

 <p><b>Cambridge Police Department</b></p>	<b>POLICY &amp; PROCEDURES</b>		<b>No. 660</b>
	Subject/Title: <b>Holding Facility Operations</b>		
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**I. PURPOSE:**

To establish the guidelines under which persons will be placed into the department's holding facility and the responsibilities of all members of the department as they relate to the management and operations of the holding facility.

**II. POLICY:**

All members of the department are responsible for carrying out all applicable procedures as they relate to the intake screening, placement, security, control, and monitoring of persons being placed into the department's holding facility. It is also the policy of this department to:

- Operate a safe and sanitary lockup facility in compliance with state and local codes and regulations;
- Care for detainees, being attentive to their security and medical needs; and
- Provide special care for juveniles, separate from adults and only in approved facilities.

**III. GENERAL CONSIDERATIONS AND GUIDELINES:**

The authority to operate a lockup facility by a municipality is rooted in Massachusetts General Law: Each community containing more than five thousand inhabitants shall maintain a lockup facility.<sup>1</sup> A keeper of the lockup must be appointed.<sup>2</sup>

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<sup>1</sup> M.G.L. c. 40, § 34.

<sup>2</sup> M.G.L. c. 40, § 35.

Cities with a population over thirty thousand shall, and any other city may, designate one or more police stations for the detention of females and one or two matrons shall be appointed to each designated station.<sup>3</sup>

The proper operation of the police lockup is critically important to the safety of police personnel and the well being of prisoners or detainees. A special relationship exists between a police department and a person occupying a cell in its holding facility.

By statute, the obligation to maintain a lockup includes the provision of any prescribed medication and nutritionally adequate meals.<sup>4</sup> In addition, detailed statutory requirements exist concerning suicide prevention.<sup>5</sup> The department is committed to operating a safe and sanitary lockup facility. Officers will receive appropriate training to assure adherence to statutes and to adequately protect the rights of the police as well as any prisoners or detainees. Department of Public Health regulation 105 CMR 470 provides for detailed requirements for the maintenance and construction of lockup facilities, and the Department of Public Health serves as an inspectional authority.

#### IV. DEFINITIONS:

- A. **Cell:** Any room within a lockup used or intended to be used by a police officer for forced detention of an adult for longer than eight hours until such time as he/she is released, bailed, or arraigned. Cell shall also mean a juvenile detention room.
- B. **Cell Block:** The area(s) within the lockup facility designed for the custody of male, female, or juvenile detainees. For purposes of this area, the cell block area will include those areas where a detainee is permitted to go while in custody.
- C. **Holding Facility – Lockup Area:** The holding facility includes those facilities, or parts of the facilities, within the police station that is used for forced detention of individuals. The lockup area includes the holding cells and common hallways to which the cells open, Status Offender holding area, meeting rooms, booking areas, sally port, transfer area, and processing area.
- D. **Sally Port Area:** The sally port area includes the garage area that is specifically designated for the access and security of the Patrol Wagons and the movement of detainees into the holding facility.
- E. **Transfer Area:** The transfer area is a secured area, adjacent to the sally port garage and designed to temporarily hold and secure detainees who are either being escorted to the booking area or being moved from the cell block area to the sally port for transportation from the holding facility. Prisoners placed in the

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<sup>3</sup> M.G.L. c. 147, § 18.

<sup>4</sup> M.G.L. c. 40, § 34.

<sup>5</sup> M.G.L. c. 40, § 36A-C.

transfer room will be subject to a personal check by detention officers at least every fifteen minutes and will be visually monitored from the detention office.

- F. Booking Area:** The booking area is where the detainee is brought to be processed by the booking officers.

**V. MANAGEMENT AND ADMINISTRATION:**

- A. Officer-in Charge of Holding Facility:** Although the ultimate responsibility for the management and administration of the holding facility rests with the Police Commissioner as “Keeper of the Lockup”<sup>6</sup>, the actual management of its operations has been assigned to a Commanding Officer who will be designated as the department’s Holding Facility Manager. It shall be the responsibility of the Holding Facility Manager to oversee that the holding facility is being maintained in a safe and sanitary condition, and oversee that the procedures established for the management of the holding facility are properly carried out. It is also the responsibility of the Holding Facility Manager to carry out the following duties:

1. Performing periodic inspections of the facility to ensure compliance with this policy, applicable laws, and Codes of Massachusetts Regulations;
2. Complying with changes to law or regulation regarding the operation of the holding facility;
3. Reviewing and publishing the evacuation plan;
4. Coordinating corrections to any deficiencies; and
5. Reporting to the Police Commissioner any deficiencies to the facility or security issues that the Holding Facility Manager does not have the authority or resources to address.

- B. Booking Reports Maintained:** The booking report will be kept in the prisoner’s property bin until his/her release. Following the prisoner’s release, the booking report will be submitted through normal reporting channels. The Booking Report shall be maintained as part of the permanent record of the arrest. Information contained in the arrest records will only be disseminated in accordance with the provisions of the Criminal Offender Record Information (C.O.R.I.) Law<sup>7</sup> and the Fair Information Practices Act<sup>8</sup>.

- C. Separation of Adult and Juvenile Records:** Juvenile Arrest Records shall be maintained separate from Adult Arrest Records.

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<sup>6</sup> M.G.L. c. 40, § 35.

<sup>7</sup> M.G.L. c. 6, §§ 167-172.

<sup>8</sup> M.G.L. c. 66A.

**VI. HOLDING FACILITY TRAINING:<sup>9</sup>**

- A. Personnel to Receive Training:** Supervisory officers, sworn officers assigned to the Holding Facility (including Relief Officers and Patrol Wagon Officers), Police Matrons, and other employees who have direct, continuing contact with detainees shall receive training when hired, and periodic in-service training at least once every three years, in the following areas:
1. Application of physical restraints;
  2. Search of detainees;
  3. Emergency and fire suppression procedures;
  4. Holding facility equipment (e.g., panic alarms, booking cameras);
  5. Departmental policies and procedures on the operation of the holding facility; and
  6. Suicide prevention.<sup>10</sup>
- B. Training Content:** Training shall be consistent with the officer's duties and responsibilities.
1. Any officer or employee assigned to the Holding Facility, and all Police Matrons, whether full-time or part-time, shall be fully trained in accordance with the Municipal Police Training Committee guidelines for preventing suicide of detainees in lockup.<sup>11</sup>
  2. Inclusive in this training shall be holding facility security measures and procedures, handling emergency situations, supervision of prisoners, pertinent legal issues, humane and legal rights of prisoners, and detention procedures for unusual or special prisoners such as females, juveniles, mentally disturbed individuals, and handicapped persons.<sup>12</sup>
  3. Training will also be compulsory in methods of physical restraint so that, when necessary, control of violent or disorderly persons can be obtained with the minimum amount of discomfort and danger to both the officers attending to the detainee and the prisoner.
  4. Orientation training will also be provided to those employees of the department who do not necessarily work in direct contact with detainees, so

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<sup>9</sup> CALEA Std. 72.1.1 – A written directive requires that personnel receive initial training on the operations of the holding facility, to include fire suppression and equipment provided for se by the agency, and retraining at least once every three years.

<sup>10</sup> M.G.L. c. 40, § 36C.

<sup>11</sup> M.G.L. c. 40, § 36C.

<sup>12</sup> M.G.L. c. 40, § 36C.

that they understand the applicable restrictions in accessing the holding facility and having contact with detainees.

5. All personnel promoted to supervisory positions will complete a refresher course in suicide prevention.
6. Training documentation on all orientation and training courses will be kept on file by the Training/Certification Unit Commander, along with the training records of those personnel who have completed the prescribed training.

**C. Access to Holding Facility Areas by Nonessential Personnel:**<sup>13</sup> Nonessential persons, including department employees, shall not be allowed access to the Booking Room, Male Cellblock area, and Female Holding area without the permission of the Shift Commander or other superior officer in consultation with the Shift Commander. This includes maintenance personnel, the press and tour groups.

1. In considering whether to grant such permission, the Shift Commander will base his/her decision on whether such access to any of the aforementioned holding facility areas, will constitute violation of the detainee's privacy, impede facility operations, or frustrate future prosecutions.
2. After sanitation or maintenance personnel have left any of the holding facility areas, the Shift Commander will ensure that the area is inspected for any tools or other items that may have been left behind.

## VII. SAFETY AND SANITATION:

**A. Fire Prevention Practices:** The Police Commissioner along with the Holding Facility Manager will confer with local Fire Department officials to ensure that the holding facility areas have sufficient and adequate fire prevention practices and procedures in place that meet with regulatory codes and regulations.

1. The facility shall be equipped with both an automatic fire alarm and heat/smoke detection systems that are approved in writing by state or local fire officials.
2. The type and location of fire suppression equipment shall be approved in writing by state or local fire officials.

**B. Testing of Fire Suppression Equipment:**<sup>14</sup> It shall be the responsibility of the designated Holding Facility Manager to ensure that fire detection and suppression

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<sup>13</sup> CALEA Std. **72.1.2** – *A written directive governs access of nonessential persons to the holding facility.*

<sup>14</sup> CALEA Std. **72.3.1** – *The facility has an automatic fire alarm and heat and smoke detection system, fire equipment approved in writing by state or local fire officials, and a written directive prescribing fire prevention practices and procedures, to include:*

equipment are tested on a regular basis. All such tests shall be recorded and maintained on file by the Holding Facility Manager.

1. The testing of the fire alarm system will be conducted as part of the quarterly inspections that are conducted by the Cambridge Fire Department.
2. All inspection reports received from the Fire Department will be forwarded to the attention of the Holding Facility Manager, along with any other correspondence that may take place in response to deficiencies or corrections made as a result of those reports.

**C. Physical Conditions of the Holding Facilities:** The holding facilities within the Police Station will provide the following minimum conditions for detainees (105 CMR 470):

1. Adequate lighting as required by the local building code enforcement official;<sup>15</sup>
2. Circulation of fresh air or purified air in accordance with the local health standards;<sup>16</sup>
3. Access to a flushing toilet;<sup>17</sup>
4. Access to drinking water;<sup>18</sup>
5. Access to a wash basin or shower for detainees held in excess of eight hours;<sup>19</sup>
6. Hot water within a range of 110 to 130 degrees Fahrenheit;<sup>20</sup>
7. A bed and bedding (blanket)for each detainee held in excess of eight hours,<sup>21</sup> and
8. Each cell in the cellblock shall be equipped with a protective screening of high impact, transparent wall facing.<sup>22</sup>

**D. First Aid Kits Accessible in Holding Facilities:**<sup>23</sup> First Aid kits shall be maintained in the Holding Facility area (in a designated cabinet) and shall contain sufficient medical supplies to provide immediate first aid until such time as medical assistance arrives.

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- a. *A weekly documented visual inspection and a semiannual documented testing of fire equipment; and*
  - b. *A daily visual inspection and documented testing of the automatic fire detection devices and alarm systems as required by local fire code.*

<sup>15</sup> 105 CMR 470.375.

<sup>16</sup> 105 CMR 470.350.

<sup>17</sup> 105 CMR 470.302.

<sup>18</sup> 105 CMR 470.310.

<sup>19</sup> 105 CMR 470.303; 304(c).

<sup>20</sup> 105 CMR 470.305.

<sup>21</sup> 105 CMR 470.102.

<sup>22</sup> M.G.L. c. 40, § 36B.

<sup>23</sup> CALEA Std. **72.6.2** – *A first aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.*

1. The Holding Facility Manager will ensure weekly inspections of these First Aid kits to make sure that they are properly stocked at all times.
2. The Shift Commander on the Sunday day shift of each week will check the First Aid kits. An administrative note will be made into the daily journal.

**E. Daily Inspections of the Holding Facilities:**<sup>24</sup> It will be the responsibility of the Shift Commander of the day shift to have a daily inspection of the Holding Facility (including the Booking Room, Male Cellblock and Cells, Juvenile Holding Areas, Female Cellblock and Cells, and Interview Room) to ensure that the facility is secure and is being maintained in a sanitary manner. The inspection will consist of the following checks:

1. *Booking Room Areas:* The inspection of the Booking Room areas involves an assessment of the general overall cleanliness of the room and the proper storage of the supplies and equipment that are maintained in this room. The inspection of this area will take into account the following:
  - a. Ensure that nothing has been left in the room, such as furnishings, equipment, or other personal belongings, other than those items that are to be maintained in the Booking Room.
  - b. The walls, ceiling and floor should be clear of any debris, spills, or marks. The lights should be in good working order, the climate in the room is maintained at a comfortable level, and that there is no evidence of vermin and pests.
  - c. The booking desk should be clear of any papers or other items that do not belong on the booking desk. Any report forms that are inadvertently left in the booking room should be forwarded on for processing, or if they have no value, they should be properly destroyed.
  - d. The equipment that is normally maintained in the Booking Room area is left in its normal standby state of readiness, such as, the computer terminal logged off, the printer has been left in its proper standby mode, the key for the male cells is kept in the key cabinet, and the containers for prisoner's property are properly maintained.
  - e. The supplies that are normally maintained in the Booking Room & Processing areas are properly stocked to include: Complaint Application forms, fingerprint cards (State Bureau of Identification, Criminal, and Applicant Cards), backup Booking forms, O.U.I. forms, computer paper, disposable gloves, antiseptic wipes, mouth pieces for the Breathalyzer, self-sealing clear plastic bags for prisoner's property, Miranda Rights forms, and Prisoner Property Accountability forms.

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<sup>24</sup> CALEA Std. 72.4.6 – A written directive requires a documented security inspection, including searching for weapons and contraband, of the holding facility at least weekly.

- f. The cameras that are used to record the booking process are in good working order.
  - g. Ensure that the First Aid kit is maintained in its cabinet and that there is no obvious need for replenishing the supplies that are maintained in the First Aid kit.
  - h. Make sure that the emergency evacuation plan is properly posted.
2. *Male Cellblock Area & Cells:* Aside from checking the overall cleanliness of the male cellblock area and the cells, the Shift Commander is also responsible for ensuring that the panic devices and cameras are properly working. The inspection of this area will include the following:
- a. Inspect the cellblock door and cell doors, locks (check for operational wear and any possible tampering), ventilator covers and light fixtures are properly secured, cell toilets and sink facilities are clean and operational, audio and video equipment is working properly, and beds in each of the cells are not in need of any repair.
  - b. The inspection of the cells shall also include a search of each of the cells for any weapons or contraband that may have been hidden in the holding areas.
  - c. Ensure that the cellblock area and cells are clear of any items that may have been left behind, and the cellblock area is generally clean. Any other items found in any of the cells should be removed and properly disposed of.
  - d. The walls, ceilings and floors should be clear of any debris, spills, or marks. The lights should be in good working order, the climate in the room is maintained at a comfortable level, and that there is no evidence of vermin and pests. Ensure that the eye wash stations located in the cellblock area are operational.
  - e. Ensure that the panic buttons and panic alarms located in the cellblock area are properly working.
  - f. Ensure that the fire alarm devices have not been damaged and appear to be in good working order. If it appears there may be something wrong with any of the fire alarm devices, the Cambridge Fire Department will be notified.
  - g. The Prisoner Property Room maintained in the cellblock should be checked to make sure that nothing has been left in the room except for a blanket that has been designated for each of the cells. Any missing blankets should be replenished.
3. *Juvenile Holding Areas:* Although the Juvenile Holding Areas (including the Status Offender Holding area) are rarely utilized to detain juvenile offenders, the Shift Commander should ensure that it is generally clean and free of any

evidence of vermin or pest infestation. The inspection of this area will include the following:

- a. A check of the sink and toilet to make sure it is working properly and clean.
  - b. Check to be sure that the lights are working. The lights in the Juvenile Holding Area should be kept off when not in use.
  - c. The door to the Juvenile Holding Area should be kept closed following the inspection.
4. *Female Cellblock, Cells, and Matron’s Office:* When inspecting these areas, the Shift Commander should ensure the female holding cell and the interview room is clean and properly maintained. The inspection of this area will include the following:
- a. Inspect the cell area to be sure it is clean and nothing has been left in the cell other than the sanitary supplies. Ensure that the toilet and sink are properly working and clean. Ensure that the lights are working and that the coverings of the light fixtures and air vent are intact and have not been tampered with in any way.
  - b. Inspect the cellblock area, cells, and the adjoining Matron’s Office to be sure that it is free of any evidence of vermin or pest infestation.
  - c. The inspection of the cell shall also include a search of the cell for any weapons or contraband that may have been hidden in the holding areas.
  - d. Nothing should be left in the Interview Room with the exception of a table and four chairs. Anything left behind in this room should be removed from the room and properly disposed of. The room should be checked to be sure that it is maintained at a comfortable climate level, and that the lights are working properly.

1. **Record of Inspections & Security Checks:**<sup>25</sup> Once the inspections and security checks of the noted holding facility areas are completed, the Shift Commander will ensure a record of the inspection is entered in the daily log by placing an administrative note in QED. It is the responsibility of the Holding Facility Manager to verify the daily inspections have taken place and to conduct weekly staff inspections of the holding facility areas to make sure there is no need for any corrective action or repairs.

- 1. During the course of these inspections, the Shift Commander is expected to take corrective action with respect to any noted deficiencies that may be encountered. A note should be made in the daily log entry regarding any

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<sup>25</sup> CALEA Std. 72.4.6 – A written directive requires documented security inspection, including searching for weapons and contraband, of the holding facility at least weekly.

deficiencies or problems that may have been encountered during the inspection.

2. Any situation that cannot be corrected at the time of the inspection is to be reported to the Holding Facility Manager.
3. If the Shift Commander does discover any contraband or weapons in the cell, the Shift Commander is to conduct a thorough investigation in an effort to ascertain the circumstances of how and when said items could have been left in the cell and determine why these items were not discovered during the inspection of the cell after a prisoner has been taken from the cell. This investigation is to be fully documented, and the report is to be channeled to the Holding Facility Manager and the Police Commissioner through the appropriate chain of command.
4. If the Shift Commander determines that a holding cell is not suitable for use or not passing inspections, the cell shall not be used to hold detainees until corrective action is taken. The Shift Commander will secure the cell door and post a notice of what corrective action is needed.

## VIII. SECURITY AND CONTROL:

- A. **Key Control for Cells:**<sup>26</sup> The keys for all of the detention cells will always be maintained in the Booking Area at all times. A second set of keys will also be maintained in the Vault located at the Front Desk, in the event the keys are misplaced, or if the need should arise where a back up set of keys will be needed.
- B. **Condition of Unoccupied Cells:**<sup>27</sup> The cellblock door shall remain open at all times, unless there is a specific reason to secure it. All unoccupied cells shall be left unlocked and the doors in a fully opened position. The purpose of keeping these doors open is to facilitate an officer who is attempting to place a prisoner in the cell. If a cell is considered not suitable for use, it is to be closed, locked, and posted.
- C. **Entering Occupied Cells:**<sup>28</sup> As a general rule, officers are not to enter the Booking Room areas or Cellblock areas while armed with their firearms. Officers may enter an occupied cell only when there is an absolute need to do so. As a general and preferred practice, at least two officers will be present if it becomes necessary for an officer to enter an occupied cell. At least one officer shall remain outside of the cell at all times, unless it becomes necessary for that officer to assist the officer(s) who has already entered the cell.

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<sup>26</sup> CALEA Std. **72.4.3** – A written directive governs control and use of electronic and manual keys.

<sup>27</sup> CALEA Std. **72.4.4** – A written directive specifies which holding facility doors are to be secured and when.

<sup>28</sup> CALEA Std. **72.4.2** – A written directive governs conditions under which an employee enters an occupied cell.

- D. Security Search of the Cell:**<sup>29</sup> Prior to placing a prisoner in a cell within the holding facility, the booking officer shall conduct a security search of the cell, including a search for weapons and contraband. Any unusual conditions observed shall be reported to the Shift Commander, who will file a report to the Holding Facility Manager. An individual will not be placed in a cell where the officer has noted any unusual conditions. A similar search of the cell will also be conducted immediately following a prisoner being removed, prior to being returned or released from the cell. Any damage or unusual conditions found shall be reported in the same manner and the arrestee appropriately charged.
1. While conducting the security search of the cell, the prisoner should be held outside the cellblock in the presence of another officer. An officer should never enter a cell to conduct a security check, while the prisoner is left unattended or while the prisoner is present in the cell during the check.
  2. The security check of the cell should include a visual inspection of the toilet facilities for any loose fixtures or foreign objects in the cell.
- E. Securing the Cell Door:**<sup>30</sup> Whenever an officer closes a cell door to incarcerate a prisoner, the officer shall test the door to be sure it is securely locked. Any problems in securing a cell door should be reported to the Shift Commander, who in turn will file a written report to the Police Commissioner via the Holding Facility Manager of the cellblock. If a problem is encountered when attempting to secure the cell door, the prisoner should be moved to another cell, after a security check has been performed of that alternate cell.
- F. Cell Monitoring Equipment:**<sup>31</sup> Whenever a person is placed in a cell, all available monitoring equipment will become active for that cell, and shall remain on for as long as someone is being detained there. These measures are being taken to ensure the safety of the detainee and police personnel.
1. It is the responsibility of the Shift Commander to ensure the proper monitoring of all persons held in the holding facility is carried out.
  2. There is no attempt in this procedure to violate the personal privacy rights of individuals held in the facility.
  3. The surveillance devices are never to be used for covert purposes.
- G. In-Person Well-Being Checks:**<sup>32</sup> The Shift Commander shall be responsible to ensure that a physical in-person well-being check is made of the detainee while in

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<sup>29</sup> CALEA Std. **72.4.5** – A written directive requires a security check, including searching for weapons and contraband, prior to and immediately after each use of a cell.

<sup>30</sup> CALEA Std. **72.4.4**.

<sup>31</sup> CALEA Std. **72.8.2** – If audio and/or visual electronic surveillance equipment is used, a written directive specifies that the equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.

<sup>32</sup> CALEA Std. **72.8.1** – A written directive requires 24-hour monitoring of detainees by agency staff, including a face to face count of the detainee population at least once every shift, and establishes procedures to ensure that the detainee is visually observed by the agency staff at least every thirty minutes.

the cellblock at least every fifteen (15) minutes, and all such checks will be properly recorded.

1. Except in the case of a potentially suicidal person, it will be up to the discretion of the Shift Commander to determine if constant or more frequent than the 15 minute monitoring of a prisoner is needed.
2. The officer performing the in-person checks will record the checks by entering their personal code into the access panel at the entrance of the cellblock and again when exiting the cellblock at the rear door of the cellblock area.<sup>33</sup>
3. Anything that is noticed as being out of the ordinary with regard to the condition of the prisoner is to be immediately brought to the attention of the Shift Commander. A notation will be made in the medical tab of the booking form, and the officer complete any other reports requested by the Shift Commander.
4. Anytime there is a prisoner in the isolation cell, an officer will conduct a wellbeing check every 15 minutes, and will make a notation of the wellbeing check on the detainee's booking form (ensuring that the time of the check is part of that notation).

**H. In-Person Contacts by Employees of the Opposite Gender:**<sup>34</sup> When an employee is to have contact with a detainee, whenever possible, at least one employee of the same gender as the detainee will be present. If an employee is conducting the fifteen-minute in-person well-being checks of a detainee of the opposite gender, the employee will respect the detainee's privacy within the limits of facility security.

1. If the person performing a well-being check of a male is of the opposite sex, the individual performing the check, will take steps to afford the subject adequate privacy if the subject is using the toilet facilities. In other words, the individual performing the check will wait outside of the cell block if the subject is using the toilet facility, unless the person performing the well-being believes that the subject may be in need of some assistance, in which case additional assistance will be summonsed, and the subject will continue with the well-being check.

**I. Change of Shifts:**<sup>35</sup> Upon each change of shifts, the incoming Shift Commander shall be informed by the Shift Commander being relieved as to the number of prisoners being detained in the holding facility. The incoming Shift Commander shall do a physical check to verify the condition of those being held prior to accepting custody of said prisoners.

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<sup>33</sup> M.G.L. c. 40, § 36B.

<sup>34</sup> CALEA Std. **72.8.3** – *A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.*

<sup>35</sup> CALEA Std. **72.8.1.**

- J. Use of Tools/Culinary Equipment:**<sup>36</sup> No tools or culinary equipment will be allowed in the cellblock area, except with specific authorization from the Shift Commander.
1. Any tools brought in for use in routine maintenance by outside maintenance personnel will be allowed into the cellblock area by permission of the Shift Commander. After the work is complete the Shift Commander is to be notified and will ensure that all tools are removed from the cellblock area at that time.
  2. Any culinary equipment allowed into the cellblock area by permission of the Shift Commander.
  3. Typically, a prisoner will only be allowed those types of foods which do not require any culinary equipment, such as, sandwiches, soups which can be drunk, donuts, beverages which have been pre-mixed, etc.
- K. Threats Directed at the Facility:**<sup>37</sup> Any threat, indicated or perceived, against the structure of the police facility or departmental personnel, which an officer considers to be serious in intent, shall be reported immediately to the Shift Commander. Upon being notified of the threat, the Shift Commander shall take whatever action he/she deems necessary to negate the effect or consequences of the threat, and the appropriateness of notifying the Duty Chief. The Shift Commander shall file a written report of the incident to the Holding Facility Manager, who will forward such report to the Police Commissioner through the appropriate chain of command.
- L. Access to Phones in Cells:** Each holding cell contains a TIPS (Texas Inmate Phone System) phone controlled by the booking officer. The phones shall remain turned off unless the Shift Commander authorizes activation to make an approved call. If authorized by the Shift Commander, the phone may be turned on and the prisoner may be authorized to make collect calls. Both the Shift Commander and the booking officer shall ensure that the prisoner does not contact the victim or any other prohibited parties. The Shift Commander shall at the start of each shift ensure that the phones are turned off and not operational.

## **IX. MEDICAL AND HEALTH CARE SERVICES:**<sup>38</sup>

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<sup>36</sup> CALEA Std. **72.4.7** – A written directive governs control of tools and culinary equipment.

<sup>37</sup> CALEA Std. **72.4.11** – A written directive requires a documented report of all incidents that threaten the facility or any person therein.

<sup>38</sup> CALEA Std. **72.6.3** – A written requires that the detainee “receiving screening” information be obtained and recorded when detainees are admitted to the facility and before transfer to another facility. Receiving screening must include an inquiry into:

- a. current health of the detainee;
- b. medications than by the detainee;
- c. behavior, including state of consciousness and mental status; and
- d. trauma markings, bruises, lesions, jaundice, ease of movement, etc.

- A. Screening of Prisoners:** The prisoner shall, upon arrival at the police station, be received and screened by the Booking Officer. This screening shall consist of questions that are in compliance with the Suicide Prevention Law<sup>39</sup>, as well as a brief inquiry into: the current health of the prisoner; any medications being taken; behavioral observations, including consciousness and mental status; and, a notation of any obvious body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc. All observations shall be noted on the Medical Section of the QED Booking Form. Upon release or transfer of the prisoner, receiving/screening information shall be re-checked and any changes from the condition upon entry into the facility shall be further noted on the form.
- B. Examination for Injuries:** In compliance with the statute requiring examination of prisoners by the Shift Commander, a visual examination will be made of the prisoner for the purpose of detecting any cuts, bruises, other injuries or apparent illnesses.<sup>40</sup> If any injuries do exist, the Shift Commander shall inquire as to whether these injuries were sustained during or prior to the arrest. Any detected injuries or illnesses will be made part of the Medical Section of the QED Booking Form, and the Shift Commander will file a written report to the Holding Facility Manager of any injuries sustained during the arrest.
- C. Attending to All Injuries and Illnesses:** A first aid kit shall be maintained in a prominent location within the Booking Area, and shall contain first aid materials necessary for light emergency medical treatment. All injuries or illnesses either reported by the detainee or observed by the officers will be attended to immediately.
- D. Scope of Medical Treatment by Personnel:** No officer shall be allowed to go beyond the scope of his/her training in administering to the emergency or special medical needs of any person held in the custody of this department. This scope of treatment or intervention is determined by the level of emergency medical training of the individual members of the department (i.e., CPR, First Responder, EMT, etc.).
- E. Providing Medical Treatment or Intervention:** Any person requesting and/or deemed in need of further medical attention shall be transported to the Emergency Room of the nearest hospital. Any time a prisoner requests medical treatment or is deemed to be in need of medical intervention, a notation will be made on the medical tab in the booking reports, and the officer will complete any other reports requested by the Shift Commander.

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<sup>39</sup> M.G.L. c. 40, § 36A-C.

<sup>40</sup> M.G.L. c. 276, § 33.

- F. Transferring a Prisoner to a Medical Facility:** When transfer of a prisoner to an area hospital is necessary, the extent or nature of the illness, injury, or psychological concerns shall determine the mode of transportation to be used (i.e., ambulance or cruiser). The decision shall be that of the Shift Commander. When transporting by ambulance, a police officer shall accompany the prisoner in the ambulance. Transportation via cruiser should be done with two officers whenever possible to do so. Transportation of a prisoner to a medical facility will be done in accordance with the department's policies entitled, **#650 – Transportation of Detainees & #651 – Transporting & Guarding Detainees Requiring Hospitalization**. An officer will be assigned to remain with the prisoner at all times while the subject remains in custody of this agency unless otherwise directed by the Shift Commander.
- G. Prisoners' Use of Medications:**<sup>41</sup> At the time of the Booking Process, if it is determined that the detainee has been prescribed medication, the officers will determine need and urgency of taking such medications, the frequency in which the medications are to be taken, the last time the medication had been taken, and when the detainee is scheduled to take the next dosage. The medications will be taken from the prisoner and held with his/her other personal belongings. The booking officer will advise the Shift Commander of the fact that the detainee is in possession of prescribed medications. The following guidelines will be observed with respect to the administration of prescribed medications and over the counter medications:
1. *Medication:* Detainees will be permitted to take any necessary medications, prescriptions, or over the counter drugs that have been specifically prescribed in writing by a licensed medical provider, provided that the administration of the drugs are requested by the detainee.
    - a. Only medication contained in its original container may be given to the detainee.
    - b. Only the quantity of medication specified by the prescribing licensed medical provider shall be given to the detainee.
    - c. Any medications brought in by a detainee, or given to him/her in the course of treatment that the detainee may require while in department custody, shall be retained with the detainee's property.
    - d. If there is any question concerning the proper administration, the validity of the prescription or the identity of the medication, the Shift Commander may either confer by telephone with a qualified medical physician or pharmacist before providing the detainee with the medication, or the detainee may be transported to the hospital and the medication be administered there.

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<sup>41</sup> CALEA Std. **72.6.5** – *A written directive controls distribution and documentation of pharmaceuticals within the facility, to include over the counter medications and medications belonging to the detainee.*

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- e. The Shift Commander is responsible for ensuring that the appropriate dosage of medication noted on the label is given to the detainee.
- f. A written record of any medications provided to a detainee (noting the time) shall be maintained by making the appropriate notation in the Narrative Section of the QED Booking Form that is being used to track the detainee's activity while in custody with the department.

**NOTE:** M.G.L. c. 94C, § 9 prohibits the administration of a controlled substance by non-licensed persons. This statute does not prohibit the detainee the opportunity to self-administer medication in accordance with label directions.

## X. **DETENTION OF JUVENILES AND/OR FEMALE PRISONERS:**<sup>42</sup>

- A. **Booking Process:** All juvenile offenders and adult female prisoners will go through the prescribed booking process, however, when it comes time to place either juvenile offenders or adult female prisoners into a holding area, the procedures described within this section will be observed.
- B. **Procedures When a Juvenile is Arrested:** When a child between the ages of 7 and 18 is arrested with or without a warrant:
  1. The Booking Officer shall:
    - a. Notify the probation officer for the district court or juvenile court for the judicial district in which the juvenile was arrested, and notify at least one of the child's parents, legal guardians, or the person with whom the child resides.
  2. The Shift Commander shall determine that probable cause for the arrest existed and the juvenile was and is treated in accordance with the law.
  3. The juvenile may be detained pending such notice and inquiry.
  4. The Department's Youth Family Service Unit should be informed of the arrest through the appropriate reporting channels.
  5. Lockup and other detention facilities shall be such as to prevent juveniles who are detained from coming in contact with adult prisoners and the facility must be approved in writing by the Commissioner of Youth Services.

**NOTE:** See policy and procedure entitled, *#460 - Juvenile Justice Guidelines* for further details on juvenile arrests.
  6. If a male juvenile must be placed into a holding facility because of violent behavior, the holding area that has been designated for juveniles will be used. Juveniles will not be placed into the cellblock area that is designated for adult

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<sup>42</sup> CALEA Std. 72.5.3 – *If males, females, and/or juveniles are required to be detained at the same time, their holding areas are separated from each other by sight and sound.*

detainees under any circumstances. Special care will be exercised in monitoring all juveniles who are held in custody.

- C. Female Holding Areas:**<sup>43</sup> Females (adult or juvenile) are not to be placed into the cellblock areas that are designated for male adult detainees under any circumstances. The female detainee (adult or juvenile) will be searched in the booking area by a female sworn officer or Police Matron (if available). The female detainee will then be escorted to the female holding area. The Shift Commander shall be responsible to ensure that a physical in-person well-being check is made of the detainee while in the cellblock at least every fifteen (15) minutes, and all such checks will be properly recorded.
- D. Transgender Prisoners:** With respect to the detention of transgender arrestees, officers shall follow the department policy entitled, *#231 – Preventing Gender Identity Bias*.

## **XI. HANDLING VIOLENT AND/OR INTOXICATED PERSONS:**<sup>44</sup>

- A. Isolation of Violent Prisoners:** Any prisoner who is uncontrollable due to the influence of alcohol or narcotic drugs, or is violent or otherwise self-destructive, shall, if transportation or removal to a detoxification or other mental health facility is not feasible, be isolated as deemed appropriate by the Shift Commander.
- 1. Medical Evaluation of Prisoners:* A determination needs to be made as to whether a prisoner whose behavior may be affected as a result of ingesting alcohol or some other substance (particularly as it may relate to an overdose or compounding effect from a combination of alcohol and/or drugs) as to whether it is prudent to have the subject medically evaluated. A subject who registers an extraordinarily high blood alcohol reading should be evaluated medically to be sure that the subject is not suffering from alcohol poisoning. If a subject is to be medically evaluated, the subject will be transported in accordance with the department's policies entitled, *#650 – Transportation of Detainees & 651 – Transporting & Guarding Detainees Requiring Hospitalization*.
  - 2. Psychological Evaluation of Prisoners:* In those instances where the subject may exhibit signs of mental illness, an evaluation should be made as to whether the subject should be evaluated by a mental health professional.

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<sup>43</sup> 105 CMR 470.402.

<sup>44</sup> CALEA Std. **72.5.4** – *A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.*

- a. If it appears that the subject is acting irrationally or potentially volatile, appropriate psychological assistance, such as the B.E.S.T. Team or transportation to the Cambridge Hospital Emergency Department, will be utilized. The Shift Commander will make a determination as to the best method of transporting the subject. If the subject should be restrained beyond the use of handcuffs because of the subject's behavior, it may be prudent to have the subject properly restrained and transported by ambulance, in which case such transportation will be done in accordance with the department policies entitled, *#650 – Transportation of Detainees & 651 – Transporting & Guarding Detainees Requiring Hospitalization*.
- b. If a psychological evaluator deems it appropriate to have the subject hospitalized for mental illness, hospital staff will make arrangements to have the subject evaluated by a "qualified" psychologist as defined by M.G.L. c. 123, § 18. This will mean that the court appointed psychologist is to be contacted to perform the psychological evaluation. Unless there are extenuating circumstances, the officer guarding the prisoner should remain with the prisoner at the hospital, and the follow-up psychological evaluation should be performed at the hospital.
- c. If the court certified psychologist determines that the subject should be hospitalized and the appropriate court order is executed (M.G.L. c. 123, § 18), the Shift Commander will see to it that arrangements are made to have the subject transported to the hospital that is to take custody of the subject. If the subject is to be transported by police cruiser, a minimum of two officers should be assigned to the detail, and the subject should be properly restrained so as to prevent his/her escape or from causing any injury to him/herself or others.
- d. Any action taken with respect to the psychological evaluation of a prisoner and the possible transfer of a prisoner will be made part of the officer's report who has been placed in charge of the prisoner's custody and/or transportation. A notation will be made on the medical tab on the booking report, along with other reports requested by the Shift Commander.

**B. Placing Violent Prisoners with Other Persons:** Under no circumstances shall this type of prisoner be placed in a cell occupied by another person. If segregation of the prisoner into a single occupancy cell is not deemed or found to be sufficient protection of the prisoner in the facility, the Shift Commander shall take such action as is legal, safe, and effective to restrain any actions by the prisoner that would be detrimental to him/herself, other occupants, the police officers on duty, and/or the facility.

**C. Segregation for Protection Purposes Only:** Segregation shall not involve any other penalization other than segregation itself. There shall be no abridgment of rights or privileges that would normally be granted any other prisoner.

- D. Reporting the Need for Segregation:** In all instances where a prisoner must be segregated because of violent behavior, it shall be noted within QED Booking Report, along with any other reports requested by the Shift Commander. The report should be sufficiently detailed to adequately describe the prisoner's behavior, and the reasons for segregating the prisoner.
- E. Monitoring of Violent Prisoners:** Above and beyond all measures taken to protect to the prisoner, the Shift Commander should assess whether in-person checks of the prisoner should be more frequent than the fifteen (15) minute checks or continuous while the subject remains in custody. If such a determination is made, a notation will be made part of the report.
- F. Signs or Symptoms of Suicidal Behavior:** Any detainee who exhibits any signs or symptoms of suicidal behavior should be transported to the nearest available hospital or medical facility for evaluation. In the event that an individual brought to a hospital or medical facility for evaluation is returned to the holding facility for detainment, the Shift Commander shall institute a suicide watch (the detainee should be placed into the isolation cell, and more frequent wellbeing checks should be made) until such time as the detainee is released from custody or transferred to another agency.
- G. Attempts or Threats of Suicide:**<sup>45</sup> Whenever any detainee attempts or threatens suicide within the holding facility, the Shift Commander will ensure that within twenty-four hours of such incident, to record in the Department of Public Safety computer the name, address, and the age of the detainee, the charge or reason for detention, and the nature and date of the attempt or threat.

## **XII. RECEIVING PRISONERS FROM AN OUTSIDE AGENCY:**

- A. Identification of Person and Purpose:** It shall be the policy of this Department that before a prisoner is accepted for detention in the department's holding facility by a person unknown to the personnel on duty at the station, such person shall be required to show proper identification and appropriate credentials that certify his/her authority to make the arrest and commitment.
- B. Verification of Commitment:** The Shift Commander is responsible for making sure that any subject brought to the station by another agency or authority for processing and/or temporary holding has sufficient authority to do so. This may

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<sup>45</sup> M.G.L. c.40, § 36A.

involve conferring with the Shift Commander of that other agency or checking any warrants that the arresting agency may hold.

- C. Authorization for Commitment:** Only when the Shift Commander is satisfied that the arrest and confinement are legitimate shall the prisoner be received into the department's holding facility.
- D. Booking Process and Searching Precautions:** In terms of a detainee being brought to the police station for processing and/or temporary holding, the following procedures and guidelines will be observed:
1. The same security measures with respect to firearms and the handling of prisoners that would be observed by officers handling a prisoner in the Police Station will be observed by the arresting authority that has brought a detainee to the police station for processing and/or temporary detention.
  2. An officer from this department will be assigned to work with the other authority for the purpose of providing assistance and ensuring that the safeguards observed by this department are observed.
  3. The subject will be searched in accordance with department policy to be sure that the subject is not in possession of any weapons or items that could represent a threat to anyone. This search should be done with an officer from this department present, observing the requirements with respect to the detainee's gender.
  4. The Shift Commander will ensure that a report is submitted reflecting the fact that such assistance was provided to another authority and outlining the circumstances of the arrest and the probable cause for that arrest. The report will identify the reasons for such action, the full identity of the person brought to the station, and the name of the individuals who have charge and custody over the prisoner.
  5. The officer assigned to assist the other authority will ensure that the prisoner is afforded the same rights (Miranda Rights, right to a telephone, right to a Breathalyzer test if applicable, etc.) as he/she would if an officer of this department made the arrest. All prisoners will be processed through the normal booking procedures regardless of whether the prisoner has previously been booked by another agency or the prisoner is being booked as a "courtesy booking."

### **XIII. VISITATIONS, MEALS, AND PACKAGES:**

- A. General Condition of the Cell:** It shall be the responsibility of the Shift Commander to ensure that the conditions of all occupied cells remain sanitary while being occupied. This includes seeing to it that a cell is returned to its original state upon the release of a prisoner.

- B. Prisoner's Meals:**<sup>46</sup> Three meals will be provided to all prisoners during each 24-hour period. No more than fourteen hours shall elapse between any meals. The meals should be substantial enough to provide adequate nourishment for the prisoner.
1. *Meals brought to the Station for the Prisoner by Others:* Unless there are extenuating circumstances, such as, special dietary needs, meals and food brought in for a prisoner by a family member or friend will not be given to the prisoner. The Shift Commander will make a determination whether there is sufficient need to make such arrangements. In these cases, all meals or food shall be subject to a search by the Shift Commander prior to being allowed in to the holding facility.
  2. *Removal of Containers:* It shall be the responsibility of the Shift Commander to see that all containers, wrappers, and other items are removed from the cell upon completion of the meal.
  3. *Special Diets:* Any special diet that is required in accordance with treatment prescribed by a licensed physician will be granted whenever possible within the parameters of cost effectiveness and available resources.
- C. Access to the Holding Facility:** All access to the holding facility by non-police personnel shall be strictly limited to only those individuals approved by the Shift Commander. Any visitation with a prisoner shall be done in an area other than the cellblock area. The only location that may be utilized for this purpose is the Visitor Room. If a subject is admitted to visit with a prisoner, the following rules will be observed:
1. The person shall be required to properly identify him/herself. Positive picture identification, preferably a driver's license, is required.
  2. The person shall be notified prior to gaining access to visit with a prisoner that his/her person and belongings are subject to a search upon entrance to and exit from the visiting area. This search will be done at the discretion of the Shift Commander.
  3. Personal information pertaining to the individual shall be either added to the existing log entry or a separate log entry may be initiated. The information that should be contained in the log should include the following at minimum: full name, address, and relationship to the prisoner. The Shift Commander shall be responsible to ensure that the time the person enters and leaves the cellblock shall also be recorded.
  4. The visitation period shall be for a reasonable amount of time. This time period is up to the discretion of the Shift Commander, but in general, except in the case of an attorney, fifteen minutes should be sufficient.

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<sup>46</sup> M.G.L. c.40, §34.

5. Attorneys for the prisoner may be admitted to see a prisoner at any time for consultation with their client.
6. Immediate members of the detainee's family may be granted access to visit a prisoner; however, no more than two family members shall be allowed to visit with the prisoner at the same time.
7. Non-relatives or friends of the prisoner do not have visitation rights. It will be the decision of the Shift Commander regarding any special extenuating circumstances that might justify such individuals being allowed to visit a prisoner.
8. Members of the media shall have access to the cellblock area only when the area is unoccupied. No member of the media shall have access to the cellblock area when there is a prisoner being detained there, except with the specific authorization of the Police Commissioner. Such access shall be limited to the instructions given by the Police Commissioner.
9. Tour groups shall be allowed in the cellblock only when the cellblock is unoccupied.
10. In cases where the prisoner is moved to the Visiting Room to meet with an attorney, an officer shall be stationed immediately outside of the Visiting Room within the cellblock hallway.
11. The pass through ("mail slot") between the prisoner area and the visitor area of the Visitor Room shall be locked at all times. The Shift Commander shall maintain custody of the applicable keys.
12. Prior to returning a prisoner to the cell, a complete search will be made of the prisoner to ensure that he/she is not concealing anything on their person.
13. Any time a prisoner is removed from the cell, for any reason, the cell will be examined immediately following the removal of the prisoner, and prior to the detainee being returned to the cell.

**D. Acceptance of Packages for Detainees:**<sup>47</sup> Aside from those times when the department may accept special dietary meals for a detainee as provided in Part B. of this Section, the only other items that may be accepted for a detainee will be a change of clothing. At no time will the department accept any mail or packages that may be brought or delivered to the Police Station for a detainee being held. If clothing is accepted for a detainee, the following procedures will be observed:

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<sup>47</sup> CALEA Std. **72.8.4** – *If detainees are allowed to receive mail or packages while incarcerated, a written directive regulates procedures, to include:*

- a. *accepting and inspecting items;*
- b. *listing items which are not authorized;*
- c. *recording received items in the detainees' property record; and*
- d. *distribution to the detainee.*

1. The Shift Commander will be responsible for ensuring that all clothing brought to the Police Station for a detainee will be thoroughly inspected to be sure that there are no items, which can harm the detainee or be used to harm someone else. The inspection will be done in the presence of the individual who is bringing the clothing to the Police Station. The inspection is also done to determine that no contraband is being brought into the Police Station.
2. The name (personal identification, such as, date of birth, Social Security number, etc.), address, and relationship to the detainee, along with the time when the individual is in the Police Station will be made part of the booking report being used to document the activity involving the detainee. All clothing items that are accepted for the detainee will be itemized in the Prisoner's Property Inventory Form.
3. Unless the clothing brought to the Police Station is needed by the detainee prior to his/her release, the clothing items accepted on behalf of the detainee will be stored with the detainee's belongings.
  - a. If the detainee needs to change clothing while being detained, the officer will make arrangements to allow the detainee to change clothing, observing all of the noted safeguards within this directive. Any items that are not needed for evidential purposes should be itemized on the Prisoner's Property Inventory form.
  - b. If the clothing items are not needed until the detainee's release, then they will be held until such time that the detainee is going to be transported, at which point the detainee will be given an opportunity to change clothing. The clothing items taken off will be made part of the Prisoner's Property Inventory Form and will be transferred with the detainee's other belongings (refer to Section XVI of this directive).

#### **XIV. EVACUATION OF CELLBLOCK AREAS:<sup>48</sup>**

- A. Emergency Evacuation Plan:<sup>49</sup>** The booking area and holding facility is designed in such a way so as to minimize the movement and paths of access and egress for prisoners brought into the police station. For this reason there is only one way to be used in bringing a prisoner into and out of the booking area and holding facility. Fire suppression equipment has been placed in strategic locations in the booking area and holding facility. All such locations are clearly marked and readily visible. In the event there is an emergency requiring evacuation of this area, the following procedures will be observed:
1. If the smoke or fire alarm sounds, all non-essential persons will be evacuated from the building.

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<sup>48</sup> CALEA Std. **72.3.2** – *There is a written directive and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.*

<sup>49</sup> 105 CMR 470.440.

2. When the fire alarm activates all cell doors become unlocked. In this event E.C.C. shall immediately dispatch one sector car, one route car and one supervisor to the cellblock area to assist with the security of the prisoners. The Shift Commander may increase or decrease the response based on the circumstances.
2. ECC will be responsible for requesting the appropriate fire apparatus and, if necessary, emergency medical services.
3. The Shift Commander will be responsible for seeing that an investigation is initiated to determine the origin and nature of the fire emergency.
  - a. Sweeps of all areas of the building will be made to ensure that all non-essential personnel have vacated the building.
  - b. The Booking Officer and Station Relief Officer will be assigned to stand-by the detention facility in the event of an actual fire emergency that may require evacuation of the detention facility.
4. If an actual fire emergency is located, the officer locating the emergency will communicate the emergency to E.C.C., who will make sure that the responding fire apparatus are updated on the emergency.
5. If possible, the officer discovering the fire will attempt to suppress the fire emergency with available fire equipment. Closing the doors to the affected area will contain the area of the fire emergency.
6. In the event of an actual fire emergency, all prisoners or detainees in the building shall be taken to a secure, temporary holding area, under guard of at least one officer, and if necessary a police matron.

**B. Nature of the Fire Emergency:** Depending on the seriousness of the fire emergency, the Shift Commander will determine the necessity of removing prisoners from their cells, and whether they are to be moved to another location in the building or to another facility. The following are some guidelines the Shift Commander should take into consideration when making that decision:

1. *Minor Fire Emergency:* Prisoner(s) will be taken to another area in the building and remain under guard at all times. If the damage or the resulting condition from the fire emergency is such that the prisoners cannot be returned to the cell, then the prisoners should be transported to a neighboring police station where they will be temporarily housed. An officer from this department will remain with the prisoners until the prisoners are returned to this station, released or transferred to another authority.
2. *Major Fire Emergency:* Prisoners will be transported to another available detention facility in a neighboring community where they will be detained. An officer will accompany the prisoners and remain with them until such time they are returned to this department's holding facility, released from custody or transferred to another authority.

**XV. MAINTAINING CUSTODY OF PRISONERS:**

- A. Prevention of Escape:** All officers should always be cognizant of those conditions that may contribute to an escape on the part of a prisoner. Officers should realize that most deaths and injuries to police officers as a result of an escaping prisoner occur during handling, therefore, officers shall use the utmost caution when handling prisoners, as previously set forth within these procedures and those describing the handling and transport of prisoners.
1. Personnel who are not directly involved in the processing of a prisoner are to use caution when moving about in areas where prisoners are being processed.
  2. Officers are to be aware of the possibility of an attempt on the part of a prisoner to obtain a weapon, and therefore must ensure that all weapons are properly secured and/or rendered disabled (by removing the magazine from the weapon).
  3. Prisoners are not to be left unattended at any time during the post-arrest processing, unless confined in a detention cell.
- B. Specific Duties & Responsibilities:** To ensure that officers handle prisoners correctly and minimize the chances of an escape, specific areas of responsibility have been outlined as follows:
1. *Arresting and Wagon Officers:* The arresting and wagon officers are charged with the greatest care and responsibility when it comes to handling prisoners, to include the following safeguards:
    - a. Ensure the proper use of handcuffs and procedures regarding the search of detainees, incidental to the arrest.
    - b. Properly restrain the suspect in the patrol vehicle with handcuffs, and seat belt devices whenever practical and safe to do so.
    - c. Always be cognizant of maintaining proper weapon retention whenever handling or working with a prisoner.
    - d. Prior to removing the handcuffs from the prisoner, check the immediate area for any items, inadvertently left out that could be used as a weapon and remove them to a secure area.
  2. *Booking Officer:* The Booking Officer, along with any other officer assisting in the booking process will assume the care, custody and security of all detainees that have been brought into the Holding Facility. Those safeguards will include the following:
    - a. Ensuring that the detainee has been searched and perform another search for any weapons or contraband, and any other articles that could be used to injure/harm him/herself or others prior to beginning the booking process.

- b. Ensure that all of the booking procedures are followed in accordance with *Policy #665 – Detainee Booking Process*.
  - c. Check and monitor the detainee for any signs of injury or illness, and make sure the appropriate aid is rendered, in addition to making the appropriate notifications.
  - d. Ensure all of the checks are performed in accordance with the department's policy and procedures.
  - e. Ensure that all monitoring equipment is activated and regularly viewed for the purpose of checking on the wellbeing of detainees while in custody.
  - f. Ensure proper security measures are always followed, and detainees are never left unattended when not properly secured.
  - g. Ensure the cell area is searched prior to placing the prisoner inside the cell.
  - h. Ensure that the prisoner who is about to be placed in a cell has been thoroughly searched.
3. *Shift Commander*: The Shift Commander is charged with the security of the police station.
- a. The Shift Commander is responsible for overseeing all aspects of prisoner custody while a prisoner is in the station.
  - b. At no time, allow outside individuals who utilize meeting areas in the police station or who have business to conduct, to go into or through the booking area while a prisoner is being processed.
  - c. Ensure that officers who are processing prisoners follow all established procedures.
  - d. Ensure that whenever a prisoner is about to be placed into the detention facility that the area is thoroughly searched, and the facility is properly secured.
4. *Front Desk Officer*: The Front Desk Officer is to maintain a constant alert for trouble when prisoners are being handled by using the available audio/visual equipment installed specifically for that purpose, and appropriately respond to any alert or panic alarms that may be activated.
- C. Escape from Custody:**<sup>50</sup> The person discovering that a prisoner has escaped from custody shall immediately notify the Shift Commander. It then becomes the responsibility of the Shift Commander to verify that an escape has taken place. Caution should be exercised to avoid the potential of creating a hostage situation.
1. *Notification to Patrols & Surrounding Communities*: The Shift Commander is responsible for making sure that the patrols and surrounding communities are

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<sup>50</sup> CALEA Std. **72.4.10** – A written directive prescribes procedures to be followed in the event of an escape.

notified of an escape. The following telecommunications systems will be utilized to broadcast the alert and provide updates:

- a. ECC shall immediately broadcast to all patrol units the name and a description of the prisoner, the estimated time of escape, whether armed, and whether on foot or in a vehicle and the possible direction of travel;
  - b. ECC shall then broadcast the same information to other area law enforcement agencies over the regional radio (BAPERIN) system;
  - c. As soon as possible, a message shall be sent over the CJIS Terminal, advising other departments and agencies of the situation;
  - d. An immediate search shall commence at the direction of the Shift Commander; and
  - e. Should the escapee be caught, ECC, under the direction of the ECC Shift Supervisor in consultation with the Shift Commander, shall notify other law enforcement agencies of this fact through the appropriate communications channels, according to the time frame of the capture.
2. *Search for the Escapee:* The Patrol Supervisor or Sector Sergeant will coordinate all search efforts to include the police station and the surrounding area.
    3. *Use of Canine Dogs to Search:* The Shift Commander in consultation with the Patrol Supervisor or Sector Sergeant will determine if search dogs should be utilized for the purpose of searching for the escapee. Care should be exercised so as not to contaminate the area to be searched by the search dogs.
  4. *Notification of Department Officials:* The Shift Commander will be responsible for seeing that the Police Commissioner, through the Duty Chief, is notified of the escape.
  5. *Recalling Personnel:* After the Shift Commander has made notification to the Police Commissioner via the Duty Chief, it will then be determined as to the appropriateness of calling officers onto duty to assist in the search.
  6. *Use of Force:* Officers will adhere to the department's policy entitled, **#400.1 -Use of Force** when it comes to confronting an escaping prisoner. Care must be exercised so as not to create a substantial risk of injury to an innocent person when using such force (especially deadly force).
  7. *Incident Confined to the Police Station:* Should the incident of the escape be confined to the police station, the building will be secured and the surrounding area covered by available patrols.

- D. Documenting All Reportable Incidents:**<sup>51</sup> Whenever a situation arises which involves the detention facility, whether it be damage to the facility, an escape situation, where force must be used to contain a prisoner, a prisoner has been injured or dies, a separate incident report will be initiated.
1. Copies of the report will be forwarded to the Holding Facility Manager and the Police Commissioner through the appropriate chain of command.
  2. Any violations of the law that do take place will result in the appropriate charges being lodged against the offending individual.

## **XVI. GROUP ARRESTS AND OVERFLOW SITUATIONS:**

- A. Temporary Holding of Multiple Prisoners:** In the event of a group arrest, prisoners arriving at the station will be placed in the Transfer Room or otherwise secured as directed by the Shift Commander. All prisoners will be properly searched prior to being placed in a cell or other holding area. If circumstances allow, all prisoners will be segregated during and following the booking process.
- B. Booking Process for Multiple Prisoners:** Prisoners will be brought to the booking desk one at a time, as directed by the booking officer, to be booked and processed in accordance with the department's policy and procedure entitled, *#665 - Detainee Booking Process*.
- C. Allowances for Overcrowding Situations:** If, as the result of a group arrest, or at any time, the Shift Commander determines that the number of persons to be detained in the holding facility will exceed the number for which the facility was designed, he/she may authorize such use on a temporary basis.
1. The temporary overcrowding of this area is permitted under these circumstances, short of placing two individuals in the same cell, until such time that transferring or releasing persons being held can relieve the overcrowding situation.
  2. In order to accomplish this, the Shift Commander shall examine the list of prisoners and attempt to expedite the bail of the less serious offenders.
  3. If release of a sufficient number of prisoners to relieve the overcrowding of the holding facility is not possible, the Shift Commander shall request the aid of neighboring police departments in detaining prisoners in their holding facilities, with the use of department personnel to maintain adequate security and control of said prisoners.

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<sup>51</sup> CALEA Std. **72.4.11** – *A written directive requires a documented report of all incidents that threaten the facility or any person therein.*

4. The Shift Commander is authorized to call in such additional personnel as may be necessary to satisfy the additional requirements of the overflow situation.

**D. Mass Arrests Exceeding Maximum Capacity:** In the event a mass arrest situation exceeds the maximum capacity of the holding facility, a sufficient number of personnel will be assigned to provide sufficient security and control while processing takes place.

1. Detainees will be segregated by sex and age (keeping adult and juvenile detainees separated), and by the magnitude of the charges to be filed.
2. Prisoners who will not be detained after booking will be processed first and released once the booking process has been completed.
3. Officers will be assigned to assist in the booking process and security over the detainees. No detainees will be left unattended.
4. All available rooms (to include the juvenile and female cells, interview room, report room, and classroom) within the police station will be utilized to keep the detainees in groups that are manageable, based on the number of personnel available to complete the booking process.
5. If it appears that the number of detainees needing physical incarceration exceeds the capacity of the detention facility, then arrangements should be made through the duty magistrate or judge for detention in the jail until such time they can be properly processed.
6. In all cases where mass arrests are made, the Shift Commander will be responsible for notifying the Police Commissioner via the Duty Chief.
7. When it is anticipated that mass arrests will be made as a result of planned operation, arrangements should be made in advance to adequately handle the booking process in a facility better suited for such a large number of detainees.

**E. Alternative Detention Arrangements:** Once the booking process has been completed, and there are still more prisoners being held than the capacity of the department's holding facility (after the prisoners have been afforded an opportunity for consideration for bail), the Shift Commander will make arrangements with surrounding communities to transfer prisoners to those locations. All prisoners transported to another holding facility will be transported in accordance with the department policy entitled, *#650 – Transportation of Detainees*. Whenever a prisoner is transferred to another local department's holding facility, the following guidelines will be observed:

1. At least one officer will be assigned to remain with the prisoner(s) who are being held in another local department's holding facility.

2. The officer assigned will remain with the prisoner(s) who have been transferred to another local department's facility until properly relieved or where the prisoner(s) is able to make bail.

## **XVII. RELEASE OF A DETAINEE:**

- A. Positive Identification of the Detainee:** Every effort should be made to properly identify all prisoners during the booking process. In the event that a prisoner is unknown to the personnel on duty at the station, and positive identification (preferably a driver's license) cannot be obtained, the bail commissioner should be advised of this at the time of release.
  
- B. Return of Personal Property:** All personal property taken from a prisoner shall be returned to the prisoner upon release from custody.
  1. All items shall be compared to the items listed on the inventory report and the individual shall be requested to sign the form indicating that he/she has received the property.
  2. A refusal to sign shall be noted in writing on the inventory report by the officer releasing the property, signed and dated. A second officer will also verify what property has been returned to the prisoner, and that officer will sign the booking form in the appropriate space.
  3. Any items that were held for evidence or as contraband shall be indicated on the inventory report. The detainee will receive the receipt portion of the Property and Evidence Report form that lists the items being held by the department.
  
- C. Transferring Custody of Prisoners:** The following procedures shall apply in the event that a prisoner is transferred to another agency or to the court.
  1. The Shift Commander is responsible to ensure that the officer(s) or official(s) receiving the prisoner are informed, in writing, of any or all of the following circumstances:
    - a. The prisoner's name is in the C.J.I.S. computer and the Q5 query;
    - b. The prisoner exhibited signs or symptoms of a potentially suicidal person;
    - c. The prisoner attempted or threatened to commit suicide while being detained in the holding facility;
    - d. The prisoner has been evaluated at an area hospital and the results of that evaluation;
    - e. The prisoner has been the subject of a suicide prevention watch while being detained in the holding facility; and/or

- f. The escape potential of the prisoner or any special risk the prisoner may present.
2. The prisoner's property shall be turned over to the officer or official taking custody of the prisoner after an audit of the property was made (refer to policy entitled, **#650 – Transportation of Detainees** with respect to the transfer of prisoner's property).
3. The officer or official who is taking custody of the prisoner shall sign the inventory report, and the property shall be turned over to him/her and becomes that person's responsibility.

**D. Release of Juvenile Offenders in Custody:** A juvenile shall be released:

1. To a parent, guardian, or other responsible person upon acceptance on the written promise of such person to be responsible for the appearance of the juvenile in court at the required time and place<sup>52</sup>; or
2. To a probation officer upon the request by such officer that the juvenile be released to his/her authority.<sup>53</sup>
3. To a facility identified under the Alternative Lock-up Program upon their acceptance of the placement.
4. Except in the case of the issuance of a warrant (see below) in all circumstances where a request is made for the juvenile to be held the bail commissioner will be notified. If the conditions of bail can be met the juvenile may be released by the bail commissioner.

**NOTE:** If the arresting officer requests in writing that a child between fourteen and eighteen years of age be detained, and if the court issuing a warrant for the arrest of a child between fourteen and eighteen years of age directs in the warrant that such child shall be held in safekeeping pending his/her appearance in court, or if the probation officer shall so direct, such child shall be in a place of temporary custody commonly referred to as a detention home of the Department of Youth Services, or any other home approved by the Department of Youth Services, pending his/her appearance in court.<sup>54</sup>

**XVIII. DEATHS OCCURRING WHILE IN POLICE CUSTODY:**

- A. Notification to the Police Commissioner:** Whenever an individual dies, regardless of cause while in police custody, it shall be immediately reported to the Police Commissioner via the Duty Chief. It will be the responsibility of the Police Commissioner to immediately initiate steps to begin an internal investigation surrounding the circumstances of the death.

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<sup>52</sup> M.G.L. c.119, § 67.

<sup>53</sup> M.G.L. c.119, § 67.

<sup>54</sup> M.G.L. c.119, § 67.

- B. Providing Emergency Medical Assistance:** Whenever a detainee appears to have expired, the officer or employee finding the detainee will immediately seek to provide emergency medical assistance.
- C. Other Notifications Regarding Deaths:** In the event that a detainee dies while in the custody of this agency, it shall be the responsibility of the Shift Commander to make the following notifications<sup>55</sup>:
1. Middlesex County District Attorney's Office;
  2. Medical Examiner's Office.
- D. Investigative Reports:** The Shift Commander will be responsible for initiating a full initial investigation into the incident. All officers and employees who were in attendance, and/or who had last contact with the detainee will be required to file detailed reports. The investigative reports should, at minimum, include the following information:
1. Detainee's name, date of birth, age, and sex;
  2. Date and time of admission into the custody, and if incarcerated, date and time placed in a cell;
  3. Reason for placing the detainee in the cell or holding area;
  4. Log entries, noting the times when in-person physical checks were made;
  5. Circumstances surrounding the death; and
  6. Findings of other medical and investigative entities.

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<sup>55</sup> M.G.L. c. 40, § 36A.