

# VILLAGE OF WALDEN

## POLICE DEPARTMENT

ONE MUNICIPAL SQUARE

WALDEN, NEW YORK 12586

Jeffry Holmes  
Chief of Police

### GENERAL ORDER

**NO: 09.03**

<b>Issue Date:</b> 12/04/09	<b>Effective Date:</b> 12/28/09
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<b>Subject:</b> Supervision of Prisoners	
<b>Distribution:</b> All Personnel	<b>STATE:</b>
<b>Reevaluation Date:</b> 1/1/2017	<b>Page:</b> 1 of 10 Plus 4 forms
<b>Issuing Authority:</b> Chief Jeffry Holmes	

#### PURPOSE:

Reduce the incident of suicide and injury among prisoners held at our detention facility and to provide safety to the prisoners and employees.

Personnel must make a conscious effort to identify highly suicidal prisoners and/or prisoners with serious mental health problems. Identification of such prisoners will be an ongoing process which will begin at intake and continue until the prisoner is released. The detention facility is operated by and contained within the Village of Walden Police Department and is used for the temporary detention of persons held for booking, investigation/interrogation, and pending transfer to another institution or agency. The detention facility/area is defined as the booking/interrogation room with the two temporary detention cells. It shall be the policy of the Village of Walden Police Department that any person detained in the detention facility/area will be afforded their rights under the law, will be treated humanely, and will be provided with proper food, drink and medical treatment if necessary.

#### I. Admission/Arresting Officer will:

- A. Process all prisoners in accordance with departmental procedures and policy. (GO # 09.04 Arrest Procedures)
- B. Screen all prisoners prior to initial cell assignment, by:
  1. Examine any documents or records accompanying prisoner for possible references to past or current mental health problems and for prescribed medication;
  2. Administer the SUICIDE PREVENTION SCREENING GUIDELINES FORM;
  3. Consider any other relevant information concerning prisoner's condition by either personnel observation or by any other person.

- C. Immediately notify the shift supervisor or senior officer whenever a prisoner:
1. Scores in the high risk or immediate referral categories on the SUICIDE PREVENTION FORM;
  2. Does not score high on the form but displays verbal or behavioral indications that may require medical or mental health attention;
  3. Is in a semi-conscious or unconscious state;
  4. Has prescribed medication;
  5. Appears to be significantly under the influence of alcohol or drugs;

Such notifications will be made prior to cell assignment.

- D. All security sensitive areas of the Detention area are monitored by a camera strategically placed and monitored by communications personnel. This video is to be consistently monitored between the 30 minute face to face visual checks that are required when a person is secured in a detention cell. Anytime a prisoner is in the detention area the camera will be recorded.
- E. NO PRISONER WILL BE PLACED IN A CELL IF IT IS DETERMINED THAT THEIR PHYSICAL OR MENTAL CONDITION OBVIOUSLY WARRANTS CONSTANT SUPERVISION.
- F. Complete required documentation of prisoner health forms and/or reports.
- G. Before placing a prisoner into the detention cell, the clothing and person of each prisoner shall be thoroughly searched.
1. Strip searches will be conducted only when the arresting officer reasonably believes that the prisoner may have concealed weapons or contraband, and only after receiving explicit approval from the shift supervisor or senior officer. Then a Strip Search Report will be completed.
  2. Searching of a female prisoner shall be accomplished by the regularly appointed female police officer, matron, or other qualified female person.
  3. When a female employee, other than a certified female police officer conducts a search of a female prisoner it is the responsibility of the arresting officer to ensure the safety of that female employee. This can be accomplished by:
    - a. Normal "pat-down" searches should be conducted in the presence of the officer.
    - b. "Strip searches" shall be accomplished by limiting the contact between the female employee and the prisoner by placing the prisoner in the front area of cells # 1 and 2 and locking the outer cell door, (the door to cells 1 and 2 should be shut so the prisoner cannot discard any contraband in the toilet.)
  4. Belts, neckties, shoes, and clothing items such as jackets, overcoats, or other similar outer garments shall be removed and stored in a bag, where they will not be accessible to the prisoner(s).
  5. Prisoners shall not be allowed to possess any items while in the cellblock

area, beyond their necessary clothing. This shall include, but not limited to, hats, nonessential eyewear, combs, pencils, paper, newspapers, cigarettes, etc.

6. All property that is taken from prisoner will be documented on the Prisoner's Personal Property Record. The prisoner will sign that the property was taken by Officer and then also sign that the property was returned to either them or the OCSO. The Prisoner's Personal Property Record will then be filed in the case folder.
7. Prisoners who are being processed in the booking room shall be handcuffed to the desk by use of the handcuffs attached to the desk which are designed for this purpose. Prisoners shall not be left handcuffed to the seat while unsupervised and shall not be handcuffed to any other item in the room. Prisoners who are not being released are to be placed in a detention cell when processing is completed.
8. Officer(s) who are utilizing the booking/interrogation room have the responsibility for supervising the detainee, including security concerns, physical needs such as bathroom needs, and food and water if they are to remain in custody pursuant to sec II e of this policy. The equipment that is kept in the booking/interrogation room shall be limited to that which is necessary to perform the functions of the area. Officers are to ensure that items are not left in the room which could be used to injure agency personnel or damage property in the facility. Depending on the circumstances of the interview, one person should be interviewed at a time by an officer. This does not preclude an additional officer(s) being present if the situation warrants it.

H. Prior to placing a prisoner in the cell, the arresting or booking officer will adhere to the following procedures:

1. check the prisoners arrest information to determine the prisoners background for possibility of an escape risk, clues to an escape risk prisoner may include; prior escape attempts, prior serious arrests and imprisonment's, combativeness towards authority.
2. ensure that the prisoner punch card is completed and print your name and shield number in the space marked "Staff," (if there is a female prisoner print the name of the female employee responsible for the checks under the comments section), and write the cell number in the space provided.
3. ensure that the cell is clean and free of any items that are not authorized.
4. after placing the prisoner in the cell ensure that the cell door is locked securely and report any security defects to the shift supervisor.
5. punch the time card with the time clock located in the booking room and initial it under "staff" section.
6. Advise the shift supervisor or senior officer that a prisoner has been lodged in a detention cell.
7. Detainees will be separated by male and female. No more than one detainee shall be placed in the same detention cell unless absolutely necessary. Juveniles will be held in the designated areas for this

department which are:  
**INTERVIEW #1** and the **JUVENILE OFFICE**.

**II. Personnel Assigned to Supervise Prisoners will:**

- a) If the prisoner is from a previous shift, write your name and shield number in the space marked "Staff," (if there is a female prisoner print the name of the female employee responsible for the checks under the comments section), then punch the prisoner time card twice and write your initials or female employees next to the first stamped time and the prisoners condition next to the second time, (e.g. awake, sleeping, etc.).
- b) no female prisoners will be placed in cells unless there is a female employee of the police department on duty that is qualified to supervise prisoner.
- c) make actual visits to the cell of all prisoners, at intervals **not to exceed thirty** (30) minutes, checking on their condition and punch the prisoner time card after each check, writing on the card the condition of the prisoner in the space after the time, (if more space is required use area marked comments or the back of the card).
- d) the prisoner time card shall be punched and noted whenever a prisoner is placed in the detention cell, fed, refuses food, or whenever he/she is taken out of the cell and again when he/she is placed back into the cell, for any reason.
- e) a supervisor will review each prisoner time card to make sure the in person visits are not exceeding thirty (30) minute intervals. The supervisor will initial each card that has been reviewed.
- f) at NO time will a prisoner be allowed to smoke anywhere in the building.
- g) prisoners detained during any of the three daily meal periods; morning 7:00 am, noon 12:00 p.m. and evening 7:00 p.m., shall be provided with suitable food at the expense of the Village of Walden. Breakfast shall consist of one (1) buttered hard roll and one (1) container of coffee or beverage per prisoner. Lunch and dinner shall consist of one (1) hamburger and one (1) container of coffee or beverage per prisoner. If the prisoner has a special religious or medical diet, the officer will attempt to obtain such food. Food will be given to the prisoners in their cell only and the items shall be passed through the bars and their time card shall be punched.
- h) it shall be the responsibility of the person assigned to check on

the prisoner to ensure that any items used by the prisoner, such as, paper towels, toilet paper, soap, food containers, are removed from the cell as soon as possible after the prisoner has used such items.

- i) Civilian personnel shall not unsecure a prisoner, and whenever possible two officers should be present before unsecuring a prisoner from a cell. Unauthorized persons should not enter the Detention facility/area when there is a detainee present unless authorized by the shift supervisor or senior officer.
- j) Movement of all prisoners should be conducted by two (2) officers, when manpower levels permit. The second officer is permitted to maintain custody of his weapon at all times, but is not allowed in the area immediately in front of the cells or in the cells. This officer's responsibility is solely to assist the main officer.
- k). Cell Keys will be either in possession of an officer, person monitoring a prisoner, or stored in the key box in communications. In no event are the keys to be left unattended in the detention area.
- l). Employees should not enter an occupied cell alone, except in emergency circumstances. Emergency circumstances are situations in which there exists an immediate threat to the life or safety of the prisoner or other person in the cell.

### **III. Medical Treatment/Emergencies:**

- A. If a prisoner/detainee is in need of medical treatment because of an illness or injury the person in charge of supervising them shall:
  - 1. Notify the shift supervisor or senior officer.
  - 2. The prisoner will immediately be transported to an area hospital for treatment, either in the police vehicle or by an ambulance depending on the seriousness and type of injury/illness.
  - 3. The prisoner will be handcuffed, unless it interferes with emergency medical treatment and shall be treated as a prisoner at all times.
  - 4. Prisoners should not be removed from their cell by civilian employees unless an officer is present.
  - 5. If any injury is sustained to a prisoner while in the custody of the Walden Police Department, the officer(s) and/or persons involved will submit a written supplemental report on how the injury occurred to the shift supervisor prior to going off duty.
  - 6. If a prisoner refuses medical treatment, the arresting officer will have EMS complete the Refusal of Medical Treatment form and ensure the prisoner signs it.
  - 7. If a prisoner refuses medical treatment under conditions where it is apparent that the injury is serious and requires immediate medical attention, he will be taken to the hospital, by force if necessary, under the

- care of an ambulance.
8. Whenever a prisoner is treated for an injury or illness, the shift supervisor shall ensure that a detailed report is completed concerning the incident.
  9. At no time will a prisoner be given any medication or any type of pills while in the detention area.
  10. In the event that a detainee(s) have to be evacuated due to an emergency situation (fire, smoke etc.) the detainees are to be evacuated to a hazard free area through one of the two main doors allowing entrance into the holding facility. The first choice should be the door allowing entrance from the main hallway entrance which is the easiest method to get outside the building. The second method of evacuation from the detention area shall be through the side door allowing entrance from the locker room hallway of the police department. Depending on the number of prisoners involved, the security risk, and the severity of the fire, the location of where the prisoners are to be taken shall be at the discretion of the officer. Prisoners will be kept handcuffed and under close guard at all times. If prisoners must be removed from the building, they will be secured in the back seat of a caged patrol vehicle. Injured prisoners shall be handcuffed, if at all possible, and be kept under close guard. Injured prisoners shall be given medical aid if necessary. If prisoners are not able to return to the temporary detention facility, arrangements shall be made to release prisoners on bail or to house prisoners in the Orange County Jail.

#### **IV. Reporting Emergencies:**

- A. If an unusual incident, (fire, injury to prisoner) occurs, the officer shall take all appropriate actions to notify the emergency personnel necessary and shall render first aid as needed, but the officer should not un-secure the prisoner unless a second officer is present.
- B. If any person other than a police officer discovers an unusual incident that person shall immediately cause emergency personnel to be notified and shall not un-secure a prisoner.
- C. If, for any reason, prisoners have to be evacuated from the building it will be the responsibility of the shift supervisor or in his absence the senior officer in the police station to ensure that all prisoners are removed to a safe area. All prisoners shall be handcuffed, unless the circumstances of the emergency make handcuffing of the prisoners unreasonable.
- D. In the event that an arrestee escapes from the holding facility, the personnel who are aware of the event will make immediate notification to Communications and the shift supervisor or the senior officer. Immediate action should be taken by sworn police personnel to apprehend the escapee. This may include setting up a perimeter around the affected area, a village and/or county wide radio broadcast, and the mobilization of other resources as deemed necessary.
- E. Any incident that threatens the security of a detainee or the Holding Facility will be documented in a case report.

## **V. Safety Concerns:**

- A. The temporary holding facility including the booking/interrogation room is equipped with an automatic fire alarm, heat and smoke detection system. The Village of Walden has provisions for testing the technology employed and is established to ensure the integrity and reliability of the system. The Village of Walden Police Department shall plan and execute all reasonable procedures for the prevention and prompt control of fire. It is the responsibility of the department personnel present to safely evacuate any detainees.
- B. The assigned Sergeant or his designee shall conduct weekly inspections, and prepare a monthly report to insure that the temporary holding facility is clean, sanitary, safe, and to ensure that everything is in proper working order as well as to determine that no unsafe conditions are developing. The Village hires an independent company to inspect for vermin and pests. The administrative review which requires that existing policies continuously comply with accreditation standards, will ensure that the temporary detention facilities meet or exceed all accreditation standards as far as procedures and adequacy to meet this agency's needs.
- C. There is one main door allowing entrance into the holding facility and also a side door allowing exit. These doors are to remain closed and locked unless they are being used to enter or exit the detention facility. The doors may be kept open during cleaning or maintenance of the detention area but only if there are no detainees present in the facilities.
- D. There are two holding cells within the facility. The doors to the holding cells will remain unlocked and open when unoccupied.
- E. Holding cell locks will remain behind the booking desk attached to the wall, unless they are locked on a cell.

## **VI. Prisoners who are violent, self destructive, or under the influence of alcohol and/or drugs**

Special precautions will be taken with prisoners under the influence of alcohol or other drugs, or who are violent or self- destructive. To attempt to prevent prisoner injury, additional restraints such as leg irons may be utilized to immobilize the prisoner while he is held within the Detention Facility and until he/she is transported to another facility. Other precautions include:

- A. Prisoners who are violent, self-destructive, or under the influence of alcohol or other drugs will be segregated from other prisoners.
- B. Violent/combatative prisoners or those who have shown a propensity for violent behavior will be brought into the Temporary Detention Facility and will be continuously monitored by an officer. These prisoners will not be left alone in a cell unless absolutely necessary in order to reduce the risk of the prisoner injuring him/herself.

- C. Officers will have an ambulance respond when a prisoner is medically endangered due to excessive intake of alcohol or other drugs. The prisoner will be under constant watch and not left alone in cell room until medically cleared by EMS personal. If prisoner is not cleared by EMS they will be transported to hospital.
- D. Officers will closely monitor any prisoners who are under the influence of alcohol or other drugs, or who are violent or self- destructive.
- E. Persons who are injured prior to or as a result of their individual or collective illegal activity are to receive medical treatment pursuant to Sec III of this order
- F. Prisoners who are in custody and require emergency medical care at a hospital will remain with the prisoner at the hospital. The officer will notify his/her immediate supervisor of the prisoner's condition, and retain custody of said prisoner until he/she is relieved by another officer or directed otherwise by the shift supervisor.
- G. Prisoners who indicate that they are self destructive will be arraigned as quickly as possible in order that they may be transferred to the Orange County Jail.
- H. The officer transferring the prisoner to the Orange County Jail personnel is responsible for notifying jail personnel of the prisoner's condition.
- I. Prisoners who become violent may be restrained in the Temporary Detention Facility by officers utilizing authorized equipment and in conformance with Gen Order #09.05 Use of Force.

## **VII. Releasing of Prisoners**

Prisoners who are being released from the detention area shall not be escorted through the secure area of the building. Prisoners may be escorted out of the detention area into the hallway and can exit the hall door which leads to the main lobby.

## **VIII. Training**

All sworn officers and court officers will receive initial training in the use and procedures of using the Temporary Holding Facility during their initial field training. The training will address the resources that are available to department personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. Other safety issues will also be addressed to reduce complacency and increase safety awareness. Officer safety is a vital concern of this agency and each officer will receive re-training and mandatory review of this general order at least once every three years.

## **XI. Reportable Incidents**

Reportable incident shall mean prisoner death; prisoner injury or illness requiring hospitalization; civil or natural emergency; or disturbance.



- A. Except as provided in subdivision (b) of this section, reportable incidents shall be reported to the commission by mail within 24 hours of occurrence in a form and manner prescribed by the commission.
- B. The death of an inmate shall be reported to the commission within six hours of pronouncement of death in a form and manner prescribed by the commission.
- C. The New York State Commission of Correction form will be sent to:  
New York State Commission of Correction  
AE Smith Building, 12th Floor  
80 South Swan Street,  
Albany, NY 12210  
Attn: R.I.  
(518) 485-2466 24 Hr On Call  
(518) 485-2467 Fax Machine

## **X. Construction and Renovation**

- A. Correction Law, section 45, subdivision 10, requires that any plans and specifications for the construction or renovation of detention facilities must be submitted for review to the State Commission of Correction.
- B. Approval of the commission must be obtained before a construction or renovation project is advertised for bids. If it is not contemplated that a bidding procedure is to be followed, approval must be obtained before any construction or renovation is undertaken.
- C. A booklet which contains outline data and general requirements to be observed in the construction or renovation of city, town and village detention facilities is available and will be provided on request to the commission office at Albany.

## **XI. Variances**

- A. The Commission of Correction recognizes the need to provide a mechanism by which a lockup may apply for a variance to the requirements of this Chapter when situations exist or arise that would prevent or alter the lockup's ability to meet a requirement as set forth in this Chapter. The Commission may, in its discretion, grant such variance only under certain conditions when so doing will not jeopardize the safety, security or good order of a lockup.
  - 1. The chief administrative officer may apply to the commission for a variance to requirements of this Chapter when:
    - a. Compliance with a specific rule or regulation cannot be achieved by the effective date of such rule or regulation;

- b. Due to a temporary condition or situation, compliance with a specific rule or regulation cannot be achieved; or
- c. Compliance is to be achieved in a manner other than that which is specified in a rule or regulation until such time as compliance with such specific rule or regulation can be achieved.

A handwritten signature in black ink, appearing to read "Jeffry Holmes". The signature is written in a cursive style with a horizontal line extending to the right.

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Jeffry Holmes,  
Chief of Police