. pest/rodent infestation
 - j. weapons and contraband in cells (with second officer)
4. Insects, rodents, or other vermin and pests are addressed by a qualified pest control service that is maintained under contract to perform this service at least quarterly.
5. The holding facility supervisor shall ensure the fire extinguisher system(s) is inspected at least semiannually.
6. Any deficiency found in any life-safety systems will be addressed immediately.
7. Any deficiency that cannot be repaired will immediately be brought to the attention of the Chief of Police.

IV. FACILITY SECURITY (TBP: 10.05)

A. Firearms and Weapons (TBP: 10.21)

1. Personnel will not permit any weapon inside the holding facility area under normal operational conditions. Weapons include firearms, batons, knives, or any other device commonly considered a weapon.

2. Officers may enter the facility with a weapon only when it is immediately necessary to gain or maintain control over a violent prisoner and/or to protect another officer.
3. Weapons may be secured in an appropriate lock box or in the officer's vehicle trunk before the officer enters the facility.
4. Weapons other than ones which are contraband that are not part of an investigation but are part of prisoner's property will not be placed in prisoner's property in the holding facility, but will be placed in the property room for safekeeping.
5. Officers are allowed to keep their assigned ECD (electronic control device) or OC Spray on their belt while in the holding facility.

B. Twenty-four Hour Supervision (TBP: 10.20)

1. All persons being detained in holding facility are monitored on a 24-hour basis by communications through audio and visual display. At least hourly, the on-duty communicator makes a prisoner check by visually observing the prisoner on video. **This check is recorded in CAD for documentation.** If the communicator has any concern for the prisoner's wellbeing, the communicator will query the prisoner by audio. Patrol officers may be summoned to check on a prisoner if needed.
2. Special watches are conducted on the half-hour for those exhibiting special needs. These special watches are conducted by communications personnel and logged **into the CAD system as a prisoner check.** A patrol officer conducts physical checks of persons detained in the holding facility periodically or as necessary or as requested by Communications. The assigned district officer conducts the checks unless otherwise prevented by call-load activity. During these checks the officer ensures all doors are properly secured, and that audio and visual devices are operational. Officers conducting prisoner checks **notify communications by using a signal 10-88 (Jail/Prisoner check).**
3. The on-duty communication specialist monitors the video monitors and sound activity occurring in the holding facility, listening for any distress inside the facility and using the intercom system. The communication specialist notifies on-duty sworn office staff or the district officer of any suspicious activity observed or heard during such monitoring and requests the officer immediately respond to address the matter.
4. Video surveillance of the interior of the cells is limited to the front half of the cells for obvious privacy reasons. Prisoners are informed of this system upon being placed in the cell. Prisoners are also informed of how to request assistance while in the cells.

C. Entering a Cell with a Prisoner

1. Officers typically do not enter a cell with a prisoner. Occasionally circumstances will arise that require police officers to enter an occupied cell. These circumstances may include, but are not limited to, the following:

- a. To break up a fight between prisoners,
 - b. To search the cell and/or prisoner(s) for contraband,
 - c. To check on an ill or injured prisoner,
 - d. To prevent a prisoner from injuring himself or others,
 - e. To prevent a prisoner from damaging property.
2. When it is necessary for a police officer to enter an occupied cell the officer, when possible and practical, does so only with the assistance of another officer.
 3. Except when actually engaged in the passing of items through the opening, the food/package access door on each cell is kept in the closed and locked position.

D. Cell-Block Security

1. The doors to individual cells are kept locked except when someone is entering or exiting a cell.
2. All facility entry doors are kept locked except when someone is entering or exiting.
3. All doors to storage and holding rooms directly off the booking area remain locked when not in use.

E. Holding-Cell Inspections and Cell Clean Up

1. Prior to placing a prisoner in an unoccupied holding cell the cell shall be searched for contraband and weapons. The officer conducting the search shall immediately report the finding of any weapons or contraband to his/her immediate supervisor.
2. Prior to release, and after the prisoner has been removed from the cell, the cell shall be searched for contraband and or weapons.
3. The prisoner is required to remove any trash from the cell and clean any intentional damage or mischief.
4. Officers will have the prisoner place the mattress back on the bed.
5. The prisoner must remove any personal items, such as personal hygiene items in order to return cell to a usable condition for the next prisoner.

F. Culinary Equipment / Tools

1. Culinary equipment in the holding facility is limited to plastic utensils for detainee use. All utensils are retrieved and disposed of after each meal.
2. Occasionally it is necessary to bring tools into the holding facility for repairs and routine maintenance. Personnel assigned to the holding facility accompany any outside contractor to ensure the safety of both the contractor and detainees. Upon completion of any work, the holding facility is completely inspected to ensure tools used in maintenance are not left in the holding facility.

G. Escape Procedures (TBP: 10.17)

1. In the event of an attempted escape from the holding facility the following measures shall be taken:
 - a. If a person is attempting to escape, with or without an officer present, the communications specialists monitoring jail activity shall do the following, in this order:
 - i. Announce the escape attempt on the internal intercom system of the facility; and
 - ii. Issue an immediate alarm in a broadcast over the police radio.
 - b. The field supervisor and other resources as directed by that supervisor shall report immediately to the holding facility to assist in the prevention of the escape;
2. If the escape is successful, the communication specialist shall broadcast the information to surrounding agencies. The broadcast shall, with the approval of the field supervisor, provide a physical description of the escapee, the charge or charges against the escapee, whether or not the escapee is armed, and if there were any officer-related injuries.
3. Officers may use what force is necessary and provided for by state law in order to prevent the escape.
4. Once the escapee has been subdued, the communications specialist provides notification via internal intercom and other broadcast means signaling an end to the alert. The field supervisor shall contact the Chief of Police.
5. The field supervisor shall complete, or cause to be completed, all documentation required as a result of the escape or escape attempt. At a minimum these documents include the following:
 - a. A list of additional charges being filed against the escapee, when applicable;
A use of force report;
A follow up, or continuation of the original report;
A memorandum to Chief of Police.

V. PRISONER PROCESSING

A. Prisoner Control and Security

1. Persons to be detained in the holding facility are escorted into the facility through the holding facility door near the parking lot.
2. All arrested persons are thoroughly searched for weapons and contraband. Any contraband located on the arrested person is considered evidence, seized, and properly secured as evidence.
3. Upon arrival at the facility, arrested persons are placed immediately into the processing room.
4. No person is kept in the processing room without supervision.

5. All booking activity, including interviews, fingerprinting, photographing, and similar actions, is conducted while the arrested person remains in the processing room.
6. Prior to placing an arrested person in an unoccupied holding cell the cell is searched for contraband and weapons. (TBP: 10.18)
7. All prisoners will be safeguarded against inappropriate activity from employees or other inmates.
8. Employees are prohibited from engaging in any form of physical contact with any prisoner except as needed to properly perform the intake, management, or release of a prisoner.
9. Employees will make an immediate report to their supervisor of any accusation of any form of abuse by an employee or inmate.
10. Any offense occurring in the holding facility will be investigated and prosecuted as in any other circumstance.

B. Special Circumstances:

1. The holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol. Such persons should be detained in other facilities, such as mental health facilities, detoxification centers, or hospitals.
2. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized.
 - a. Such detainees should remain under close observation by facility staff.
 - b. Locking belt restraints may be used to temporarily restrain a violent or suicidal prisoner.
3. The following procedures will be followed for prisoners who are under the influence of alcohol or drugs or who are otherwise violent or self-destructive:
 - a. The arresting officer and at least one other person will be with the prisoner until the detainee is placed in a cell.
 - b. The prisoner will be segregated, if possible.
 - c. The prisoner will remain under strict, close audio and video supervision with hourly physical checks.
 - d. The prisoner will be kept in the holding facility only until transfer can be made to a facility equipped to provide care for such persons or until their condition improves.
 - e. The prisoner will be allowed hourly restroom activity.

C. Juvenile Detentions

1. Children will be transported to the CID building and are detained either in the area designated for juvenile offenders or in the judge's office or courtroom as approved.
2. Under no circumstances is a child who is in custody placed or allowed access to the adult holding facility.
3. Under no circumstances will a child in custody be left unsupervised.

4. All children held at the police facility will be kept out of sight and sound of adult prisoners.
5. A child who is being held for a status offense is not be detained in a secured area or any locked room. Status offenders are held in non-secured area, out of sight and sound of adult prisoners.

D. Strip Searches (TBP: 10.14)

1. Strip searches may be requested when officers have reasonable cause to believe the prisoner(s) may be concealing a weapon, drug, or other contraband.
2. The on-duty supervisor must give approval before a strip search may be conducted.
3. Two personnel are present during a strip search, one of which is a supervisor if available.
4. Strip searches are conducted by a member of the same sex as the person being searched.
5. When searching a female prisoner, if a female officer or supervisor is not available, the search should be conducted by two female employees while a male supervisor waits outside the door within hearing distance.
6. Strip searches are conducted out of the view of any person except the officials in charge of the search.
7. Employees conducting the search maintain a professional attitude, and complete the search in a quick yet thorough manner.
8. Strip searches are documented in the officer's arrest report, a copy of which will be forwarded to the Chief of Police for review and filing. The report will contain the following information:
 - a. the officer's justification for the search,
 - b. the name of the approving supervisor,
 - c. the location of the search,
 - d. the names of the persons present during the search,
 - e. the results of the search.

E. Body Cavity Searches (TBP: 10.15)

1. Officers do not conduct body cavity searches except for the mouth.
2. If an officer has reasonable cause to believe a body cavity search is needed to detect weapons, drugs, or other contraband, the following procedures apply:
 - a. The on-duty police supervisor is notified;
 - b. A search warrant is secured;
 - c. The detainee is transported to an appropriate medical facility.
 - d. The search is conducted by the on-duty emergency room physician while officers stand by to take control of any evidence and provide security to the physician conducting the search.
3. Body cavity searches are documented in the officer's arrest report, which will contain the following information:
 - a. officer's justification for such search,

- b. approving supervisor's name,
 - c. location,
 - d. names of the persons present during the search,
 - e. results of the search.
4. A copy of the report and a copy of the warrant will be forwarded to the Chief of Police for review and filing.

F. Prisoner's Property (TBP: 10.10)

1. Prisoners will surrender all personal property that is on their person.
2. An itemized inventory of the property is made by the booking officer and printed for signature of the prisoner.
3. Any property being held for evidentiary purposes is noted on the receipt.
4. Money belonging to the prisoner is counted in front of the prisoner and in sight of the video camera.
5. The property is then stored in a secure manner in the property lockers pending release of the prisoner.
6. Officers will take extra precautions to ensure that all items that could be used to harm him/herself or others are taken from the prisoner. Also any item that could be used as a weapon against officers or other prisoners should be confiscated. These items include, but are not limited to, heavy work boots, shoelaces, high-heeled shoes, and belts.
7. To lessen the opportunity for contraband to be concealed or for a prisoner to harm themselves, each prisoner is allowed to wear only one layer of clothing, not including underclothing.

G. Intake and Medical Screening

1. All prisoners are screened when admitted to the holding facility using the intake screening form. The information obtained during this screen should contain, but is not limited to, the following:
 - a. Current health.
 - b. List of medications.
 - c. Behavioral status, including any indication, whether observed or self-professed, that the individual is homosexual, transgender, intersexual, or gender-nonconforming.
 - d. Current mental condition, including possible indications of suicidal tendencies or thoughts
 - e. Prior criminal history for any violent offenses, sexual offenses, or hate crimes.
 - f. Body deformities, scars, marks, and tattoos.
 - g. Emergency contact information.
2. This information is recorded on the booking form along with the charges and property inventory. Any significant mental or medical problems are listed on the board for other officer's information. The intake form is held in the booking file until the individual is released.

3. The holding facility is not intended for nor is it equipped to handle prisoners who require immediate or sustained medical attention. Therefore, no prisoner who has an injury or illness that requires hospitalization or the attention of a health-care professional shall be booked into the holding facility or otherwise held for interrogation or other purposes. This includes obvious cases of injury or illness as well as situations in which arrestees:
 - i. suffer from extreme alcohol intoxication or possible drug overdose.
 - ii. exhibit symptoms of severe mental disorder.
4. If the severity of medical conditions is unclear or if a prisoner requests medical attention, he/she shall be transported as soon as possible to a medical facility for evaluation.
 - a. If available, the arresting officer shall be responsible for transporting the prisoner to and security of the prisoner while at a designated medical care facility.
 - b. Subsequent detention of such prisoners is permitted only if they are released from the medical facility and further detention would not aggravate the condition.
 - c. The seriousness of the charges against the individual must also be evaluated.
5. If a prisoner has been tested by intoxilyzer and the results register one or more times at or above 0.25 % blood alcohol content, the detainee is transported without delay from testing site to nearest medical facility. Transportation may be made by officers in a patrol unit or by ambulance if there are any signs of distress.
6. If the prisoner shows signs of distress, psychosis, or any indication of suicidal tendencies, whether or not caused from alcohol or other drugs, the detainee will be transported to the nearest medical facility.
7. Any prisoner who has been taken to a medical facility or a mental-health provider may not be processed into the holding facility until after he/she has been cleared by medical personnel or a mental-health provider.
8. Special precautions are sometimes needed to protect individuals from aggression while held in custody. Booking officers are responsible for ensuring the proper housing of prisoners to minimize potential conflict or aggression while in custody. Any questions regarding proper housing of prisoners should be directed to a supervisor.

H. Indigency Forms

1. For Class B offenses and higher, (both warrant and non-warrant) a prisoner who is in possession of his/her mental faculties and cooperative will be requested to complete the defendant's financial statement form.
2. The prisoner should be told that the form is needed by the magistrate for arraignment.
3. The form is not signed at this time but is signed in front of the magistrate at arraignment.

4. The booking officer will not indicate at this time that the form is required for the appointment of counsel, nor will the booking officer ask the detainee if he/she wants counsel appointed, only that it is needed by the judge for arraignment.
5. For a prisoner who is neither in possession of his/her faculties, is uncooperative, or otherwise refuses to complete the form, the booking officer completes the name and CFS number on the defendant's financial statement form, places a note on the form as to the difficulty, and provides the form to communications.

I. Fingerprints

1. Those prisoners being charged with a class B misdemeanor or above will be processed through Live Scan System.
2. Fingerprinting is not required for those being charged with a class C misdemeanor; however, fingerprints may be taken if, in the opinion of the booking officer, they would be useful in fully identifying the prisoner.

J. Photographs

All prisoners will have a current booking photo made and uploaded to RMS.

K. Prisoner Intake Form

1. The arresting officer will complete a prisoner intake form for each arrestee that will include the following:
 - a. All of the usual information regarding the individual.
 - b. Any information regarding a prisoner's special protection needs.
 - c. Any history or indication of depression or suicidal tendencies.
NOTE: Communications staff will be told about possible suicides before the arresting officer leaves facility.
2. The prisoner intake form is placed with the booking paperwork and given to communications before the arresting officer leaves the facility.
3. Individuals who are not US citizens and have been arrested for a class B offense or higher should be asked if they want their consul notified. If the answer is "yes" arresting officers will notify the appropriate consul and note the time and method of notification on the prisoner intake form. For an individual who declines, the officer should write "refused" in the consul contacted blank. NOTE: Some countries require notification. The list of countries that require notification, along with instructions, is found in the blue Consular Notification Book, which is maintained in the booking area. (TBP: 10.22)
4. The prisoner intake form will be sent with any prisoner who is transferred to another jurisdiction or released to another agency. The receiving officer will sign the form and the white copy will be given to the other agency while the other copy will be returned and placed in the prisoner's jail jacket.

L. Arrest Reports

1. Using the computerized offense-and-arrest-report system, the arresting officer will complete an arrest report for every prisoner.
2. Arrest reports must contain information about the offense and the probable cause to believe the person committed the offense or a reference to an offense report where such information is provided.
3. All arrest reports and related offense reports will be completed by the arresting officer prior to end of shift. If county jail supervisors do not believe there is sufficient probable cause to hold an individual, the on-duty or on-call supervisor should be contacted.

M. Housing Prisoners (TBP: 10.04)

1. Upon completion of the booking process, the booking officer directs the prisoner to a holding cell.
2. Each cell is separate and contains two bunks with no sight or sound activity available between cells.
3. At no time are a male and female placed together within a single cell.
4. Before they are placed in a cell prisoners will be informed of how they can communicate with the jail staff, and they will have the video system explained to them.
5. The following prisoners will be housed alone:
 - a. Any prisoner with a prior history of a violent, sexual, or hate-crime offense.
 - b. Any prisoner who is observed to be or self-professes to be homosexual, transgender, intersexual, or gender nonconforming.
 - c. Any prisoner who by actions or admission is a potential victim of sexual abuse.
6. Regarding the prisoners listed in subsection 5 above, if a separate cell is unavailable or if subsequent arrests require doubling up prisoners, a supervisor should be contacted and arrangements made to house these prisoners should be transported to County Jail immediately.
7. Any prisoner who admits to thoughts of suicide or is believed by the arresting officer to be a suicide risk should be housed with other prisoners if possible in order to deter preparation for any suicidal act. An exception is a person who may also be a potential harassment or assault victim if housed with other prisoners.
8. An officer who believes a prisoner may be a suicide risk will do the following:
 - a. Note "Special Watch" (see section V. B. 2.) on the booking and intake forms.
 - b. Verbally inform the communication section of the need for special watch procedures.
9. If any suicide indicators are present the following special procedures will be observed:
 - a. Oncoming watch personnel for patrol, communications, and monitoring will be informed of the special watch prisoner.

- b. The prisoner will be relieved of any article that could be fashioned into a makeshift noose, such as a tie, a belt, and shoelaces.
- c. Clothing and bedding that cannot be torn and used as a noose will be provided.
- d. Monitoring staff should query a suicide watch prisoner who is not clearly visible.
- e. Officers should conduct personal checks as often as possible and check for any damage to clothing, bedding, or other materials that would facilitate suicide.

N. Mass Arrests

1. If a mass arrest exceeds the maximum occupancy of the holding facility, extra personnel are called in to assist with the processing of the arrestees.
2. If our facility exceeds maximum capacity, the police supervisor or a designee calls the county to ask if “x” number of prisoners can be transferred until the department can make room in our facility.
3. When an agreement is reached, the prisoner(s) is/are transported to the appropriate facility with a copy of all the booking paperwork.
4. The transporting officer assists the other agency in booking the prisoner(s) into the receiving facility.

O. Receiving Prisoners from Other Agencies

1. Prior to accepting prisoners from other agencies, the receiving officer must have the following:
 - a. Positive identification of the detainee.
 - b. Positive identification of the officer delivering the prisoner.
 - c. Telephonic or written confirmation of the reason for the incarceration, such as a copy of an offense report, an arrest report, a warrant, and bond information if any.
 - d. Assurance that an offense has occurred and that authority for arrest exists.
2. Compliance with this policy pertaining to the holding facility must be met. Any compliance refusal results in denial of the booking.

P. Prisoner Identification System

1. The department utilizes a system for assigning an identification number and maintaining a criminal history file for each person under custodial arrest.
2. A jacket number is a unique number that is assigned to a specific person.
3. Jacket numbers are assigned in sequential order to each person arrested by members of the department.
4. The arresting officer creates the jacket.

5. Once a person has been assigned a jacket number all subsequent arrests concerning that person are referenced to his/her jacket number even though the arrest and case numbers will change with each new arrest.
6. At the time of arrest, the arresting officer researches all applicable files to ensure that the arrested person does not have a previously assigned jacket number.
7. A criminal history file (CHF) for each person arrested is created and maintained in the computer system.
8. Each computer generated CHF is referenced by the arrested person's jacket number.
9. Each CHF contains scanned documents specifically related to each incidental arrest of one particular person, including but not limited to:
 - a. Arrest reports
 - b. Booking photographs
 - c. Property inventory and disposition
 - d. Fingerprint cards
 - e. State and federal criminal history transcripts

NOTE: The criminal history transcripts may be excluded from the CHF if they are immediately accessible through state or federal information systems. It is not necessary to have all arrest-related documents in the CHF so long as cross-references point to the location of each document.

Q. Victim / Witness Notification upon Arrest of Suspect

1. Officers making arrests of suspects after the suspect has left the scene of a crime will make reasonable efforts to notify the victim and any involved witnesses of the suspect's arrest. This action will reassure the victim and allow the victim to avoid taking unusual protective measures unnecessarily.
2. In cases of domestic violence, the victim should be contacted and asked whether a protective order is desired. If so, the officer will prepare an emergency protective order for issuance by the magistrate.
3. Officers who are releasing prisoners on bond will make reasonable efforts to notify victims of violent offenses that the suspect is being released from our facility.

VI.MEDICAL AND HEALTH CARE OF PRISONERS (TBP: 10.12)

A. Medical Emergencies: When a medical emergency occurs in the holding facility, the procedures listed below will be followed:

1. Police personnel serve as the first responders, and immediately provide any help that they are able to give.
2. The on-duty supervisor will also respond.
3. Fire paramedics will be called to assess the needs of the afflicted person and to comply with their standard medical protocol for treatment and transport.

4. If the paramedics recommend transfer by ambulance a transport is conducted. An officer will ride in the back of the ambulance with the prisoner.
5. If the prisoner specifically requests to be transported to a medical facility via ambulance, such transport is conducted only if it is deemed medically appropriate by the senior fire officer or senior paramedic if the ranking fire officer is unavailable. Example: A prisoner complains of minor bruising to the wrists and medical personnel determine that there is no significant or life-threatening injury, the request to be transported via ambulance may be denied by the fire services officer or paramedic.
6. If the ranking fire officer or senior paramedic believes medical attention is required but transport by ambulance is not needed, the supervisor will then determine whether the prisoner should remain in custody and be guarded or released using guidelines in section C below.
7. Custodial transports necessitate that a uniformed officer accompany the prisoner to the medical facility, and the on-duty supervisor will designate an officer for this duty.

B. First Aid Supplies

A first aid kit is kept stocked in the book-in area and is inspected weekly. Any officer using items from the first aid kit notifies the holding facility supervisor of the items used.

C. Release due to Medical Reasons

1. All felony offenses and all violent misdemeanors may be transported to necessary medical facilities and guarded until released and returned to jail, or a case is filed and custody turned over to the county, or bond is made.
2. Non-violent offenses classified as a class B or class A may be released on “pending investigation” due to medical reasons by an on-duty supervisor if the offenders have not been arraigned and there is no danger of a continuing threat to another person. If they have been arraigned, the on-duty supervisor will contact the magistrate and determine the method of release. If a case has been filed and immediate care is not necessary, officers may transport the prisoner and release to the county. Any release of a class B or A non-violent offender requires the approval of a supervisor.
3. Arrested persons charged with class C warrants may be released by a supervisor with a court date if they have not been arraigned. If they have been arraigned, the on-duty supervisor will contact the magistrate to determine the type of release. A detailed incident report will be completed in either case to document the in custody arrest and decision to release.

4. If an arrested person is detained on another agency's charge, that agency is contacted and advised to either make an immediate transfer or release charges.
5. Arrested persons released for medical priority purposes are notified that their case may be continued regardless of this release.

D. Medications (TBP: 10.13)

1. Prisoners' medications will be maintained in their personal property.
2. Persons may be administered medications under the following conditions:
 - a. The medication is prescribed or required.
 - b. The name on the prescription is that of the arrested person.
 - c. The medication dosage is followed.
3. If medications are required, the timing of such medications will be provided to communications who will create a schedule for notification.
4. When a prisoner is scheduled for a medication, an officer will be called to dispense the medication according to the label on the container.
5. Persons requiring injections or other periodic medical procedures will not be booked into the holding facility. The on-duty supervisor will make a decision on the method of custody or release.
6. Documentation of the issuance of such medication is made by the officer administering the medication by notifying dispatch **to enter in the CAD system as a prisoner check-medication**

VII. PRISONER RIGHTS

A. Arraignment Procedures

1. All prisoners have the right to be advised of their rights by a magistrate, informed of the charges against them, and have bail set.
2. Communications personnel prepare arraignment packets each morning containing the following:
 - a. Defendant's information form
 - b. Magistrate's adult warning
 - c. Defendant's financial disclosure form
 - d. Request for appointed counsel
 - e. Indigence determination form
 - f. Copy of offense and arrest report
3. The magistrate normally arrives and begins review of the arraignment packets to determine if probable cause exists to hold the individual for trial.
4. Communications personnel call an officer to assist with arraignment.
5. The officer moves the detainees from their cell, one at a time, to the holding cell where the Magistrate arraigns the prisoner.
6. The officer or an employee assists the magistrate in obtaining necessary information, if requested, and signs as a witness to the arraignment.

7. The officer or employee returns the prisoner to his/her cell prior to moving another prisoner.
8. In the event a prisoner is believed to be a risk, two officers are used for arraignment.
9. The arraignment package is returned to the communications personnel after arraignment.
10. If the prisoner requests an appointed attorney and the magistrate finds that the prisoner is indigent, the communications personnel will fax a copy of the Appointment of Counsel Request to the appropriate county office where an attorney will be appointed.

B. Bonding Procedures

1. Cash Bond
 - a. Cash bonds are accepted on city charges according to the bond amount set by the magistrate.
 - b. On city warrants, the defendant may pay a bond or the fine.
2. Attorney Bonds: Surety bonds may be accepted.
3. Writs: Writs for release of prisoners are accepted.

C. Access to Telephone

1. Officers should ensure that a prisoner understands the usage of the telephone. If a prisoner is unable to operate the telephone, communications personnel or an officer should attempt to lead them through the process while under supervision of an officer.
2. If a prisoner abuses telephone privileges by making harassing telephone calls or calls to a crime victim, the telephone in the cell may be turned off and future calls made under officer supervision.

D. Access to Attorney (TBP: 10.07)

1. When a prisoner requests an appointed attorney and the magistrate finds the detainee is indigent, the request for appointment of counsel will be forwarded to the appropriate county office. The department will be notified by return fax of the appointed Attorney. This information is placed in the prisoner's personal property. The prisoner, if still in our facility, is provided with a small slip of paper with the attorney's name and phone number to facilitate contact.
2. Attorneys are permitted access to these persons at any time, 24 hours per day with officer availability. If an attorney elects to confer confidentially with his/her client the officer remains just outside the booking area.
3. Prisoners are searched prior to being placed back into their cells.

E. Access to Consul

1. Prisoners are asked their citizenship.
2. Prisoners who are not U.S citizens are asked by the arresting officer if they wish their consul to be notified.
3. The prisoner's response is noted on the prisoner alert notice.
4. If the prisoner wishes his/her consul to be contacted the consul is notified using information taken from the list of consuls maintained by the agency. Officers should note that some consulates may have mandatory notification procedures in place through the State Department.
5. A prisoner's consul is allowed to visit in the same manner as attorneys with the exception that prisoner and the consul are not left alone.

F. Visitation (TBP: 10.07)

1. In order to assure the safest conditions for visitation, the prisoners are brought out of their assigned holding cell, and directed to the temporary holding cell.
2. Visitors stand inside the booking area, under the direct supervision of the officer to limit the possibility of contraband being passed.
3. Personnel will not permit a visitor to bring packages or containers within the visitation area unless they have been examined for contraband and weapons.
4. Visitation hours are Sunday and Wednesday 0730-0830 subject to officer availability.
5. Nothing restricts the inclusion of additional visitation times based upon officer availability.
6. Visits are limited to a maximum of 15 minutes. NOTE: Emphasis should be placed on the fact that the department does not have jailers and that an officer's first responsibility is response to calls for service.
7. Visitation is allowed only when officers are available.
8. A visitation log is maintained in the booking area. Visitors are required to be logged in and to provide a valid identification that shows name, date of birth, and address.
9. Clergy and physicians are permitted access to these persons at any time, 24 hours per day, assuming officer availability.

G. Meals (TBP: 10.19)

All prisoners require daily nourishment. The officer assures adequate meals are provided three times per day to the arrested person at or by 0700 hours, 1200 hours, and 1800 hours.

H. DWI Blood Tests

Suspects arrested for DWI have the right to request a blood test by a physician of their choice within two hours after their arrest per TRC 724.019. An individual should be allowed access to a telephone for this purpose as soon as possible if requested.

VIII. RELEASE PROCESS

A. Release Documents

1. The communication specialist conducts initial preparation of the release documents.
2. The releasing officer conducts final completion of the forms.
3. The forms are returned to communications for filing.

B. Prisoner Identification (TBP: 10.11)

1. Prior to pulling a prisoner from a cell, the releasing officer will positively identify the prisoner by the use of the following:
 - a. Comparing the book-in photo with the prisoner, or
 - b. Comparing the prisoner's fingerprint with that taken at book-in.
2. No prisoner will be released if there is any question about the prisoner's identity. The on-duty supervisor will be contacted if there is any question regarding the prisoner's identity.

C. Facility maintenance

1. Prior to release, the arrested person is held responsible for removal of any trash or disposable products and return of the cell to a ready condition.
 - a. Trash is removed.
 - b. Mattress and blanket are folded.
 - c. Toilet is flushed.
2. The cell is examined for damage and orderliness. If intentional damage or defacing of the cell is identified and the damage can be attributed to a specific person, appropriate charges are considered for such willful damage.

D. Property Return (TBP: 10.10)

1. Upon release of a detainee all property is returned, according to the following procedure:
 - a. The detainee and the releasing officer compare the property being returned with the inventory on the intake form to ensure all property is accounted for.
 - b. Any property being held for evidentiary purposes is noted on the receipt.
 - c. The detainee then signs the form stating the property is returned.
 - d. If the detainee is being transported to another facility the property is given to the transporting officer and the officer signs for the property.
 - e. The intake form is forwarded to communication with the release paperwork for filing.

2. If there is a difference between the property being returned and the inventory statement on the intake form, the following procedure applies:
 - a. Any discrepancies shall be reported immediately to Sergeant or the officer-in-charge.
 - b. Refusal of the prisoner to sign shall be noted by the releasing officer.
 - c. Items held as contraband or evidence are noted separately on the inventory report.

E. Release of Prisoner to Another Agency

1. Prisoners being released to other agencies will be identified as required prior to release.
2. Communicators will prepare transfer requests and make necessary notifications for prisoners to be picked up by other agencies.
3. Communicators will prepare necessary documentation to accompany the prisoner. Transfers to the county will include the following documents:
 - a. Financial statement and request for appointed counsel
 - b. Magistrates warning
 - c. County jail registration form
 - d. Prisoner alert notice (notice of any mental, medical or security issues)
 - e. Courtesy paperwork – copies of warrant confirmation, active holds, etc.
4. Officers picking up prisoners will be personally informed by the releasing officer of any physical or mental problems the prisoner may have.
5. All of the prisoner's property will be signed for by the prisoner and provided to the transporting officer for safekeeping. (TBP: 10.10)

F. Transportation of Prisoner to Another Agency

1. Officers transporting prisoners to another agency are responsible for the following:
 - a. Complying with the other agency's rules, which include putting all weapons in a lock box or securing them in the trunk of the officer's vehicle.
 - b. Keeping the prisoner in handcuffs until the other agency accepts custody.
 - c. Providing the receiving agency with all necessary paperwork and the prisoner's property.