

THURMONT POLICE DEPARTMENT

GENERAL ORDER	Date Issued:	Effective Date:	Order No: Chapter 12
Authority: Chief of Police Gregory L. Eyster		Manual Page No:	
Subject: HOLDING FACILITY		Replaces Page No:	
CALEA Accreditation Standard: Chapter 72	Distribution: ALL	Amended:	Number of Pages: 10
Related Documents: State of Maryland Lock-up Standards		Rescinds:	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE:

To provide the employees of The Thurmont Police Department with guidelines relating to the temporary detention of arrestees and to ensure that the lockup and detention facilities are in compliance with the State of Maryland Lockup Standards.

II. POLICY:

It is the policy of The Thurmont Police Department to operate a holding facility for arrestees being temporarily held for investigation, or awaiting transfer to another facility. The holding facility will be kept as secure and sanitary as possible. No arrestee will be detained at The Thurmont Police Department for more than 12 hours, excluding holiday weekends.

III. DEFINITIONS:

Non-Essential – Other than designated staff during their official duties, assignment and detainees.

IV. PROCEDURE:

A. ADMINISTRATION AND MANAGEMENT:

1. The Deputy Chief of Police or his designee shall be responsible for the operation and care of the holding facility.
2. All sworn personnel must be trained in the use of physical restraint and the searching of detainees. All department employees shall receive orientation on all functions of the holding facility, including fire suppression equipment.

3. No unauthorized or non-essential persons will be allowed access to the holding facility.
4. All detainee and lockup records will be kept confidential and will only be released in accordance with Department policy pertaining to release of official Department records.

B. PHYSICAL PLANT

1. The officer placing any detainee into a cell shall ensure that the detainee has access to a toilet, fresh water, adequate lighting and proper ventilation. If the detainee is to be held for more than eight hours, clean bed linens and a wash basin must be provided.

C. SAFETY AND SANITATION:

1. The following practices will be followed in order to promote the safety of detainees:
 - a. No smoking in the Thurmont Police Department Facility.
 - b. All lighters and matches will be confiscated from the detainees prior to them being placed in a cell.
 - c. In the event of a fire:
 - i. All prisoners are to be removed to a secure area.
 - ii. Notify the fire department.
 - iii. If reasonable, attempt to extinguish the fire.
 - (1) All department personnel will familiarize themselves with the location of the fire extinguisher in the cell area.
 - d. All fire suppression equipment shall be inspected on a weekly basis and tested on a semiannual basis to verify the presence of equipment and to detect any damage or tampering. The automatic fire alarm system will be tested on a monthly basis. The results of these inspections will be documented. (See Appendix A)
 - e. On a daily basis, the fire detection devices and the automatic fire alarm system will be visually inspected.
 - f. In the event of an emergency, all detainees will be evacuated by police personnel through the closest and safest exit. These exits will be through either the garage area or the front or rear doors of the building, and these exits will be marked with exit signs. Evacuation plans will be posted.
2. Prisoners may be transferred to the holding facility of one of the neighboring police departments when:

- a. Serious fire occurs.
 - b. The building is damaged by weather.
 - c. Any other serious emergency or condition occurs which would endanger the detainees.
3. On a weekly basis, the holding and cell areas shall be inspected for cleanliness, insects or rodents. If necessary, pest control professionals should be contacted to rid the area of any pests. This inspection is to be documented.

D. SECURITY AND CONTROL

1. No firearms will be permitted into the cell area while a detainee is being held. Firearms will be secured in the gun lockers outside the cell area prior to an officer entering the holding area. In emergency situations such as a fire, disaster, suicide attempt or other life-threatening situation, or at the discretion of the Shift Supervisor, an officer may enter the booking area with a firearm.
2. Officers are not to enter an occupied cell unless a back-up officer is present. In life threatening situations, an officer may enter an occupied cell, however, the Shift Supervisor must be notified as soon as practical.
3. Cell keys are to be kept in the drawer of the duty desk. A spare set is to be kept in the key box attached to the wall in the radio room.
4. All cell doors and the doors leading directly into the cell area of the holding facility are to be secured at all times unless essential personnel are performing a required duty. After that required duty is complete, the cell and/or door shall be immediately secured. In addition, the door for any temporary holding areas are to remain secured unless meeting the criteria stated above. The door that joins the work area to the cell area shall remain closed when the holding facility has detainees present, but can remain open when the facility is not in use for detainee purposes.
5. A security check is to be conducted prior to placing a prisoner in a cell and after removing a prisoner from a cell. The search is to be conducted by the officer placing or removing the detainee and is to include a search for weapons and/or contraband.
6. On a weekly basis, the cell area is to be inspected for security. Doors, latches, fixtures, access plates, protective screens and other security devices should be checked. The inspection is to be conducted by the Deputy Chief or designee and is to be documented on the booking/cell inspections sheet.
7. Detainees will not be permitted to possess any tools or culinary equipment while in the holding facility. If meals are provided they will consist of food not requiring the use of

culinary equipment (sandwiches, burgers, etc.)

8. All personnel who enter the cell area must have a portable radio with them or be in the company of an officer that has a portable radio.
9. In the event of an escape, the following procedures will be adhered to:
 - a. Notify dispatch and a Supervisor.
 - b. Issue a local radio dispatch and an N.C.I.C. teletype message.
 - i. The Supervisor shall immediately coordinate and implement the follow procedures:
 - (1) Establish a perimeter in the area of the escape.
 - (2) In the event an immediate apprehension is not made, Maryland State Police and the closest available Canine Unit will be contacted.
 - (3) Personnel from adjacent agencies shall be contacted pursuant to current aid agreements.
 - (4) The **on-duty investigator** shall be contacted as well as available off-duty personnel.
 - c. The on-duty supervisor shall be responsible for organizing and conducting the immediate search.
 - d. The Supervisor shall submit a written report to the Deputy Chief of Police documenting the circumstances of the escape, and all actions taken.
10. In the event that the Police Department facility or any person therein is threatened, a written case report will be prepared.

E. DETAINEE PROCESSING:

1. As soon as practical after being brought into the booking area, all prisoners will be properly searched. A matron may be used if available; however, searches may be performed by officers of the opposite sex if a delay would jeopardize officer safety or the destruction of evidence.
 - a. Belts, shoelaces, watches, lighters, matches, keys, jewelry and any other item which may cause harm to the prisoner or an officer will be removed from the prisoner.
 - b. Strip searches and body cavity searches will only be conducted in accordance with *(the GO entitled Strip Search Policy)*. (appendix B)

2. All property taken from detainees will be locked in the property locker in the booking area until the detainee is released or transferred.
3. A Prisoner Lock-up Record form (appendix C) will be completed for all persons booked into the facility and the intake form will contain:
 - a. Arrest information (charges or reason being held)
 - b. Property inventory and disposition (transferred, taken to county jail, etc.)
4. All detainees held at the holding facility shall be separated by sex and age.
 - a. Males/Females: If males and females are detained at the same time, the two south cells will normally be used by female detainees and the two north cells will normally be used by male detainees.
 - b. Juveniles: At no time will juveniles be held or processed in the presence of adult detainees.
 - i. Per applicable State Statues, Police Officers will not place a juvenile status offender in a holding cell or in a locked room.
 - ii. Officers may handcuff a juvenile status offender to self or hold youth in an open multi-purpose area.
 - iii. Juvenile criminal offenders may be placed in a holding cell for a period not to exceed six (6) hours and will be released after processing or transported to the Youth Home or detention facility at the direction of the Juvenile Intake Officer.
5. Any detainee who is believed to be under the influence of drugs or alcohol and who may be a threat to themselves or other detainees will be segregated from other detainees and continuously observed. This may be accomplished by use of jail cell video surveillance, until a time in which the Shift Supervisor feels that the detainee is no longer a threat.
6. When receiving a detainee from another agency, the Officer conducting the intake shall verify the identity of the person presenting the detainee, and verify his or her authority to make such presentation.
7. In the event of a mass arrest, where the number of arrestee's is in excess of (10) ten persons (holding cell capacity) the interview rooms shall be used to temporarily hold the excess arrestee's. If the interview rooms are used in this capacity sufficient police personnel shall be utilized to insure the safety and security of the arrestee's. This practice shall only be used in an emergency situation.
8. All subjects taken into custody shall be positively identified, to the satisfaction of the

Shift Supervisor, prior to being released or transferred.

9. All property of detainees that is itemized and documented on the intake form shall be accounted for and returned to the detainee upon his or her release. At the time of release, the detainee shall sign the intake form indicating that the inventory list is correct and that all property was returned to the detainee. If the detainee is transferred to another agency, the receiving officer shall verify the property inventory and sign the intake form.

F. MEDICAL AND HEALTH CARE SERVICES

1. As part of the intake process, the officer shall make inquiries as to the detainee's health and well-being. This may include any behavior or mental status that should be noted. Any illness or injury (body deformities, trauma, bruises, etc.) shall be logged on the intake sheet. If a prisoner makes a complaint of serious injury or illness, the Thurmont Ambulance Company will be notified to render medical care.
2. The first aid kit will be mounted to the wall of the holding area and will be inspected on a weekly basis and replenished as necessary.
3. If a detainee advises that he is in need of medication for a serious illness or injury, the officer shall notify the Thurmont Ambulance Company to transport the detainee to the hospital. Any medication that the detainee had at the time of arrest shall be transported to the hospital with the detainee. Medication shall only be given to a detainee on written order of a medical doctor. If medication is given per a doctor's order, the drug administered, the time, and the administering officer will be noted on the intake sheet.
4. This portion of the general order, Medical and Health Care Service, will be reviewed by a licensed physician whenever this portion of the order is revised.

G. DETAINEE RIGHTS

1. While in custody, it shall be the responsibility of the Shift Supervisor or Officer in Charge to ensure that the following conditions are met:
 - a. The detainee has confidential access to an attorney.
 - b. The detainee has access to a telephone.
 - c. Advising the detainee that phone conversations are being monitored and/or recording by the presence of our audible signal on the phone line.
 - d. **The Shift Supervisor or Officer in Charge shall ensure that one meal is provided during each 6-hour period.**

H. SUPERVISION OF DETAINEES:

1. All detainees being held at The Thurmont Police Department shall be under regular supervision. An employee of the Department must be in the building at all times when detainees are in custody. While detainees are being held in cells, a visual observation must be made every 15 minutes and documented on the intake form in 30 minute intervals. Detainees that are security risks, violent, suicidal or demonstrate unusual or bizarre behavior should be monitored more frequently.
2. Any video cameras shall be mounted in such a way as not to invade the personal privacy of the detainee.
3. Supervision and inspection of detainee will be administered by officers of the same sex as the detainee. In cases when a female officer is not on duty, a matron will be used.
4. Detainees shall not be permitted to receive packages while in the custody of the Thurmont Police Department.
5. Due to the physical limitations of the facility, the only persons permitted to visit with detainees will be legal council. The Shift Supervisor will approve the visit and arrange a secure, confidential location for the visit. The visitor will be searched prior to the visit and the detainee will be searched both prior to and after the visit.

I. TEMPORARY DETENTION:

1. In situations where a detainee will be released in a timely manner, upon approval from the supervisor, the detainee may be held in a room that has been designated for temporary detention.
 - a. The arresting officer is responsible for the supervision and accountability of the detainee.
 - b. When being held in a room designated for temporary detention, adult detainees may be secured by being handcuffed to floor mounted benches or other objects specifically designed and intended for that purpose.
 - c. Detainees of the opposite sex must be kept in separate areas and juveniles must be separated from adults.
 - d. Detainees should not be denied timely access to water, bathroom use or other personal needs.
 - e. If detainees are held in temporary detention, the time that a detainee may be held will not exceed two hours.
 - f. Although a temporary detention room is equipped with an automatic sprinkler and alarm system, a fire extinguisher will be in close proximity of any room designated for temporary detention.

- g. Evacuation plans will be posted in any designated room for temporary detention.
2. Escape prevention is addressed by the use of video surveillance and the security lock at the entrance to any room designated for temporary detention. The following security concerns for temporary detention will mirror those procedures previously stated in this order for the main holding facility.
 - a. Weapons control
 - b. Panic or duress alarms
 - c. Access to area and detainee
 - d. Escape prevention
 - e. Search of the detainee
 - f. Security inspection
 - g. Visual observation
 3. All training for temporary detention will be included with required holding facility training as stated in this order.

ATTACHMENTS : Appendix - A Lock-up Inspection Report
 Appendix - B Strip Search Authorization
 Appendix - C Prisoner Lock-up Record

DOCUMENT DATES :

Amended Date:

Review Date:

Review Date:

Review Date:

Rescinds:

Order Written by: Lieutenant Shawn R. Tyler
Order Edited and Approved by: Chief Gregory L. Eyer

CALEA Standards Included in this Order
CHAPTER 72 HOLDING FACILITY