

# VILLAGE OF WALDEN

## POLICE DEPARTMENT

ONE MUNICIPAL SQUARE  
WALDEN, NEW YORK 12586

Jeffry Holmes  
Chief of Police

### GENERAL ORDER

**NO: 09.04**

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#### I. PURPOSE:

This procedure is to ensure legal custody of those committing illegal acts, and to accomplish this safely by protecting the arrestee, the officers of this department, and the people of the community. The following procedure will be used to effectuate an arrest:

- A. All arrests without a warrant shall be based upon probable cause pursuant to Article 140 of the NYS Criminal Procedure Law.
- B. When effectuating an arrest, the officer may use no more physical force than necessary to Effectuate the arrest as may be justified pursuant to Article 35 of the NYS Penal Law.
- C. Arresting officers shall remain in charge of the arrest situation. An officer shall not use abusive or obscene language nor be apologetic or indecisive.
- D. An officer may elect not to effectuate an arrest when, in his discretion, exigent circumstances exist even though a crime has been committed. These circumstances may include, but are not limited to:
  1. Riot situation, whereby the arrest of an individual could incite an explosive situation.
  2. Injury, severe enough to require medical attention or hospitalization.
  3. Mental patient, when psychiatric help is determined to be a better solution than effecting a criminal charge.

#### II. ARREST PROCEDURES:

- A. Searching incidental to an arrest for weapons and/or contraband;
  1. The arresting officer at the time of arrest shall search the person arrested, his clothing, person and any articles found on the arrestee's person for the presence of

weapons and/or contraband.

2. Females arrested shall be searched by female officers or other qualified female personnel, unless the officer reasonably suspects that he is in danger of physical injury, he may search such female for a deadly weapon or any instrument, article or substance readily capable of causing serious physical injury.
3. The officer shall search the immediate “reachable area” of the arrestee at the time of arrest.
4. Strip searches of prisoners will only be conducted by members of the same sex and only if the arresting officer reasonably believes that the prisoner may have concealed weapons or contraband, and only after the explicit approval of the shift supervisor.

B. Individuals Attempting to Swallow Contraband/Evidence.

1. If while being arrested or while under arrest the arrestee attempts to swallow contraband or evidence and that person has already placed the object in their mouth, Officers shall not attempt to forcibly prevent someone from swallowing such contraband or evidence if such action would lead to further physical injury of the arrestee. Officers shall ensure that the arrestee receives prompt medical treatment and actions shall be documented in the case report.

C. Handcuffing prisoners.

1. ALL persons arrested for any crime will be handcuffed while transported in a police vehicle. Handcuffs will be double locked for the prisoner’s safety.
2. Prisoners who appear to be combative, or considered an escape risk shall be handcuffed with their hands behind them, palms outward. If prone restraint techniques are used to handcuff the person, subjects will be closely monitored for any signs of respiratory difficulty and officers shall roll handcuffed suspects onto their side or sit them upright as soon as possible.
3. In situations where prisoners must be handcuffed together, the officer shall cuff prisoners with similar hands together, (i.e. both right hands together).

D. Prisoner Rights.

1. After securing custody of an arrested person and before interrogating him, the officer shall inform him of his constitutional rights as set forth by the Miranda Decision.
2. The officer shall read these rights from a printed source and in order to secure a waiver, the following question should be asked and a proper reply secured to the question:
  - a) Do you understand each of these rights I have explained to you?

E. Vehicle Impounds.

1. When the arrested person is an operator of a motor vehicle and the vehicle is

not to be used as evidence, the arresting officer shall cause the vehicle to be removed from the scene of arrest unless vehicle can be legally parked. This will be accomplished in the following order:

- a) The arrested person may elect to have someone of his own choosing remove the vehicle, providing that;
    - (1) the vehicle can be removed within a reasonable amount of time,
    - (2) the person elected does not violate any other law, (i.e. possesses valid driver's license, is not intoxicated, etc.).
  - b) If the vehicle needs to be impounded the arresting officer will follow the provisions outlined in General Order #\_\_.\_., Vehicle Towing.
2. When the vehicle is to be held as evidence, the arresting officer shall have the vehicle impounded and, while maintaining custody of the vehicle, have said vehicle brought to the Village DPW, upon which time the vehicle shall either be placed inside the garage or parked where it will be inventoried and secured as ordered by the supervisor of the case.

F. Transporting Prisoners.

1. Officers shall search any prisoner prior to transporting.
2. Single prisoners will be handcuffed as stated in Section II; C, of this General Order and transported in a vehicle with a cage whenever possible with the prisoner in the back seat.
  - a) If the vehicle does not have a cage the officer will handcuff the prisoner and place him in the front passenger seat, utilizing the seat belts.
3. Multiple prisoners will be handcuffed as stated in Section II; C, of this General Order and two (2) or more prisoners will not be transported in a police vehicle without a cage unless, there are two police officers in the vehicle and both officers will ride in the front seat, and ALL prisoners will be in the back seat.
4. While transporting prisoners officers will ensure that the prisoner is seated in the upright position and if necessary seatbelt the person to maintain the upright position, so that the officer can observe the prisoner and guard against any respiratory difficulties. During transport, no one other than department personnel shall communicate with a prisoner.
5. Under normal circumstances, no stops will be permitted while transporting a prisoner from the point of arrest to headquarters or from Headquarters to another agency. Officer(s) transporting a detainee(s) may respond or render assistance only in life threatening situations where another officer is in need of immediate assistance or a life threatening situation is in progress and the transporting officer is closer to the scene than responding units. Transporting officers that may encounter minor offenses or incidents will notify communications and request another unit handle the

situation.

6. Officer(s) transporting a detainee(s) to another agency or the Orange County Jail shall:
  - a. Secure their firearms if required by the receiving agency
  - b. Leave any/all restraining devices on the detainee(s) until they reach a secure area of the receiving agency such as booking area, holding area etc. unless directed otherwise by the receiving agency.
  - c. Present all necessary detainee documentation and paperwork to the receiving employee, including documentation authorizing a transfer of custody.
  - d. Advise receiving agency personnel of any potential medical or psychological problems as well as any type of security risk. Copies of documentation, copy of the suicide screening form, or any written report indicating the potential for suicide, escape or other security issue shall be provided to the receiving agency.
  - e. Should a detainee who is to be transported to another agency or court be considered an unusual security risk, the receiving agency shall be notified in advance so that additional security steps can be taken if deemed necessary.
  - f. Officers transporting a detainee from another facility to Walden Police temporary detention shall confirm the identity of the prisoner being released. Confirmation of identity may be achieved through the use of pictures, drivers licenses, ID cards, personal recognition by the releasing employee etc.
  - g. The Village of Walden Police does not provide prisoner transportation for any detainee in custody for any event other than transports necessary for police business.

G. Female Prisoners.

1. Before transporting a female prisoner(s), a male officer, in addition to the aforementioned, will inform the dispatcher:
  - a) that he is transporting a female(s),
  - b) of his present location and his destination,
  - c) his present odometer reading, and
  - d) upon arriving at his destination, of his ending odometer reading.
2. A female prisoner will not be permitted to maintain possession of a handbag, pocketbook, or any other item capable of concealing contraband or weapons while being transported.

- H. 1. If a prisoner is in need of medical treatment at the time of arrest because of an illness or injury, the shift supervisor shall be notified and 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. The prisoner will be handcuffed, unless it interferes with emergency medical treatment and shall be treated as a prisoner at all times.

2. When a sick or injured prisoner needs to be transported to a medical facility via ambulance and the prisoner has revealed suicidal tendencies, represents an escape risk, or represents a risk to ambulance personnel, appropriate restraints shall be employed and/or the officer should consider riding in the ambulance with the prisoner. Other factors at the officer's discretion may be considered to determine the need to accompany a prisoner in an ambulance. While the degree of restraint to be used on a prisoner shall be at the discretion of the transporting officer, consideration of the distance to be traveled, physical/emotional state of the prisoner, nature of offense, as well as common sense and good judgment shall be the basis for the determination.
3. Any item or device required by a prisoner as a result of a handicap or illness shall be transported with the prisoner. (i.e. Assistive device for walking, wheel chair, crutches, medication etc.)
4. Prisoners taken to a medical facility should be restrained unless the removal of restraints is necessary for medical treatment. Officers shall maintain visual contact with the prisoner as much as possible. Should a prisoner be admitted to the hospital, a supervisor is to be notified to either arrange for guard duty or the possible release from custody, depending on the circumstances.
5. If the hospital does not admit the prisoner, officer(s) shall obtain any written instructions for the care of the prisoner as well as any medication that is provided. Before being placed back in the transport vehicle, the prisoner shall be searched to ensure that he/she has not acquired any item that he/she should not have.

I. Searching Police Vehicle.

1. The police vehicle used to transport any prisoner will be searched for contraband and/or weapons, as soon as possible before and after such transport is completed.

J. Escapes.

1. If a prisoner escapes from custody while being transported, the transporting officer shall immediately notify Headquarters and the shift supervisor. An immediate search will be conducted and the transporting officer will complete a full report of the incident which will include the circumstances and details surrounding the escape.

**III. ENTRANCE TO POLICE BUILDING**

- A. All prisoners transported by vehicle to the police station will be brought into the building by the side employee entrance located on Walnut Street.
- B. Once in the building while the prisoner still remains handcuffed, fully search the prisoner for any weapons. Then, while keeping the prisoner facing away from the officer and at a safe distance, the officer shall secure his primary and secondary firearms in the gun locker by the entrance to the detention area. **All** firearms will be secured before entering the detention area.

- C. Any prisoner placed in custody in the lobby shall be handcuffed and frisked, then escorted to the detention area.
- E. Before entering the detention area and while the prisoner remains handcuffed; the officer shall fully search the prisoner for any weapons. Then while keeping the prisoner facing away from the officer and at a safe distance, the officer shall secure his primary and secondary firearms in the gun locker by the entrance to the detention area.
- F. The detention area includes that area of the cellblocks and booking room.
- G. To insure the safety of individuals in the detention area, **NO FIREARMS** are permitted at any time, in the booking/interrogation room while a prisoner is being booked.
- H. **NO FIREARMS** are ever permitted in the cells or the area immediately in front of the cells.

#### IV. BOOKING PROCEDURES:

- A. At no time will an officer leave an arrested person unattended unless that person is secured properly, in a detention cell. Prisoners may not be left cuffed to the bench while unattended.
- B. All prisoners will be checked through DCJS and NCIC upon the beginning of the booking process, and checked for local wants prior to being released.
- C. An Offense\Incident report will be completed when applicable.
- D. If the prisoner's vehicle is impounded; a Vehicle report will be completed.
- E. The Arrest report will be completed and all pertinent entries will be entered onto the arrest board.
- F. Information's and Uniform Traffic Tickets will be completed in black ink or typed.
- G. Prisoners will be fingerprinted as required by Article 160 of the NYS CPL.
  - 1. Prisoners will be fingerprinted manually on the following finger print cards.
    - a) One (1) DCJS "ARREST" card, (white with black print)
    - b) Two (2) FBI, FD 249 cards, (white with red print)
  - 2. Officers are to ensure that the prisoner signs the fingerprint cards in the appropriate places.
  - 3. The officer taking the prints will sign the cards in the appropriate places.
  - 4. Palm prints may be obtained from all persons arrested who are to be fingerprinted pursuant to Article 160 of the NYS CPL. The officer obtaining the palm print shall print the prisoner's name in the upper right corner of the paper.
  - 5. Officers will make every attempt to obtain the fingerprints of prisoners at the time of the original booking. If the prisoner is not fingerprinted during the original booking, the arresting officer shall notify the court of such. The court shall send the prisoner down for complete processing on their next court appearance.
- H. A mug shot shall be taken of all persons arrested who are to be fingerprinted pursuant to Article 160 of the NYS CPL. Officers shall ensure:
  - 1. That the prisoner is standing straight up and facing the camera, feet flat on the floor, centered in the photo, with their eyes opened.
  - 2. A second photo should be taken of those prisoners wearing eyeglasses with the glasses off.

3. A final photo will be taken with the prisoner standing to the side with the prisoner's left side facing the camera.
  4. Prisoners should not be wearing a hat or any other object that would obstruct their physical appearance.
- I. Officers will ensure a File 15 is sent on appropriate arrests. Officers will also ensure that for all V&T misdemeanors and/or felonies, that a File 2 is sent and the response is ATTENTION: Arresting Officer's Name. All drivers' license and registration teletype information will be retained in the arrest folder.
- J. It will remain the policy of this department to allow prisoners to make a reasonable amount of telephone calls, for reasonable requests. Police Officers shall not refuse reasonable requests by prisoners to contact an attorney.
- K. Prisoners Personal Property.
1. Any officer who arrests a person who:
    - a) is to placed in a detention cell, or
    - b) will be or is likely to be transported to the Orange County Jail, or
    - c) will be turned over to another Law Enforcement Agency; shall conduct an inventory search and take from said prisoner all items in possession of said prisoner while he/she is in custody and place them in a evidence bag/envelope. The officer shall then complete all pertinent entries on the bag/envelope.
  2. The officer will have the prisoner sign the bag/envelope in the appropriate place.
    - a) If the prisoner is unable or unwilling to sign, the officer and at least one witness will sign the bag/envelope in the appropriate place.
    - b) Property taken from a prisoner shall be secured in the cell room behind the desk where the prisoner will not be able to access it.
  3. The officer shall maintain control over the prisoner's personal property until:
    - a) the prisoner is released whereupon the property can be returned to him with him signing the envelope.
    - b) the prisoner is transported to jail whereupon the property can be released to the jail personnel, with them signing the envelope.
    - c) the prisoner is turned over to another agency whereupon the property is signed for by the officer from the receiving agency.
  4. An officer shall not release the personal property of a prisoner to any person other than the prisoner, unless requested by the prisoner with discretion from the arresting officer.
  5. Once the property has been removed from the envelope and has been released, the officer shall return the envelope to Headquarters and place it in the prisoners Arrest File.

**V. RELEASE PROCEDURES:**

- A. Use of Appearance Tickets.

1. Appearance tickets may be issued for any arrest pursuant to the provisions of Sec. 150 of the NYS CPL.
2. When an Appearance Ticket is utilized:
  - a) all entries will be printed with the exception of the officer's signature.
  - b) the appearance date should be approximately two (3-4) weeks after the arrest date unless; circumstances exist making this unfeasible.
  - c) appearance tickets will be personally served to the defendant by the officer.
  - d) bail may be set by the Sergeant or Senior Officer in accordance with Article 150.30 of the NYS Criminal Procedure Law and shall be set in \$5.00 increments,
  - e) cash bail shall be placed in a small envelope and written on the envelope shall be the prisoner's name, arrest #, bail amount, and officer's name, the envelope shall then be put in the bail deposit located on the wall by the time clock outside of the dispatch room,
  - f) Officers shall escort released prisoners to the front lobby of the police department, but not through the secure area of the police building.

**B. Local Criminal Court Arraignment.**

1. The following categories of prisoners will be brought before a local criminal court for arraignment:
  - a) any prisoner charged with any crime stated in Sec. 150.20 of the CPL. that prohibits the use of an appearance ticket.
  - b) any prisoner whose arrest is based on a warrant.
  - c) any prisoner whose identity is questionable.
  - d) any prisoner who refused to cooperate with any booking procedure.
  - e) any prisoner where there exists a reason to believe that he will not reappear in court or is a danger to himself or others.

**VI. DETENTION CELL UTILIZATION:**

A. NO prisoner will be placed in a cell if it is determined that their physical or mental condition OBVIOUSLY WARRANTS CONSTANT SUPERVISION.

1. If a prisoner is determined to be in need of constant supervision, that prisoner will be immediately arraigned and constantly supervised until they are transferred to another facility. The personnel of that facility will be notified of why that prisoner was unsuitable for our detention cells.

B. When it is necessary to place a prisoner into a detention cell while an arraignment is being arranged, or during the nighttime when arraignments are not usually held, (between 23:00 hrs and 06:00 hrs) or for any other reason, the officer will use the following procedure:

1. Before placing a prisoner into the detention cell, the clothing and person of each prisoner shall be thoroughly searched.

- a) 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.
  - b) Searching of a female prisoner shall be accomplished by the regularly appointed female police officer, matron, or other qualified female person.
  - c) 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:
    - (1) Normal “pat-down” searches should be conducted in the presence of the arresting officer.
    - (2) “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 the cells #1 & 2, and locking the outer cell room door, (the doors to cells 1 & 2 should be shut so that the prisoner cannot discard any contraband in the toilet).
2. Belts, neckties, shoes, and clothing items such as jackets, overcoats, or other similar outer garments shall be removed and stored in the cell room behind the desk where they will not be accessible to the prisoner(s).
  3. An accurate listing shall be made of all money, and items such as, rings, watches and other personal property taken as stated in Section IV; K, of this General Order, and those items shall be secured in the cell room behind the desk where they will not be accessible to the prisoner(s).
  4. 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.
  5. A Suicide Prevention Screening Guidelines Form, and a prisoner punch card shall be completed in full by the arresting officer before the prisoner is placed in the cell.
  6. Before placing a prisoner in a cell and after removing a prisoner from a cell, the arresting officer or transporting officer shall inspect that cell for any unauthorized contraband and remove any item(s) found, complete a supplement report and evidence receipt, logging the contraband into evidence, then forwarding the report to the shift supervisor.
  7. The officer placing the prisoner in the cell shall ensure that the cell door and the secondary door leading to the individual cells are secure.
  8. At no time shall any member of this department accept a prisoner under circumstances where it is apparent that the prisoner is in need of medical attention. This shall include prisoners who are surrendered to our department, on our warrants, from other agencies. In each case when an officer believes that a prisoner should not be admitted to our facility, the shift supervisor shall be notified and will make a final determination.

C. Medical Treatment for Prisoners.

1. If a prisoner is in need of medical treatment because of an illness or injury, the shift

supervisor shall be notified and 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. The prisoner will be handcuffed, unless it interferes with emergency medical treatment and shall be treated as a prisoner at all times.

2. 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.
3. If a prisoner refuses medical treatment, the arresting officer will have EMS personnel complete the Refusal of Medical Treatment form and ensure the prisoner signs it.
4. 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.
5. Whenever a prisoner is treated for an injury or illness, the shift supervisor shall ensure that a detailed report is completed concerning the incident and forward that report to the Chief of Police.
6. No prisoner(s) should be given any kind of medication what so ever.

D. Sanitation and Maintenance of Cells.

1. A supply of clean blankets will be kept available for issue depending on such circumstances as the condition of the prisoner, and the temperature in the detention area; if the prisoner so desires one. Blankets should not routinely be left in the cell.
2. A supply of soap, paper towels, and toilet tissue shall be maintained, and disposable drinking cups made available, to the prisoner. Supplies of this nature shall not be routinely left in the cells.
3. It shall be the responsibility of the designee assigned by the Chief of Police to regularly inspect the cells to ensure that satisfactory sanitation and security conditions exist at all times. The assigned designee shall file a report on his finding on a monthly basis, which will be filed in the Chief of Police.

E. Supervision of Detention Cells.

1. Officers shall secure **ALL** their firearms in the gun lockers before entering the detention cells.
2. Prior to placing a prisoner in the cell, the arresting or booking officer will adhere to the following procedures:
  - a) 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...
  - b) ensure that the prisoner punch card is completed and print your name and shield number in the space marked "Staff Sign ," (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.

- c) ensure that the cell is clean and free of any items that are not authorized.
  - d) after placing the prisoner in the cell ensure that both cell doors are locked securely and report any security defects to the shift supervisor.
  - e) punch the time card with the time clock located in the booking room and initial it under “staff sign” section.
  - f) Advise the shift supervisor that a prisoner has been lodged in a detention cell.
3. The shift supervisor shall assign one of the Communications Personnel to check on the condition of the prisoner(s).
  4. Supervision of a female prisoner shall be accomplished by a female police officer, matron, or female dispatcher and that female employee shall retain the key to the cell. A female employee must also be present before any male employee may enter the female detention area, while a female prisoner is being detained. If there is no female employee working the shift supervisor will arrange to have a female employee called in. Supervision of male prisoners shall be accomplished by a male police officer or a male communications officer.
  5. The person assigned to check on the condition of the prisoner will use the following procedures:
    - a) If the prisoner is from a previous shift, write your name and shield number in the space marked “Staff Sign,” (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) 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
    - c) 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).
    - c) The prisoner time card shall be punched and noted whenever a prisoner is fed, refuses food, or whenever he is taken out of the cell and again when he is placed into the cell, for any reason.
    - d) at NO time will a prisoner be allowed to smoke anywhere in the building.
    - e) 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 desk 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.
    - f) 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.



G. Arraignments of Prisoners.

1. The assigned officer shall be responsible for the arraignment of the prisoner(s) and shall notify the shift supervisor of the arraignment time, so that whenever possible, the shift supervisor can assign a second officer to assist in the safe movement of the prisoner(s).
2. If the prisoner is considered a high escape risk or combative he shall not be removed from the cell unless there are two officers present.
3. The following procedures will be used for the movement of prisoners:

Two (2) Officers;

- a) one officer shall punch the prisoner time card then secure his firearm in the gun locker located in the hallway outside the detention area, the assisting officer may retain his firearm, but shall remain in the hallway just outside the cell area and the booking room,
- b) the unarmed officer shall enter the cell area and remove the prisoner from the cell, handcuffing him.
- c) the unarmed officer will bring the prisoner out of the cell area and the assisting officer will take custody of the prisoner while the unarmed officer retrieves his firearm,
- d) both officers shall escort the prisoner up to the court room and one officer shall remain with the prisoner at all times.
- e) if the prisoner is not released, both officers shall escort the prisoner back to the detention area,
- f) one officer shall secure his firearm, search the prisoner, and then place him back into his cell,
- g) the officer shall then punch the prisoner time card and make the proper notation.
- h) the officers shall notify the Communications Person assigned to check on the prisoner to start their 30-minute checks again.

One (1) Officer;

- a) that officer shall and secure his firearm in the gun lockers located in the hallway outside the detention area and punch the prisoner time card noting the reason,
- b) remove the prisoner from the cell and handcuff him with his hands behind him,
- c) leave the prisoner in the front area of the cells and secure the outer cell door,
- d) then retrieve his firearm from the gun locker, and then unlock outer cell door and escort prisoner upstairs to the courtroom,
- e) upon returning prisoner to cell, search prisoner for contraband, then place the handcuffed prisoner in front area of cells,
- f) secure firearm in gun locker located in hallway outside detention area,
- g) enter cell area and secure outer cell room door, then remove handcuffs from the prisoner and place him in his cell, securing cell door, and then secure door to detention area,
- h) punch prisoner time card and make proper notations.

- l) the officer shall notify the Communications Person assigned to check on the prisoner to start their 30-minute checks again.
4. If the prisoner is released, the officer will escort the prisoner back to the booking room, where he will return to the prisoner his property and have him sign the envelope in the appropriate place.
5. The officer will then escort the released prisoner to the front lobby of the police department, but not through the secure areas of the building.
6. If the prisoner is going to be transported to Orange County Jail or turned over to another agency, that prisoner shall be moved through the hallway which leads to the back exit of Headquarters when accessible.

H. Discipline of Prisoners.

1. Minor matters of discipline that do not constitute danger to safety, property or life shall be handled in such a manner as to attract as little attention as possible to the incident.
2. Officers shall not strike or lay hands on a prisoner unless it is in self-defense, to prevent an escape or serious injury to a person or property, to quell a disturbance, or to effectuate detention. In such cases, only the amount of physical force necessary to accomplish the desired results is authorized.
3. The use of chemical agents such as tear gas, pepper spray, or any other chemical substance designed to subdue a person, shall be used only when other restraint methods or efforts to subdue have not proven effective and after authorization is obtained from the shift supervisor.

I. Reporting of Emergencies.

1. If an unusual incident, (as stated in section J,2), occurs the person discovering the incident shall take all appropriate actions to notify the emergency personnel necessary and shall render first aid as needed, but an officer should not unsecure the prisoner unless a second officer is present.
2. 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 unsecure a prisoner.
3. If for any reason prisoners have to be evacuated from the building it will be the responsibility of the person assigned to check on the prisoner to ensure that a police officer is assigned to remove all prisoners to a safe area. All prisoners shall be handcuffed, unless the circumstances of the emergency makes handcuffing of the prisoners unreasonable.

J. Reporting of Unusual Incidents.

1. All incidents of an unusual nature, which involve the life or physical welfare of a prisoner while detained, shall be immediately reported to the State Commission of Corrections in Albany, (518) 474-1180.
2. Unusual incidents shall mean:
  - a) suicide or attempted suicides,
  - b) death other than suicide,

- c) escape or attempted escapes,
  - d) injury or illness; accidental, self or other inflicted, incurred subsequent to detention,
  - e) assault on an officer,
  - f) fire, or
  - g) other disturbances.
3. In cases of suicide or death from other causes, a certified copy of the death certificate and a copy of any report(s) made by a coroner or medical examiner shall be forwarded to the commission.
  4. It shall be the responsibility of the shift supervisor to ensure that a full report of the incident is completed and all information given to the Chief of Police.
  5. It shall be the duty of the Chief of Police or his designee to review all reports and forward them to the Commission of Corrections in Albany.

K. Recording of Detentions.

1. The Chief of Police shall maintain records of, the number of male and female prisoners detained and have such records available at all times for review by Commission of Correction representatives.
2. Monthly records of detention forms (State form 9509) shall be kept and provided to the Commission office upon request.
3. On or before the first day of February of each year, the assigned designee from the Chief of Police will submit a report of the total number of male and female prisoners detained during the preceding calendar year.



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Jeffrey Holmes,  
Chief of Police