

Rockville City Police Department GENERAL ORDER

Subject TEMPORARY DETENTION FACILITY		Procedure G.O. # 4 - 23
Authorizing Signature	Effective 02-26-10	Total Pages 13

I. POLICY

Once an individual is incarcerated taken into custody, the Department is responsible for providing security, health care and safety precautions to ensure the continued wellbeing of the temporary detainee. The policy of the Department is to maintain the temporary detention facility in such a manner as to ensure maximum safety of officers, detainees, and the public.

II. PURPOSE

This General Order governs procedures for handling, processing, detention, and release of detainees. These procedures provide for the maximum safety of officers, detainees, and the general public. The Rockville City Police Department has a temporary detention facility, which is designed to maintain custody of arrestees for periods not to exceed six (6) hours. All personnel who detain a detainee at the Rockville City Police Department shall adhere to the procedures listed in this General Order.

III. RESPONSIBILITIES

A. Administrative Services Bureau Commander

The Administrative Services Bureau Commander, or designee, is responsible for day-to-day care, operation and maintenance of the Department's temporary detention facility area. The Administrative Services Bureau is also responsible for the filing and maintenance of all logs and records relating to the operation of the temporary detention facility.

B. Training Coordinator

The Training Coordinator or designee will provide training to all members of the Rockville City Police Department on temporary detention facility and temporary detention area

operations. Training for sworn members of the Department will include specific operations, use of restraints, and safety and security measures.

1. All new sworn personnel receive instruction from an MPCTC-certified or accepted entrance level academy reference the safe handling of arrested people. This training is consistent with the safe and efficient operation of the temporary detention facility.
2. In addition to the instruction provided at the academy, new officers receive specific training in the handling of arrested persons through the Field Training Officer (FTO) program and In-Service training.
3. Training for other members of the Department shall include, at a minimum, familiarization with the facility and instruction in their specific role, if any.
4. All personnel charged with monitoring temporarily detained individuals will receive retraining on procedures triennially.

C. Maintenance of Records

1. During report review a supervisor shall ensure a detention log has been turned in for every arrest if the detainee is transported to RCPD. The supervisor shall also inspect any Detention Log (RCPD # 91) turned in to ensure that the log is completed accurately.
2. The Administrative Services Bureau shall be responsible for the filing and maintenance of all logs and records relating to the operation of the temporary detention facility.
3. The maintenance of all arrest records is the responsibility of the Montgomery County Police Department - Records Section. All documents pertaining to the arrested person, photographs, fingerprints and arrest report will be maintained in the Montgomery County Police Records Section where they are secure from theft, loss, destruction, tampering, etc.

IV. CLEANLINESS

- A. Problems requiring immediate attention shall be brought to the attention of the shift supervisor.
- B. The temporary detention facility shall be cleaned regularly by the City of Rockville, utilizing a professional cleaning service. All common areas, i.e.; toilets, sinks, and cells shall be cleaned daily. Sufficient toilet paper for daily needs shall be provided.

V. FIRE PREVENTION PROCEDURES

- A. The temporary detention facility is equipped with fire equipment, and an automatic fire alarm and heat and smoke detection system. The automatic fire detection alarm system shall be inspected and tested periodically.
- B. In the event of fire, the fire shall be extinguished as rapidly as possible with available fire extinguishers and the automatic sprinkler system. Fire department assistance shall be requested for all fires and to provide medical care and hospital transport.
- C. The safety and security of all detainees and personnel shall be of paramount importance in case of fire in the temporary detention facility in the station. An emergency evacuation route is posted in the temporary detention facility in the event of fire.
- D. In the event of fire or the sounding of fire alarms in the building:
 - 1. Communications, which is staffed 24 hours a day, shall notify the fire department immediately.
 - 2. An immediate evacuation of the danger area shall take place.
 - 3. Sworn personnel shall evacuate detainees via the sally port or rear entrance door. The detainees shall immediately be transported to the Montgomery County Police - Rockville District station.

VI. ACCESS TO TEMPORARY DETENTION FACILITY

The temporary detention facility is used for temporary detention of arrestees and shall include the sally port area, the gun drop, temporary detention cells, processing area and juvenile holding room.

- A. Non-essential personnel are not permitted in the temporary detention facility area when a detainee occupies a temporary detention cell.
 - 1. Only sworn police personnel, fire rescue personnel and attorneys are permitted in the temporary detention facility area when there is a detainee in custody.
 - 2. Tours of the station will not include the temporary detention facility area when there is a detainee in custody.
- B. Maintenance work of any type in the temporary detention facility will be done only during normal business hours, except in an emergency situation. Maintenance people will perform no work in the temporary detention facility when a detainee occupies a temporary detention cell.

VII. DESIGNATED PROCESSING AND TESTING AREAS

- A. The only area designated for detainee processing and testing is the Temporary Detention Facility.

- B. The Temporary Detention Facility will be inspected monthly to ensure they are clean and to identify any potentially hazardous conditions. Any identified issues will be noted on the inspection log and include corrective actions taken.

VIII. RULES OF DETAINEE CONDUCT

At no time shall a detainee:

- A. Be allowed to roam at large.
- B. Remain unattended in the processing and testing areas, except for the temporary detention cells.
- C. Be allowed to communicate with citizens other than those authorized by police personnel.
- D. Be allowed to exchange or accept property directly from a visitor.

Note: Detainees in need of medical services will be advised to report this need verbally to the most available officer or dispatcher who will take immediate steps to determine what level of medical care is necessary.

IX. PROCESSING OF DETAINEES

- A. The detainee search shall be performed with the greatest degree of dignity possible for the detainee.
- B. Prior to being placed in the temporary detention facility, the detainee will be searched by the arresting officer or officer responsible for the detainee. The arresting officer is responsible for ensuring detainees are processed and all required documentation is completed.
- C. Prior to entering the occupied temporary detention facility, all officers shall secure their firearms in the weapon storage cabinets and retain the key. No firearms will be brought into the temporary detention facility when occupied by detainees. An exception to this policy would be an emergency situation where time is of the essence for the safety of either the detainee or the officer.
- D. In the event of an emergency in the temporary detention facility, officers will ensure they have their portable radio immediately accessible to summons aid or activate one of the emergency panic buttons located on the wall within that area. The panic buttons are a local alarm only and notify personnel in the communications center of a potential emergency.
- E. Detainees shall be brought directly into the temporary detention facility. At no time shall unaccompanied detainees be permitted in the administrative areas of the building, locker rooms, or any public areas of the building.

- F. The arresting officer(s) may place an accused or adjudicated juvenile arrestee or an adult arrestee in a cell for no more than six hours during processing.
- G. The cells provide lighting and circulation of purified air in accordance with the local public health standards.
- H. Arraignment before a court commissioner and all processing shall be the responsibility of the arresting officer(s). Given local circumstances, a detainee's opportunity to make bail shall not be impeded by any member of this agency.
- I. The following information will be recorded in the Detention Log for each person logged into the temporary detention facility:
 - 1. Case number.
 - 2. Charge.
 - 3. Biographic data, i.e.: name, DOB, etc.
 - 4. Obvious physical condition.
 - 5. Time in.
 - 6. Time out.
 - 7. Observation times.
 - 8. Temporary detention facility conditions, both pre and post use, to include a sweep for contraband and weapons.

X. IMMIGRATION AND CUSTOMS ENFORCEMENT

- A. It is the policy of the Rockville City Police to participate in the Montgomery County Police procedural protocols surrounding (ICE) notifications for persons charged with specific crimes within this jurisdiction. This notification is made regardless of the defendant's country of origin.
- B. Notify ICE whenever an arrest is made for the following offenses.
 - 1. Child Abuse, physical, 1st degree, CR 3-601
 - 2. Child Abuse, sexual, CR 3-602(b)
 - 3. Arson, 1st degree CR 6-102(a)
 - 4. Assault, 1st degree CR 3-202
 - 5. Unlawful use of handgun in commission of felony or crime of violence, 1st offense CR 4-204(b)(2)
 - 6. Unlawful use of handgun in commission of felony or crime of violence,

- CR 4-204(B)(1)
7. Child Abduction, Child under 12, CR 3-503(a)(1)
 8. Kidnapping, Child under 16, CR 3-503(a)(2)
 9. Kidnapping, Generally CR 3-502(a)
 10. Manslaughter, voluntary, CR 2-207
 11. Murder, 1st degree, CR 2-201(a)
 12. Murder, 1st degree, attempted, CR 2-205
 13. Murder, 2nd degree, CR 2-204(a)
 14. Murder, 2nd degree, attempted, CR 2-206
 15. Abduction, Child under 16 for immoral purposes, CR 11-305(a)
 16. Carjacking, Unarmed, CR 3-405(b)
 17. Carjacking, Armed, CR 3-405(c)
 18. Robbery, CR 3-402(a)
 19. Robbery with a Dangerous or Deadly Weapon, CR 3-403(a)
 20. Rape, 1st degree, CR 3-303(a)
 21. Attempted Rape, 1st degree, CR 3-309(a)
 22. Rape, 2nd degree, CR 3-304(a)
 23. Attempted Rape, 2nd degree, CR 3-310(a)
 24. Sex Offense, 1st degree, CR 3-305(a)
 25. Attempted Sexual Offense, 1st degree, CR 3-311(a)
 26. Sex Offense, 2nd degree, CR 3-306(a)
 27. Attempted Sexual Offense, 2nd degree, CR 3-312(a)
 28. Wearing, Carrying, or Transporting Handgun, CR 4-203
- C. All notifications to ICE should be done via NLETS through the RCPD Communications Center. The arresting officer may do it themselves or ask communications staff to accomplish this.
- Upon completing the formatted message in NCIC (by typing NLE/INS then pressing the F1 key) the following phrase must be included: **“Fax any return to 240-777-9800 attn: CPU Booking. For Questions call 240-777-9795”**
- D. Include the date and time you sent your message to ICE in the narrative of your event report.
- E. Call ICE Law Enforcement Support Center 24 hours a day at 1-802-872-6020 if you have any questions or problems sending your message.

XI. SECURITY AND CONTROL OF DETAINEES

- A. It is the policy of this agency that persons will not be detained longer than six hours in the holding facility.
- B. Usually, only one detainee shall be placed in the holding cells at a time. In the event of an unusual occurrence, more than one detainee shall be permitted only under close supervision and when authorized by the shift supervisor.

- C. The holding cell doors shall be secured any time a detainee is placed in the temporary detention cell.
 - 1. The officer shall ensure the doors are locked by physically checking the security of the door.
 - 2. The temporary detention cell doors shall remain open when the cells are not in use.
- D. If at all possible, officers shall not enter an occupied cell alone unless the audio/visual monitoring system is active.
- E. Prior to placing a detainee in the temporary detention facility, every arrestee and the facility itself shall be properly searched and all unauthorized items shall be confiscated, recorded, and secured.
 - 1. If contraband is found on a detainee and its possession constitutes a violation of the law, then original charges shall be filed in accordance with existing policy and procedures.
 - 2. If contraband is found in the facility, it will be secured in the temporary property storage room and a memorandum detailing the circumstances written.
 - 3. The officer shall also check the cell after its use to check for any weapons or contraband, which may have been left by the prisoner.
- F. Shift supervisors must authorize the use of security devices such as leg restraints.
- G. Pepper spray, batons, or similar non-lethal weapons shall not be used as punishment and may only be used to control detainees where there is an eminent threat of physical injury and such use is otherwise unavoidable.
- H. The push button lock on the doorknob of the juvenile holding/interview room will be used to secure the door from the outside and allow for quick access in cases of emergency. This system does not require a key.

XII. HOUSING AND SUPERVISION OF DETAINEES

- A. Males and females will not be placed in the holding cells together.
- B. The arresting officer, or other designated officer, shall monitor all detainees in the holding cells or juvenile detention room. The officer will visually check on detainees at least once every fifteen (15) minutes.
 - 1. Detainees, who are security risks, violent, suicidal or mentally ill should be under closer surveillance and may require more frequent observation. Detainees identified as a potential flight risk should remain in the temporary detention cell and only be removed for specific processing. For those detainees identified as a flight risk and placed in a

holding cell, officers will close and engage the secondary cell door, leading from the processing and testing area into the temporary detention cells.

2. All detainee checks will be recorded by the officer on the Detention Log.
- C. The arrest and detention of juveniles will be in accordance with General Order # 4-12.
1. The responsible officer shall ensure visual contact with juveniles at least every fifteen (15) minutes. Adults and juveniles will not be placed in a cell together and must remain sight and sound separated from each other in all secured areas of the facility.
 2. A juvenile that has been taken into custody for a status offense or as a non-offender (no violation of criminal law, i.e., runaway from home), may not be held securely (i.e. placed in a cell, secured to a stationary object, or placed in a designated room in which they cannot get out of on their own).
- D. Any time a detainee is placed in a holding cell, an officer shall remain in the building until the detainee is released, turned over to another law enforcement agency, or transported to the Central Processing Unit.
- E. Detainee activity, which is likely to result in injury to any person or damage to the cells, shall immediately be brought to the attention of a sworn officer and action taken by that officer to restrain the detainee. If the officer deems it necessary, a secure handcuff ring may be used to restrain the detainee. Any incident, involving property damage or personal injury to another person, shall be investigated by a police officer and charges filed, if appropriate.
- F. Any detainee who is uncontrollable due to being under the influence of alcohol or narcotics, or who is violent or self-destructive, shall be transported to a local hospital for evaluation. Personnel should consider using the assistance of Montgomery County Fire/Rescue Services for specialized restraining and monitoring. Detainees who meet the above criteria will be transported by a minimum of two officers. If the detainee is transported by ambulance, one officer will accompany the prisoner in the ambulance and one officer will follow the ambulance in a patrol car.
- G. In a life-threatening situation, all employees, whether sworn or civilian, shall render whatever aid possible to avoid loss of life.
- H. Officers shall only enter occupied cells as required in the performance of their duty. Every precaution shall be taken to prevent possible escape attempts. Unless they are being monitored by visual or audio surveillance devices, officers who must enter an occupied cell shall, whenever possible, have the assistance of another officer.
- I. Attempts shall be made to have detainees supervised by officers of the same sex. In situations where an officer of the opposite sex must enter a cell, the officer shall announce their intention to enter before proceeding into the area. Officers shall have the assistance of another officer whenever possible.

- J. Electronic surveillance and audio communications equipment is connected between the temporary detention facility and the dispatch area to alert dispatchers to any emergency. Once a prisoner has been placed in the temporary detention facility, communications personnel shall monitor this area via the audio/visual monitor at the dispatch station. Audio or visual surveillance is not to be used to invade the personal privacy of detainees. Special attention shall be given to those detainees suspected of being suicidal, mentally ill, or demonstrating unusual or bizarre behavior. This system serves as a security alarm system, which is vital to the safety of detainees and officers, and to the security of the facility.
- K. With detainees not being in the temporary detention facility to exceed six hours, mail, cash, packages and similar items will not be accepted at the police department for detainees.
- L. Detainees requesting necessary comfort items such as the use of restrooms, requests for water or other needs will be accommodated in a timely manner and will be noted on the Detention Log.

XIII. CUSTODY OF DETAINEE PROPERTY

- A. Prior to entering the holding cell, all detainees will be searched. All personal property in the detainee's possession (other than the items specified below) shall be secured by the arresting officer prior to placing them in a cell. This property shall be retained in the secure storage cabinet in the temporary detention facility. Large items shall be stored inside the temporary property storage room in accordance with General Order # 4-17. The detainee may retain in their possession:
- i. Articles of personal clothing.
 - ii. Addresses and telephone numbers (unless evidentiary).
 - iii. A copy of the warrant, if applicable.
 - iv. Legal papers in the possession of the detainee at the time of arrest or subsequently served upon him.
 - v. Eyeglasses.
 - vi. Hearing aids.
 - vii. Religious articles.
- B. Under no circumstances will officers allow detainees to take any medicine, nor will the officer administer any medication to any detainee. All medication in the detainee's possession shall be surrendered prior to incarceration. The Police Department does not have the resources to

administer prescription medicine. Should the detainee need to have medicine, the officer will contact Montgomery County Fire/Rescue to respond.

- C. Detainee's property shall be returned upon his/her release. The detainee shall acknowledge receipt by signature on the RCPD Form # 75. A copy shall then be forwarded to the Support Services Coordinator for filing. The arresting officer should retain a copy for their case file.
- D. If the detainee is transferred to another facility or agency, his/her property will be transferred at the same time. The officer receiving the detainee shall be requested to sign the RCPD Form # 75 for the detainee's property.

XIV. MEDICAL AND HEALTH CARE SERVICES

- A. If a detainee is in need of medical assistance due to claimed or apparent illness or injury, the officer in charge of the detainee will contact the Montgomery County Fire/Rescue Services to have the detainee checked and/or transported.
 - 1. The care and handling of the detainee shall be determined by the protocol of Montgomery County Fire/Rescue.
 - 2. If a detainee refuses aid by Montgomery County Fire/Rescue, the officer shall sign the EMS form as a witness to the refusal.
 - 3. Officers shall render whatever immediate care is necessary, commensurate with their training and experience, prior to the arrival of Montgomery County Fire/Rescue.
- B. First-aid kits maintained in the roll call room and the communications center will be periodically checked to ensure that the kits are supplied as necessary. In addition to the first aid kits an AED is also located in the first floor hallway.
- C. Screening information will be obtained and recorded on the Detention Log. This will be accomplished during the initial log-in process. The screening will require the officer to make inquiry into:
 - 1. Current health assessment of the detainee.
 - 2. Medications taken by detainee.
 - 3. Behavioral observation, including state of consciousness and mental status.
 - 4. Notation of body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.
- D. Information contained in departmental files concerning a detainee's medical record will not be released to anyone other than a licensed physician who is involved in treating the individual.

XV. TELEPHONE CALLS

Detainees shall be permitted to make or receive telephone calls at the first practical opportunity during processing unless it will hinder an on-going investigation.

- A. Detainees are allowed to make two local or collect telephone calls while at the Rockville City Police Department.
- B. The duration of each phone call shall be no more than three minutes.
- C. If the detainee is unable to complete the call without assistance, an officer shall provide assistance or, if requested, shall make the call for the detainee.

XVI. ATTORNEY VISITS

- A. Attorneys shall be permitted to visit with their clients if the client makes the request while in the temporary detention facility. The name of the visiting attorney, the prisoner visited, and time of the visit will be noted in the arrest report.
- B. Attorneys and their belongings shall be searched before being allowed to enter temporary detention facility
- C. Conversations between attorneys and clients detained in the temporary detention facility will be confidential. Rockville City Police Department personnel shall not listen to them. It shall be the arresting officer's responsibility to ensure that the audio system is turned off prior to allowing the attorney to enter the cell.
- D. If the detainee is consulting with an attorney in person, this agency shall reserve the right to have an officer close by to ensure the security of the detainee and the safety of the attorney.

XVII. VISITORS

- A. Visitors to any detainee will be restricted to that of attorney, personal physician, or parent/guardian of a juvenile detainee. No other visitors are allowed. Recordation of all visitors must be made on the reverse side of the detention log (RCPD Form #91).
- B. All visitors, and their belongings, coming into direct contact with detainees shall be searched prior to entering the temporary detention facility. Personal visits should be limited to 15 minutes; they may be curtailed or extended by the arresting officer as time and circumstances dictate.
- C. Media representatives will not be granted access to the temporary detention facility due to the detainee's right to privacy and the need to maintain unobstructed operations. The media may be granted access to parts of the temporary detention facility for reporting items of public interest when it does not impede operations or violate arrestee's right to privacy, and is approved by the Chief of Police.

XVIII. FOOD

It is the policy of this Department that no detainee be held in this facility more than six hours. Thus, no meals will be served. No culinary devices are to be brought into the temporary detention facility.

XIX. REPORTS OF THREATENING INCIDENTS AND UNUSUAL EVENTS

- A. Shift supervisors shall ensure that a supervisory review memorandum, setting forth in detail all pertinent parts of the detainee's medical treatment, deaths, attempted suicides, escapes, attempted escapes, or any incident which threatens the facility or any person inside and other unusual incidents in the temporary detention facility, be prepared upon their occurrence. This memorandum shall be forwarded, via the chain of command, to the Chief of Police.
- B. Procedures to be followed in the event of an escape.
 - 1. Make immediate emergency notifications to communications personnel.
 - 2. Communications personnel shall notify Montgomery County Police ECC immediately.
 - 3. The senior ranking supervisor shall assume control of the situation. Command staff notifications will be made and, based on the magnitude of the escape, departmental mobilization may be authorized.
- C. The senior ranking supervisor on the scene shall have the authority to continue a search or end the alert.

XX. RELEASE OF DETAINEES

- A. The officer affecting the release of any detainee shall verify the identity of the detainee and assure that all conditions of release have been satisfied.
- B. Personal property belonging to the detainee will be returned upon their release. The detainee shall be required to sign the Property Control Card indicating that they received the property.
- C. If the detainee is taken to the Montgomery County Detention Center, the detainee's personal property will be turned over to the Detention Center staff. A staff person will be required to sign the Property Control Card.
- D. If the detainee is turned over to another law enforcement agency, the detainee's personal property will be turned over to the receiving officer, who will be required to sign the Property Control Card.
- E. The arresting officer is responsible for making the appropriate release entry on the Detention Log.

XXI. ADMINISTRATIVE REVIEW

An administrative review of the department's temporary detention facility and procedures will be conducted triennially. The review will be forwarded to the Chief of Police.