

Chapter: 71	Temporary Detention
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## Chapter 71 Temporary Detention

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**71.1.1 Rooms designated for processing** –The New Bern Police Department does not operate temporary detention facilities. The combined processing, interview rooms, and chemical breath testing rooms are designated to function as an area for processing, interviewing and testing.

If the detainee to be processed is uncooperative or poses a danger to the officer or others at the headquarters building, the officer may transport the detainee to the magistrate's office and inform the magistrate that the subject has not submitted to the booking process. The detainee will then be transported to the jail or released in accordance with the arrest release order.

Whenever possible, male detainees being processed at the same time as female detainees will be kept separate and apart by use of separate benches or separate rooms. Juvenile(s) in custody will be kept separate from adult(s) in custody.

**71.2.1 Training for persons who monitor detainees** - Recruit officers will be trained on this policy and the use of the interview, processing, and testing area, during the Field Training Program.

New/reassigned Technology and Records Unit and Communication personnel will receive training on this policy and their associated responsibilities during their section orientation.

At least once every four years, the department will conduct in-service training on this policy and the use of the interview, processing, and testing area for all sworn, Communication and Technology and Records Unit personnel. This training will include any updates to the area and/or case law or procedural changes.

### 71.3.1 Processing Procedures

- A. **Documentation** – Officers will document when they arrive and when they leave with all prisoners in their custody through communications.
- B. **Supervision and Security** – The arresting officer will be responsible for the supervision of the prisoner and ensuring that they were searched prior to their arrival for processing. Officers shall remain with prisoners at all times.
- C. **Securing and monitoring of unattended detainees** – At no point will a prisoner be left unattended.
- D. **Temporary restraint to fixed objects** - Officers are not authorized to detain a prisoner to any fixed object except at a detention facility.
- E. **Separation of Males, Females and Juveniles** -
  - 1. Prisoners of different genders will be separated by sight and sound from one another.
  - 2. Juveniles will be separated from adults by sight and sound.

71.3.2 **Immovable Objects** - Prisoners shall not be secured to any fixed object except at a detention facility.

### 71.3.3 Security in Designated Temporary Detention Processing, and Testing Rooms/Areas

- A **Weapons control** - When detainees are present, all authorized personnel, prior to entering the interview, processing and testing area, shall secure all their lethal weapons (firearm(s) and knives) in the gun boxes.
- B **Panic or Duress Alarms** - Officers will utilize their portable radio panic/duress button to signal emergency situations. Communications, as available, will monitor the interview, processing and testing room's cameras while the rooms are occupied with detainees and contact assistance as needed.
- C **Authorized Access to Area and Detainee** – During any booking process, access to the interview, processing and testing area and the detainee is limited to authorized personnel only.
- D **Escape prevention** – Officers will exercise due care and diligence in order to prevent detainee escapes.

Upon arrival at the Police Department Processing Area, the following will occur:

- 1. The Processing Room shackles will be used to secure the feet of the detainee prior to the removal of the handcuffs.
  - 2. Once the leg shackles are securely on the detainee, the handcuffs may be removed to facilitate the fingerprint process.
  - 3. Once the fingerprint processing is complete, the detainee will be re-handcuffed.
- E **Constant supervision** - Officers will exercise due care and diligence in order to prevent detainee escapes by maintaining constant supervision during the interview/processing procedure.

All movement of detainees will be under the escort of at least one sworn officer.

- F. **Use of Bathroom Facilities** – Access to a bathroom while in police custody (criminal or protective) should be determined based on several factors. Security and safety must be weighed against the personal needs of the detainee. It is preferable that access to a bathroom facility occurs at a secure location, such as the county jail or police headquarters. If this is not an option, officers should take every reasonable measure

in determining how best to accomplish the request within reason and to avoid any overt risk to the detainee, the public, or officer(s). An officer of the same gender should be present in the bathroom with the subject in custody and appropriate steps to avoid any video recordings of the subject while using the bathroom will be taken. A second officer should be nearby when subjects in custody are being allowed to use the bathroom for safety and security.

#### **71.4.1 Frequency of Inspections for Processing Areas**

1. Routine inspections will be conducted and documented in the following areas:
  - a. Interview rooms (#205 and #109B),
  - b. Processing rooms (#111 and #109D),
  - c. Testing room (#109C) and
  - d. Restroom (#109E)
2. The on-duty Operations Shift Supervisor will conduct an inspection of the above listed first floor areas each shift to check for cleanliness, safety, supplies and contraband. Observations will be documented on the provided log.
3. The Criminal Investigations Sergeant will routinely inspect the second-floor interview room for cleanliness, safety, supplies and contraband. Issues or deficiencies will be reported immediately to the Office of the Chief or designee for correction.
4. Each month Facilities and Supply Unit personnel will inspect the above listed areas to include all building eye wash stations (rooms #109E and #213) for cleanliness and to determine if any unsafe conditions are present or developing.
5. Annually, an administrative review of the temporary detention/processing area will be conducted. The review should ensure that agency policies and procedures governing temporary detention are being followed and that the original intent for authorization and use of the facility continues to be adequate for the agency's needs.