



Colorado Springs Police Department

General Order

1010 Holding Cells

Section 1000 – Patrol Functions

Effective Date: 12/3/2020

Supersedes Date: 8/29/2018

.01 Purpose

The purpose of this directive is to establish and outline department expectations on the use of holding cells to safely house arrestees on a temporary basis.

.02 Cross-Reference

[GO 310 LGBT+ Community Interactions](#)

[GO 325 Intoxicated Persons](#)

[GO 1009 Prisoner Processing](#)

[GO 1011 Ill or Injured Prisoners](#)

[DL-1009-01 Person Searches](#)

[DL-1010-01 Holding Cell Operations](#)

[DL-1050-10 Juvenile Offenders](#)

[DL-1720-06 Sally Port](#)

[MAR-04 Temporary Detention and Processing Facilities](#)

28 C.F.R. Part 115, Prison Rape Elimination Act

.03 Discussion

The Colorado Springs Police Department (CSPD) operates holding cells at the Police Operations Center (POC), all division sub-stations, the municipal courthouse, and municipal airport to hold arrestees for processing, testing, and interviewing purposes, and to ensure both officer and arrestee safety prior to transport to the El Paso County Criminal Justice Center (CJC) or for release. It is imperative for these locations to operate under specific guidelines to maintain optimal safety and to ensure compliance with the legal requirements governing temporary holding facilities.

.04 Policy

It is the policy of CSPD to operate and maintain temporary, secure holding cell areas in a manner that is conducive to ensuring personnel and arrestee safety at all times. Holding cells are authorized for temporary detention of arrestees in accordance with the parameters of this directive.

The division commander or their designee has the overall responsibility for operation of holding cells at their assigned location. The division commander will ensure all officers utilizing the holding cells are appropriately trained in their use and that the holding cells are operated in a manner consistent with policy.

Following placement of an arrestee in a holding cell, the arresting officer remains responsible for supervision of that arrestee, prior to contacting the duty desk personnel. Once the duty desk is contacted, they will assume supervision of that arrestee. Additionally, the duty desk personnel may transfer supervision responsibilities to another sworn officer as needed.

All persons arrested, processed, interviewed, or interrogated, who are temporarily housed in a CSPD holding cell will be processed in accordance with [GO 1009 Prisoner Processing](#).

Arrestees will remain secured in a holding cell, at all times, except when being fingerprinted, photographed, tested, and interviewed/interrogated.

No arrestee will be held in any area other than a holding cell; to include any interview room, office, or other location that is not a holding cell, without direct supervision.

Arrestees will not be temporarily restrained to any fixed object or fixture in any police facility; to include wall anchors, chairs, or tables.

Each holding cell area will have adequate lighting, fresh or purified air, and access to a toilet and drinking water.

All arrestees will remain in CSPD custody no longer than necessary.

In accordance with the Prison Rape Elimination Act (PREA) and state regulations, the following custody timelines have been established:

- Adult arrestees: May be held in department custody for up to four (4) hours, or up to six (6) hours with supervisor approval. Custody time in excess of six (6) hours requires commander/SDO approval.
- Juvenile arrestees: May be held in department custody for up to four (4) hours, or up to six (6) hours with supervisor approval. Juveniles cannot and will not be held in department custody for a duration in excess of six (6) hours.

Arrestees will not be provided with regularly scheduled meals however, officers may provide arrestees with something to eat, at their discretion, if they believe it necessary for humanitarian reasons.

Officers are prohibited from transporting any arrestee, who appears to be having a medical episode or exhibiting signs of distress, from a CSPD holding cell to a hospital. Instead, medical personnel will be summoned to respond.

.05 Definitions

Arrestee: for the purposes of this policy, a person who an officer has developed probable cause to charge with a criminal act and is placed in physical custody.

Direct Supervision: officers are in direct line of sight and within reasonable hearing distance of the arrestee.

Exigent Circumstances: any set of temporary and unforeseen circumstances that require immediate action.

Juvenile: any person under the age of 18, unless under adult court supervision, and held in a lockup facility.

Juvenile Status Offense: an offense that would not be criminal if committed by an adult, including: underage drinking, possession of alcohol/tobacco, curfew violation, and truancy.

Holding Cells: a designated area that contains secure enclosures that are:

- Under the control of a law enforcement officer or marshal; **and**
- Primarily used for the temporary confinement of individuals who have recently been arrested, or are being transferred to or from a court, jail, prison, or other agency.

Indirect Supervision: observation of persons located in holding cells via closed circuit monitoring devices that are located in a separate location, out of sight or sound.

Protected Custody: a person who is in police custody because the officer has probable cause to believe the person is a danger to themselves or other people.

Sight & Sound Separation: for the purposes of this directive, is defined as normal/loud conversation but not inclusive of deliberate yelling or screaming.

.10 Arrestee Separation

There will be sight and sound separation of male, female, and LGBT+ arrestees at all times in CSPD holding cell areas.

Juvenile arrestees will be held in accordance with [DL-1010-01 Holding Cell Operations](#), and be sight and sound separated from adult arrestees.

If such a situation arises in which this separation will not be achieved, duty desk personnel will arrange to move arrestees to other agency holding cells, immediately transfer arrestees to CJC, or for them to be released.

.20 Monitoring of Arrestees

Each holding cell is equipped with a panel providing privacy from the camera and visual checks for arrestees to conduct routine bodily functions.

For the safety of arrestees and officers, each occupied holding cell will be monitored by the duty desk personnel and/or Community Service Representatives (CSR) via direct and indirect supervision methods.

.25 Juvenile Arrestees/Detainees

A parent, guardian, or custodian, per [DL-1050-10 Juvenile Offenders](#), must be contacted, without unnecessary delay, regarding the status of any juvenile arrestee/detainee.

Personnel from other law enforcement agencies who request assistance in processing a juvenile arrestee (e.g., fingerprinting, photographing) will be directed by CSPD personnel to hold the juvenile in a location, other than the public lobby, while waiting for services.

.26 LGBT+ Arrestee Placement

Any arrestee who identifies as LGBT+ will be housed in an individual holding cell, to ensure their safety.

Searches of transgender arrestees will be conducted in accordance with [GO 310 LGBTQ+ Community Interactions](#).

.30 Release or Transport of Arrestees

In the event an arrestee is released from the facility or transported to another location by anyone other than the arresting officer, that transporting officer will verify the identification of the arrestee prior to transporting or release.

The release of juvenile suspects will require compliance with [DL-1050-10 Juvenile Offenders](#).

Arrestee transports to the CJC will comply with [DL-1010-01 Holding Cell Operations](#).

.40 Use of Holding Cells by an Outside Agency

Upon request and dependent on availability, officers from other agencies may utilize CSPD holding cells for temporary placement of their arrestees once the appropriate credentials are presented to the duty desk personnel.

.50 Training

Officers receive initial training on the operation of the holding cells through the Patrol Training Officer (PTO) Program. Officers and CSR's will receive additional retraining at least once every four years via a roll call video or training facilitated by the training academy.

.60 Administrative Reviews & Audits

An administrative review pertaining to holding cells will be conducted at least annually. The report will include an assessment of related directives, the physical area, data, and provide follow-up recommendations to be considered during annual policy reviews.