

Somerville Police Department 	TYPE: GENERAL ORDER			POLICY NUMBER: 300			
	Subject: Holding Facility						
	Issuing Authority: David Fallon Chief of Police			Signature: 		Effective Date: October 17, 2019	
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Purpose

The purpose of this policy is to establish guidelines for the management and administration of the Somerville Police Department's prisoner holding facility/lockup to include for the security, control and care of prisoners.

Policy

It is the policy of the Somerville Police Department to provide secure temporary holding cells for prisoners awaiting interrogation, arrest processing, transfer to the county jail or other administrative procedures and to maintain these facilities in a sanitary and safe manner. As such, personnel assigned to or using holding cells shall adhere to the following procedures and shall be alert to any problems or conditions that may compromise security, safety, or the well being of detained prisoners. For the purposes of this policy, the words "holding facility" and "lockup" shall have the same meaning.

Procedures

1. Training

- A. All police officers shall be fully trained in accordance with the MPTC guidelines for police officers and/or persons charged with all facets of detaining prisoners in a short term holding facility. This training shall include a review of this holding facility policy, holding facility security measures and procedures, handling emergency situations, use of fire suppression equipment, supervision of prisoners, pertinent legal issues, humane and legal rights of prisoners, detention procedures for unusual or special prisoners such as females, juveniles, mentally disturbed individuals, handicapped persons, and suicide prevention. All officers will also be trained in methods of physical restraint so that control of violent or disorderly prisoners can be obtained with the minimum of danger and discomfort to both the officer and the prisoner. All officers will further be trained in

the use of the breathalyzers, fingerprint machine, and cell check recorders. This training may take place during the field training program. Supervisors will be trained in the use of the electronic booking system. Completion of a refresher seminar in suicide prevention shall be a condition of promotion for all police officers affected by MGL Chapter 40, Section 36C. Employees shall be retrained at least once every three years.[72.1.1]

2. Access

- A.** Persons other than police department personnel and detainees are NOT ALLOWED in the holding facility when prisoners are incarcerated. Under exceptional circumstances, such as the need for urgent repairs to the facility or for urgent cleaning and sanitary purposes, individuals may be allowed in the holding facility when all of the following conditions are met:[72.1.2]
1. The person is under the supervision of a police employee, and the access has been approved by the Shift Commander.
 2. The person's presence does not violate the detainee's privacy, impede an investigation, or hinder facility operations
 3. In the event of an emergency, the person is immediately escorted from the holding facility.

3. Visitors

- A.** Detainees are not allowed to have visitors, unless approved by the Shift Commander. Approved visitors include:
1. Attorneys
 2. Parents/Guardians of Juveniles
 3. Consular Officials
- B.** All visitors shall have their name and information recorded in the Booking log book under the remarks section, and shall be thoroughly searched before meeting with a detainee. Visitors will be allowed to meet with the detainee in an interview room located in the detective bureau when authorized by the Shift Commander. An officer shall monitor the meeting at all times. Detainees should be thoroughly searched before leaving and reentering the holding cell. [72.8.5]

4. Attorneys

- A.** Attorneys do not have an absolute right of access to a detainee. Barring a specific right to counsel, attorneys may have access to a detainee:
1. If approved by a supervisor;

2. If the detainee wants to meet with the attorney;
 3. If the operation of the Police Department will not be unduly disrupted;
 4. If staffing allows;
 5. An officer shall monitor the meeting via video at a computer adjacent to the interview room. No sound shall be recorded.
- B.** All attorneys shall have their name and information recorded in the Booking log book, and shall be thoroughly searched before meeting with a detainee. Attorneys should be allowed to meet with the detainee in an interview room located in the Detective Bureau. An officer shall monitor the meeting via video at a computer adjacent to the interview room. No sound shall be recorded. The area where the meeting takes place shall also be documented. Detainees should be thoroughly searched before leaving and reentering the cell. [72.8.5][72.7.1(c)]

5. Personnel

- A.** Department personnel shall not loiter or congregate in or around the holding facility, and only members on official business should enter or remain in the holding facility.
1. All work and maintenance performed in the holding facility should be supervised. Upon completion of any work, the Shift Commander or designee shall ensure that all tools, materials, or equipment brought into the holding facility for service are removed.
 2. A detainee's constitutional right to privacy can be violated if records are improperly disseminated. The Somerville Police Department has set up procedures that limit access to detainee records in accordance with federal and state statutes.

6. Physical Plant

- A.** The Somerville Police Department's holding facility shall be kept clean and sanitary. The following minimum physical conditions shall be maintained in the holding facility as required by standards approved by the Massachusetts Department of Public Health: [72.2.1]
1. Adequate lighting in each holding cell.
 2. Circulation of fresh air.
 3. Access to a stainless steel flush toilet in each holding cell.
 4. Access to drinking water within each holding cell.
 5. Access to a washbasin within each holding cell.

6. Access to a raised bedding platform in each holding cell and fire retardant blankets shall be made available upon request, unless otherwise directed by the Shift Commander or designee.

7. Safety and Sanitation

- A. The Somerville Police Department's holding facility is protected by an automatic fire alarm, heat and smoke detection system which has been approved in writing by the Somerville Fire Department. The Administrative Captain shall ensure a weekly documented inspection and a semiannual documented testing of fire equipment is conducted. The Shift Commander or his/her designee, shall visually inspect fire alarms and fire equipment once during each tour of duty. Any defects found during such inspections shall be reported, in writing, via the chain of command to the Chief of Police. [72.3.1]
 1. The Somerville Police Department has a written evacuation plan, which specifies the route of evacuation, and subsequent disposition and housing of detainees. The plan shall be posted in the following areas: Booking Window, Male Cell Block and Matron's area. All prisoners shall be evacuated to either the back parking lot or the upper parking lot and secured in the transport vehicle/wagon (200). [72.3.2]
 2. After the detainees have been taken to court, or once daily during the weekend, the station officers shall conduct a sanitation inspection of the holding facility. Any condition conducive to harboring or breeding insects, rodents, or other vermin, should be reported to the Shift Commander, who will notify the Administrative Captain, via email, of the problem. If necessary, pest control professionals should be used to clean or fumigate the facility.

8. Security and Control

- A. No firearms shall be allowed in the holding facility when it is occupied by a prisoner. Gun lockers are maintained at the sally port entrance door and the Shift Commander's portion of the Booking area.[72.4.1]
 1. All officers shall secure their firearm in one of the lockers and remove the key.
 2. It is strongly advised that officers assigned to cruiser patrol also place their cruiser key in the gun locker.
 3. The Officer in Charge or the Shift Commander shall ensure that all police personnel secure their firearms in the firearms lockers prior to conducting business in the holding facility if it is occupied by a prisoner. This applies to other agencies using, or visiting, our holding facility.
 4. It should be noted that officers might have to respond to the holding facility in emergency situations, such as a fire, officer needs assistance call, or other types of emergencies as determined by the Shift Commander. In those situations, it may not be feasible for officers to take their weapons out of their holsters and secure them. Whenever this occurs, an incident report shall be filed with the Shift Commander. [72.4.1]

5. To ensure that detainees held in cells do not have an opportunity to take keys from an officer and escape, it is preferable that officers not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. An officer or medic may only enter an occupied cell for the purpose of: [72.4.2]
 - a. A medical or other emergency;
 - b. Conducting medical evaluations;
 - c. Extract the detainee from the cell; and
 - d. Other necessary law enforcement purposes.
6. Two sets of keys for the holding facility shall be maintained. One set will be kept at Shift Commander's portion of the booking area, and the second set will be kept in the lock box in the Commander's office. Only police personnel and cell monitors shall be authorized to handle and use holding facility keys. [72.4.3]
7. All doors that permit access to the holding facility shall be kept closed unless the Shift Commander or his/her designee orders otherwise.
8. All unoccupied cell doors shall be kept open unless the Shift Commander or his/her designee orders otherwise.
9. All occupied cell doors shall be kept locked and bolted.
10. Doors shall be tested for vulnerability after they are secure. [72.4.4]
11. Prior to each use of an unoccupied cell and immediately after each use, a security check, including a search for weapons and contraband, shall be completed. It shall be the responsibility of the Shift Commander or his/her designee, for ensuring that these security checks are conducted. Any condition observed shall be reported immediately to supervisory personnel, either verbally or in writing. [72.4.5]
12. At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering by the Station Officer. Inspections should include occupied and unoccupied cells. Results of these inspections should be submitted to the Chief of Police, or his/her designee, by the Administrative Captain or his/her designee. All defective security equipment should be replaced or repaired immediately. All holding areas which detainees have access should be searched for weapons and contraband. [72.4.6]
13. No tools or culinary equipment, including food containers made of materials other than paper or Styrofoam, will be allowed in the cell block area, except with the specific authorization of the Shift Commander. After any kind of maintenance or construction has been performed in the holding facility, the station officers shall inspect the area to ensure that no tools have been left behind. [72.4.7]

14. The Somerville Police Department has electronic audio and surveillance equipment set up in its holding facility. This equipment will be on and monitored in the station man area by the station officers and by the Shift Commander in his/her office when detainees are in the holding facility. [72.4.8]
15. The Somerville Police Department has also issued every police officer a portable radio. Whenever there is a prisoner incarcerated in the cell block, officers will take their portable radio with them whenever he/she enters the cell block area of the holding facility. If the officer needs assistance, or to report an escape, he will use the radio by activating the emergency button to request assistance. [72.4.9]
16. In the event of an escape of a detainee from the department's holding facility the dispatcher shall immediately broadcast to all patrol units the name and a description of the escapee, the estimated time of escape, whether armed, whether on foot or in a vehicle, the possible direction of travel, and any other pertinent information. An immediate search shall commence under the direction of the Shift Commander and the patrol supervisor(s). The use of a K-9 should be considered. The dispatcher shall then broadcast the same information to other area departments and agencies over the radio system. As soon as possible, a message shall be sent over the CJIS system, advising other departments and agencies of the situation. The Shift Commander, or his/her designee, shall file a detailed written report relative to any detainee escape or attempted escape. A copy of this report shall accompany the detainee to any facility he/she is transferred to. [70.5.1(c)] [72.4.10]
17. All incidents that threaten the facility or any person therein, 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. He/she shall further immediately notify the Chief of Police, or his/her designee, and file a written report of the incident. [72.4.11]

9. Detainee Processing

- A. All detainees shall be subject to an inventory search at the time of booking, before being placed in any cell. [72.5.1(a)] An itemized inventory of property taken from the detainee, both personal and confiscated, shall be recorded on the booking sheet and the prisoner property form. [72.5.1(b)]
- B. All containers belonging to a detainee shall be searched for inventory and safeguarding purposes. A notation shall be made on the booking sheet of containers that were unable to be opened.
- C. Searches of detainees should be conducted by members of the same gender, whenever possible.
- D. Strip searches shall be avoided unless absolutely necessary. All strip searches shall be conducted in a location that is away from public view.

- E.** No cavity searches shall be conducted on a detainee unless it is authorized in writing by a judge.
- F.** All property taken from a detainee shall be inventoried, placed in a prisoner property bag and then placed in a property storage locker. All property storage lockers containing property shall be locked. If such property does not fit in a property storage locker, it shall be tagged and placed in the secure area. All legally possessed firearms taken from a detainee shall be secured in the gun locker. The key to the lockers will be maintained by the Shift Commander. All property taken from a detainee as evidence shall be stored in accordance with department policy. [72.5.1(c)]
- G.** The Shift Commander or his/her designee will ensure that all persons booked into the holding facility shall have their personal identifying information entered into the department's computer system. In the event that the computer system is not working, a hand written booking sheet will be completed. The following information, at a minimum, will be recorded: [72.5.2]
1. The detainee's biographical information and inventory of property.
 2. Arrest information to include the location and time of the arrest.
 3. Charges.
 4. Detaining officer and other officers involved in the booking.
 5. The disposition of the detainee and his/her property.
- H.** The Somerville Police Department's holding facility has fourteen adult male cells, three adult female cells, and three juvenile cells. The adult male cells are separated from the adult female and juvenile cells by sight and sound. [72.5.3]
- I.** The holding facility is not intended for or equipped to handle detainees who require immediate or sustained medical attention. Therefore, no prisoner shall be booked into the holding facility or otherwise held for interrogation or other purposes who has injuries or illnesses that require hospitalization or attention of a health care professional. All such persons shall be transported to the nearest medical facility. This includes obvious cases of injury or illness as well as situations in which the detainee:[72.5.4]
1. Suffers from extreme alcohol intoxication or possible drug overdose.
 2. Exhibit symptoms of severe mental disorder.
 3. Have talked about committing suicide or are a credible risk of attempting suicide.
- J.** If the severity of medical conditions is unclear, or if a prisoner requests medical attention, the Somerville Emergency Response System shall be activated to examine such person.
- K.** Detainees shall only be transported to a medical health care facility in an ambulance.
- L.** A police officer shall be responsible for escorting a prisoner to and security of the prisoner at a designated medical care facility. Unless contraindicated for a medical reason, detainees shall wear shackles before being transported to the hospital.

- M. Subsequent detention of such prisoners is permitted only with the approval of a physician or a qualified medical care professional.
- N. Any person who remains in custody, who is classified as being self-destructive or suicidal, shall be directly supervised by a holding facility employee.
- O. If necessary, violent or self-destructive/suicidal detainees may be restrained with department issued restraints until proper medical supervision is obtained. [72.5.4]
- P. Any attempt to or threat to commit suicide by a detainee while in custody of the Somerville Police shall be entered in the Massachusetts Lockup Suicide Registry.
- Q. The Shift Commander, or his/her designee, shall file a detailed report via the chain of command to the Chief of Police for all deaths, attempted suicides, injuries or illnesses suffered by detainees.
- R. Massachusetts General Law Ch. 40; Sec 37 requires that the Somerville police Holding Facility shall at all reasonable hours be accessible to the state police, sheriffs, constables and police officers for any legal and proper use. If detainees are received from an outside agency, positive identification is made of the person presenting the detainee for detention, including verification of the person's authority to make the commitment. If unknown, the person presenting the detainee for detention should be required to produce appropriate identification and his/her legal authority to make the commitment. Phone calls may be necessary to verify the identity of the presenting party. The detainees shall also be positively identified. This may be accomplished by a check of the information contained in the Booking Report and / or comparison of the person's photograph. [72.5.5]
- S. In the event that the amount of persons detained exceeds the capacity of the holding facility, the Shift Commander will notify the Shift Commander of neighboring police department(s) about such condition and request that department house as many of our excess detainees as they can reasonably and safely handle. If room is available, the Somerville Police Department will transport any excess detainees to, and from, such place of confinement. [72.5.6]
- T. All detainees shall be positively identified before their release. This may be accomplished by a check of the information contained in the Booking Report and / or comparison of the person's photograph. [72.5.7]
- U. All personal property, not confiscated as evidence or contraband, shall be returned to the detainee upon his/her release from the holding facility or transferred along with the detainee to court. The detainee shall acknowledge the return of personal property by signing the prisoner property form if the detainee is released from the station. If the detainee is transferred to the courts, the court lockup personnel shall sign the prisoner property form indicating the transfer of the property. If the transfer facility does not accept property, the property will be secured per departmental policy. [72.5.1(d)]

10. Obtaining Medical Attention

- A. Procedures for gaining medical services shall be posted at the booking desk, in both English and Spanish.
- B. Additional languages are available using the “Language Line”, via telephone. [72.6.4]

11. Medical Aid

- A. The following medical assistance plan has been [approved by a licensed physician](#):
 - 1. All Somerville Police Officers are required to be first aid certified. Any police officer that becomes aware that a detainee is in need of medical attention shall immediately activate the emergency response system. That person shall also begin first aid treatment if needed. Treatment of a detainee shall continue until relieved by a person with higher medical certification. Only an ambulance shall transport a detainee to a medical facility for treatment. The Somerville Communication Center, when appropriate, shall keep ambulance personnel informed of all local hospitals that are receiving patients. The Shift Commander shall file a report via the chain of command to the Chief of Police on all detainee medical emergencies. [72.6.1]
 - 2. A first aid kit and Narcan (naloxone) shall be kept in the holding facility. An AED will also be available by the holding facility. Each Friday, the day shift Station Officers shall inspect the first aid kit, Narcan (naloxone) and replenish it as needed. This inspection shall be documented with an Administrative CAD entry using code 888, indicating if any supplies were replenished. [72.6.2]
 - 3. Detainee “receiving screening” information shall be obtained and recorded when detainees are admitted to the holding facility. This information must be obtained before transfer to another facility. The Booking Officer shall be responsible for obtaining “receiving screening” information. [72.6.1][72.6.3]
 - 4. Receiving screening must include an inquiry into the following:
 - a. Current health of the detainee; [72.6.3(a)]
 - b. Medications taken by detainee; [72.6.3(b)]
 - c. Behavior, including state of consciousness and mental status; [72.6.3(c)]
 - d. Body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc. [72.6.3(d)]
 - 5. All detainees shall be queried in the Massachusetts Lockup Suicide Registry. Female detainee screening should take into consideration the special needs of women.
 - 6. The distribution of prescribed pharmaceuticals and over the counter pharmaceuticals within the holding facility to detainees shall be strictly supervised by the Shift Commander or his/her designee. Only medicines that have been verified belonging to the detainee shall be dispensed to the detainee pursuant to the dosage prescribed on the prescription bottle. Dosage provided to the detainee shall be in accordance with what’s printed on the prescription bottle or the over the counter bottle. If a Shift

Commander, or his/her designee, is in doubt as to whether a prescribed medicine belongs to a detainee or an over the counter medicine should be dispensed to a detainee, he/she shall consult with either a registered pharmacist or physician. Any detainee requiring medicine by injection shall be transported to a licensed medical facility and shall receive such medicine from a licensed health care professional.

7. All prisoner medicine shall be inventoried on the prisoner property sheet. A CAD entry will be made noting all medications dispensed to a detainee, including: [72.6.5]
 - a. Type of medicine taken.
 - b. Time taken.
 - c. Dosage taken.

12. Detainee Rights

A. All detainees shall have the following Rights:

1. The right to a timely court appearance. [72.7.1(a)]
2. The opportunity to make bail. [72.7.1(b)]
3. The right to use the telephone. [72.7.1(d)]
4. The right to have confidential access to an attorney. [72.7.1(c)]
5. The right to be alerted to monitored or recorded telephone conversations, to include signs in the prevalent language in the area and/or an audible signal on the phone. [72.7.1(e)]
6. Ensuring that three meals are provided to all detainees during each 24-hour period. [72.7.1(f)]

13. Supervision of Detainees

A. The Somerville Police Department maintains twenty-four hour monitoring of detainees by the commander or his/her designee. The facility is to be supervised at all times by the Shift Commander or his/her designee.

1. Detainees shall be physically checked at least once every thirty minutes. If for a legitimate reason, the thirty (30) minute check cannot be completed in thirty (30) minutes or less, it shall be completed as soon as practicable thereafter.

All cell block checks shall be recorded by an employee by making contact with their building access card to the cell block card reader located in corresponding cell block. There are 2 cell block card readers in the male cell block. Both card readers must be hit for each cell block check.

There is 1 card reader in the female cell block and there is 1 card reader for the juvenile cell block. Matrons shall hit the corresponding card reader for the type of

detainee in custody. Matrons who are not employees of the SPD shall use the universal matron building access card, located in the cell block key box.

The cell block card reader will sound with an audible tone and flash green when properly registered. Care should be taken during physical checks that the detainee does not anticipate the appearance of department personnel.

- a. The Shift Commander or his/her designee, shall begin each shift by conducting a “head count” of the detainee population. [72.8.1]
 - b. All detainees that are classified as being suicidal shall be directly supervised by a police officer or matron.
 - c. Other detainees that may require direct supervision include: people who are violent or who are mentally ill, or who demonstrate unusual or bizarre behavior.[72.5.4]
 - d. The initial holding cell unit will be used in a temporary manner for pre-booking detention purposes only.
- B.** The Somerville Police Department has audio and video electronic surveillance equipment set up in its holding facility. Such equipment shall not be used in such a way that it violates the personal privacy of detainees. Such equipment shall not be operating while a detainee is communicating with his/her attorney. [72.8.2]
- C.** Supervision of detainees shall be as follows:
1. When possible, detainees shall be supervised by department staff of the same sex as the detainee. When this is not possible, there should be at least two employees present during all physical contact with detainees of the opposite sex.
 2. Employees monitoring detainees of the opposite sex shall respect the detainee’s privacy rights within the limits of facility security. [72.8.3]
- D.** Any property delivered to the Somerville Police Department for a detainee and accepted by the Shift Commander or his/her designee, shall be inspected, inventoried, and stored with the prisoner’s property and released in accordance with procedures for prisoner’s property. [72.8.4(d)] The Shift Commander shall have full authority to prohibit mail, packages, or any items in a package from being delivered. The following list of items is authorized: [72.8.4(a)]
1. Clothing and shoes for court; Clothing may be exchanged for clothing worn by the detainee only when necessary. Detainees shall not have extra clothing in the cell.
 2. Medications; Medication may be given to the detainee in accordance with this policy.
 3. Identification

- E. A record shall be made of all items received by the detainee in his/her property record.
[72.8.4(c)] Items not specifically authorized under this policy or allowed by the supervisor may not be left for or provided to detainees. [72.8.4(b)]