

Salisbury University Police Department

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Salisbury University Police Department

CHAPTER 71 – PROCESSING AND TEMPORARY DETENTION

The Directives in this chapter relate to the function of temporary detention areas maintained by this department.

71.1 Authorization

71.1.1 Rooms Authorized for Detainee Processing, Testing and Temporary Detention

Officers often need to temporarily detain persons as part of the arrest and booking process or prior to transporting them to the Wicomico County Detention Center's Central Booking facility or other facility. Circumstances are often unpredictable and it may be necessary to use a room, space or area with the University Police Department to separate persons under arrest, maintain control, complete reports, conduct interviews and/or perform tests.

The University Police Department shall hold detainees for the shortest possible time, in temporary detention only, while officers complete paperwork for charging documents or complete processing for continuing investigation of an offense. Detainees will be released upon completion of paperwork or they will be transferred to another facility for continued detention or initial appearance by a Judicial Officer.

The University Police Department does not maintain holding cells but utilizes temporary detention areas/rooms for the purpose of detainee processing and detention. Room number 152A is authorized as the primary temporary detention room and room 158 is designated as the processing area but may also be used as a temporary detention area. Both rooms are equipped with a fixed bench which has a bar and ring for the purpose of securing the detainee while in detention.

Detainees (adult or juvenile) will be securely held, as necessary, in Room 152A or 158 once processing has been completed. Where there is a juvenile and adult held in temporary detention at the same time, juveniles detainees will only be securely held in Room 152A and adults will be securely held in Room 158.

The Patrol Commander shall be responsible for the overall operation and inspection of the temporary detention and processing areas.

71.2 Training

71.2.1 Initial and Retraining – Temporary Detention Rooms

The Patrol Commander shall ensure that all law enforcement personnel (sworn and civilian) receive training as to their role in the proper use, operation and maintenance of the temporary detention room(s) or area(s), to include care and handling of all detainees, fire suppression, evacuation, equipment, monitoring and officer safety issues. New personnel, sworn or civilian, will receive training prior to using/monitoring the designated areas and all personnel shall receive retraining every three years. Arresting officers shall be responsible to supervise their detainees unless arresting officers receive other instructions from a Supervisor who will be responsible for supervising the detainee him/herself or assigning this responsibility to another officer.

71.3 Temporary Detention Rooms

71.3.1 Procedures for Detention

- A. All detainees transported to the University Police Department will enter through the rear door of the Squad Room. The transporting officer will notify the Communications Center of his/her arrival at the rear of the building at which time Communications personnel will monitor, via video security cameras, the detainee's entrance into the building through the Squad Room door.

Video cameras are installed at strategic locations in and around the Police Department for the safety and security of personnel, vehicles or any potential problems related our the agency's functions. Locations include the rear parking area, Squad Room and Temporary Detention and Processing areas.

- B. Once the rear door is secured, officers will place their firearm in the wall-mounted lock box located in the Squad Room and retain the key on their person. Detainees will remain handcuffed during this process. At all times when a detainee is custody, two officers will be present, if available. Lockboxes are also available near the administrative entrance into the processing area.

At all times the officer in whose custody the detainee remains, shall be fully accountable for the supervision of the detainee and ensuring that all processing, searching and temporary detention of the detainee is completed in accordance with policy.

- C. All detainees will be thoroughly searched by the officer in control of the detainee upon entering the temporary detention area. This search will be conducted irrespective of whether the detainee was searched prior to entering the patrol unit. Once this search has been completed, the officer will thoroughly inspect the detention area prior to securing the detainee. This cursory inspection will ensure that there are no weapons, contraband or escape devices present.

- D. Detainees will then be securely held with handcuffs attached to the bolt installed on the bench.

- E. At all times when a detainee is held in either temporary detention area, video monitoring will be activated and viewed by Communications personnel regardless of whether detainees are attended by officers or unattended. If communications personnel observe an officer in distress, assistance will be summoned immediately via radio for other officers to respond to the detention area(s). If an officer is in distress and requires assistance while in either temporary detention area, he/she may use the panic button located in each room. Officers may also activate the panic button on their portable radio.

- F. Officers who take any person into custody and transports the person to SUPD's temporary detention areas will complete SUPD form 025 – Detainee Screening/Property Record. This form documents the reason for detention, date and time in and out of the facility, medical condition of the detainee and property in possession of the detainee which will be held by officers until the detainee is released or transported to another facility. This completed form will be placed in the case file after the detainee is released. **The Detainee Screening form is not required to be completed if detainees are transported directly to another facility.**

Additionally, officers will complete SUPD form 020 – Temporary Detention Log for Juveniles - which indicates the detainee's name, age, race, offense for which held, date and time in and out of facility. Officers will also complete the Arrest Ledger, form 021, for juveniles and adults.

- G. Officers will not dispense medications to, or allow self-medication by, detainees unless they are legal prescription medications that can be verified by a pharmacy, Physician's Desk Reference or detainee's health care practitioner. Detainees needing medications not in their possession at the time of their arrest will be afforded opportunities to place calls in order to have medications delivered. Officers will not transport detainees to their residence to retrieve medications.
- H. Neither temporary detention (room 152A or 158) shall contain more than two persons at any one time. Adult detainees will be of the same gender if held in the same detention room. Juvenile detainees will be of the same gender if held in the same detention room. Detainees (adult or juvenile) of the opposite gender will be separated using both detention areas. At all times when an adult detainee and a juvenile detainee are in the facility at the same time, the juvenile will be kept separate by sight and sound from adult detainees in accordance with the Juvenile Justice and Delinquency Act.
- I. Officers will not secure any person to any fixed object unless the person is in police custody.
- J. Juveniles who are in custody for a status offense (an offense that would not be criminal if committed by an adult) or non-offenders will NOT be secured by any means unless their behavior becomes criminal and charges placed accordingly. Status offenders will at all times be separated by sight and sound from adults and delinquent offenders.
- K. Juveniles who are in custody for a criminal offense shall only be held for up to six (6) hours for processing purposes (ie. awaiting release to a parent/guardian, transfer to a Department of Juvenile Justice facility, etc.)
- L. As the detention areas are used primarily for processing only, detainees do not receive mail, meals, etc.
- M. Officers will ensure that detainees receive necessary medical attention prior to arrest processing, if required. The Salisbury Fire/EMS personnel will be contacted immediately, via the police communications center, if medical assistance for the detainee is required. These situations may include: complaint of serious injury or illness, detainee exhibits bizarre behavior, ingests any non-food or non-prescribed substances, etc.
 - 1. If the medical emergency is of a serious nature that requires the detainee to be transported to a medical facility (Peninsula Regional Medical Center), one officer will accompany the detainee in the EMS unit.
 - 2. Communications personnel, upon approval of the Supervisor/OIC, will notify security personnel at the medical facility to make them aware of the situation and request assistance upon arrival at the facility. SUPD officers will comply with established security protocols of that facility. SUPD officers will maintain custody of the detainee until custody is formally transferred to another authority.
 - 3. If the detainee is admitted to the medical facility, the arresting officer will contact the On-Call Commander for direction regarding continued custody of the detainee or releasing the detainee from custody and making application for charges at a later date, upon consultation with the Wicomico County State Attorney.

71.3.2 Securing Detainees - Immovable Object

Detainees held in temporary detention areas may be secured to anchor devices such as a bolt or ring specifically designed for this purpose. Detainees will not be secured to chairs, desks or other objects not designed for temporary detention.

71.3.3 Security of Temporary Detention Rooms

As some detainees may pose a potential threat to themselves and agency personnel, safety precautions should be taken while in custody. As such, all personnel shall comply with the following:

- A. All officers, of this agency or another police agency, shall secure their firearm in the wall-mounted lock box located in the Squad Room or at the administrative entrance prior to entering the processing room or managing detainees. All weapons will be secured prior to handcuffs being removed from detainees. No employees or any other person will enter the temporary detention or processing areas while in possession/wearing a firearm.

Other weapons in possession of an officer may be carried into the detention areas (ie. utility knives, batons, chemical spray, etc) to be used only in the immediate defense of oneself and others. Evidentiary weapons will be placed in property/evidence lockers.

- B. Panic or duress alarms are equipped in the temporary detention areas Room 152A and 158. If an officer needs immediate assistance with a detainee who has become violent, is attempting to escape, etc, the officer will activate the panic alarm which will prompt Communications Center personnel to notify immediate assistance from other officers on-duty. Officers may also activate the panic button located on their portable radio.
- C. The detention areas are limited access areas. Only certain persons are located in these areas when a detainee is being held to include:
 - 1. Sworn personnel directly associated with the case or processing of detainee;
 - 2. Detainees;
 - 3. Medical personnel, as needed for the detainee in the event of illness or injury, who will be accompanied by sworn personnel at all times;
 - 4. Attorneys with the provisions that:
 - a. If the detainee is violent, or is at risk for escape, or has been so uncooperative to the point that officers deem it necessary to maintain physical control of the detainee, he/she will remain handcuffed and secured to the bench.
 - b. Otherwise, the detainee and his/her attorney will be permitted to confer in the interview room.
 - c. Video monitoring of the detention area will remain active.
 - d. Audio recording functions will be disabled to ensure privacy of the detainee and his/her attorney.
 - e. Detainees will be searched following direct contact with attorneys.
 - f. Direct contact with attorneys by detainees will be documented by the arresting officer in the case report.
 - 5. No other civilian personnel or visitors shall be permitted in the detention/processing areas unless authorized by the Chief of Police or Division Commander.

- D. Officers will exercise due care and diligence while taking all precautions to ensure that all detainees are properly and effectively restrained and monitored to avoid any risk of escape. In the event of an escape by the detainee, certain procedures will be followed:
1. The Communications Center shall request the immediate assistance of other SUPD officers on duty. University Police officers will offer assistance in order to recapture the detainee as soon as possible. SUPD communications personnel will broadcast via the radio the escapee's physical and clothing description, direction of travel and any other pertinent information regarding the escapee to all surrounding law enforcement agencies (Salisbury Police Department, Wicomico County Sheriff's Office, Maryland State Police, Fruitland Police Department, etc.) All University Police officers will make every attempt to locate the escapee and provide pertinent information to communications personnel for dissemination to other units and/or police agencies.
 2. The Squad Supervisor, after consultation with the on-call Commander, may activate the university's emergency alert notification system, as appropriate depending upon the circumstances. The Squad Supervisor is also responsible for ending the alert, if activated, and notifying all agencies contacted once the detainee has been apprehended. No officer shall end his tour of duty until the detainee is captured unless approval is given by the Squad Supervisor after consultation with the on-call Division Commander.
 3. The officer responsible for the security of the detainee will submit a detailed written report to the Chief of Police explaining the circumstances of the escape. This report will be completed and submitted prior to the end of the officer's tour of duty.
- E. Face-to-face visual observation of unattended detainees shall be made at least every 15 minutes. These visual checks will be documented on SUPD form 025 – Detainee Screening/Property Record. This record will be placed in the case file following the release of the detainee. These checks will be manually recorded regardless of video/audio monitoring by Communications Center personnel. More frequent checks made be made by the officer if circumstances dictate (ie. detainee is intoxicated, suicidal, etc.)
- F. The temporary detention areas (Rooms 152A and 158) are equipped with security cameras. Any time a detainee is held in one of these areas, the cameras will be activated within the Communications Center in order for Communications personnel to visually monitor the area. These cameras have recording capabilities: video and audio. These cameras will be activated the entire duration that the detainee is held within the facility with certain exceptions outlined in this policy (ie. detainee and attorney contact.)
- *Regardless of the video monitoring, officers will make physical checks of the detainee at least every 15 minutes.*
- G. Once a detainee is no longer held in either of these areas, the video cameras and audio capabilities will be deactivated.

Refer to 42.2.10 (G) Audio/Video Equipment

71.4 Temporary Detention Facility Conditions

71.4.1 Physical Conditions

The temporary detention/processing areas have adequate lighting and air circulation **per code**. Although not specifically located within either the designated temporary detention room or the processing area, detainees have access to water, restrooms, sink and a telephone in a timely manner. If the detainee requests the use of either of these, requests will be provided as soon as practical. Detainees who have been subjected to chemical spray will be provided the opportunity to flush their eyes. Telephone access shall be provided for the purpose of contacting counsel upon request of the detainee. At all times, detainees will remain handcuffed.

First aid kits are available for the treatment of minor injuries and are located in the processing area and other designated areas of the department. The Field Operations Commander will ensure that the kits are inspected regularly and replenished as necessary.

Refer to 71.4.3

71.4.2 Fire Prevention/Evacuation/Suppression

Salisbury University's Department of Campus Sustainability and Environmental Safety is responsible to ensure that the agency's fire suppression equipment is immediately available and functioning. There are fire extinguishers, fire alarm stations and smoke detectors located throughout the facility to include the Squad Room and detention areas.

In the event of an alarm or and actual fire, the Communications Center personnel will immediately notify the on-duty Supervisor and officer responsible for the detainee, if either the alarm or actual fire is not readily apparent to them. The first responding officer to the detention area(s) shall evacuate the detainee using the closest emergency exit. The detainee shall continue to be handcuffed and secured in the rear seat of the patrol vehicle until it is deemed safe to return into the building.

If practical, personnel will attempt to extinguish an actual fire using fire extinguishers available while Communications personnel notify the Salisbury Fire Department and Department of Environmental Safety to respond.

There are two evacuation routes from the detention areas which are posted in the Squad Room and in Room 158; the temporary detention and processing area. Officers will evacuate detainees using the rear door of the facility or, other available exit doors within the facility if circumstances prevent exiting via the rear door to the rear parking lot area.

71.4.3 Inspections and Administrative Review

The temporary detention areas shall be inspected by officers prior to and following the placement of a detainee within the designated temporary detention areas. This cursory inspection will ensure that no weapons, contraband or any escape devices are present within the areas. Squad Supervisors shall visually inspect the temporary detention areas and document their findings on a daily basis.

The Field Operations Commander shall be contacted regarding any deficiencies that need to be addressed for the safety and security of these areas. The Field operations Commander shall complete an administrative review every three years to ensure that the department's policies and procedures governing the temporary detention areas are being followed and that the areas are adequate for the agency's needs.

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71.5 Processing and Testing

71.5.1 Security Precautions

- A. Any person (detainee, suspect, etc) in the processing room or temporary detention room, whether in custody or not in custody, will be under *observation by Communications Center personnel via video surveillance systems. Whenever a detainee is removed from the processing or temporary detention area, he/she will be escorted and under constant supervision by the officer.*
- B. Officers will at all times exercise weapons control by placing their firearm in the wall-mounted lock box provided when a detainee is under the officer's control as described in 71.3.3 above.
- C. Panic or duress alarms are equipped in the temporary detention areas Room 152A and 158. If an officer needs immediate assistance with a detainee who has become violent, is attempting to escape, etc, the officer will activate the panic alarm which will prompt Communications Center personnel to notify immediate assistance from other on-duty officers. Officers may also activate the panic button located on their portable radio.

If the situation requires the assistance of allied police agency personnel, Communications Center personnel will immediately contact the Salisbury Police Department, Wicomico County Sheriff's Office, Maryland State Police or Fruitland Police Department.

- D. Escape Prevention – Refer to 71.3.3 (D)

Edwin Lashley
Chief of Police

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