

24.00.080 PRISONER DETENTION

Prisoner Segregation (CALEA 72.5.4)

If the following prisoner separations cannot be accomplished in the Bellevue Police Department Temporary Detention Facility and Bellevue District Court Holding Facility, arrangements will immediately be made to expedite booking and transfer of the prisoner(s) to the King County Jail or other appropriate facility for segregation and supervision:

Male and Females

Male and female prisoners will not be confined in the same cell or where they are within visual or physical contact.

Juveniles

Juveniles will not be confined in the Bellevue District Court holding facility.

Juveniles will not be confined in any area within sight or sound of adult prisoners.

For the purposes of this procedure, a juvenile is a person under chronological age of eighteen who has not been remanded to Superior Court jurisdiction.

Under no circumstances will prisoners of a chronological age of sixteen (16) or less remain in the temporary detention facility main booking room at the same time that it is occupied by adult prisoners.

If adult prisoners are present in the Bellevue Police Department Temporary Detention Facility juvenile prisoners should be confined in cells 1 or 2 (juvenile cells). If adult prisoners are within the facility at the same time, activate the electrostatic glass in cells 1 and 2 so that the juveniles will not be able to see out and adult prisoners will not be able to see into the cells. Do not place a juvenile male into the same cell as a juvenile female.

Juveniles under the age of twelve (12) are not to be confined in a holding cell. If it is necessary to detain a child under the age of 12, the child should be monitored by the officer outside of the detention facility. Any officer detaining a child under the age of 12 inside the detention facility shall have the approval of an on-duty Patrol Supervisor. Children under the age of 12 shall be released or transferred as soon as possible.

All juveniles must be under continuous visual supervision by a law enforcement officer or facility staff while in the Bellevue Police Department Temporary Detention Facility and if locked in a cell shall be personally observed by an officer or facility staff member every 15 minutes.

Status Offenders and Non Offenders

Status Offenders are juveniles who have been charged with, or adjudicated for, conduct that would not be a crime if committed by an adult (i.e., runaways, truants, MIP's, curfew violators, driver under twenty-one consuming alcohol). Non-Offenders are juveniles who are subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes, for reasons other than legally prohibited conduct of the juvenile.

Status and Non Offenders **shall not**:

- 1) Be confined in any regular cell or any locked room
- 2) Physically be secured to a stationary object (i.e., cuffing rail, heating or plumbing pipes or fixtures) during the period in custody

The area where the juvenile is held must be an unlocked multi-purpose area, such as a lobby, office or interrogation room which is not designated, set aside, or used as a secure detention area.

The juvenile should be removed from areas where the movement of adult prisoners takes place.

The area used to detain the juvenile is limited to providing non-secure custody only long enough and for the purposes of identification, investigation, processing, release to parents or legal guardian, or arranging transfer to an appropriate juvenile facility or to court. In no event can the area be designed or intended to be used for residential purposes.

The juvenile must be under continuous visual supervision by a law enforcement officer or facility staff during the period of time that he or she is in non-secure custody.

Prisoner Monitoring and Observation (CALEA 72.8.1 & 72.7.1)

The digital video recording system is maintained by the City and records all activity inside the temporary detention facilities. Access to the surveillance system will be restricted to police department personnel and select Information Technology Department system administrators. To reduce unnecessary invasion of detainee privacy, holding cell video feeds will only be monitored by police department personnel when a legitimate business purpose exists.

All recordings are maintained for 60 days after the recording date. If an incident has been identified for retention, the record will be retained until the appeal process is over. Officers requiring retention of a recording shall complete a request within 60 days of the original incident. Signs will be posted in plain view in the detention facility advising detainees of the video recording and audio monitoring of the facility.

Persons will not be left unattended or unmonitored in the detention facility. They must be handcuffed to a rail as soon as practical if not placed into a holding cell. They will not be left in the interview room for more than two hours.

Persons detained in the interview rooms will be searched prior to being placed in a cell.

No prisoner will be left unattended or unsecured in the processing or BAC testing area of the detention facility. If at any time a prisoner is out of an officer's immediate presence, they are to be either handcuffed to a cuff-rail or placed inside of a cell (with the exception of Status Offenders and Non-Offenders).

No prisoner will be left handcuffed to a cuff-rail for a prolonged period of time in lieu of placing that person inside of a cell. Prisoners will only be handcuffed to the cuff-rails specifically designed for that purpose. Prisoners shall not be handcuffed to objects not specifically designed for that purpose.

Officers/PSOs will not enter an occupied cell alone except in an emergency. In lieu of entering an occupied cell to remove a prisoner alone Officers/PSO's should use the cuff port.

When the Records Unit is open and staffed the following will apply for the Bellevue Police Department Temporary Detention Facility:

When a prisoner is brought into the detention facility the booking officer will immediately notify Records Unit personnel that a prisoner is being booked and/or placed in a cell. The officer/PSO having custody of the prisoner will remain with the prisoner until such time as the prisoner is placed in a holding cell or custody is transferred to another officer/PSO.

If the prisoner appears to be having any kind of problem, the Specialist will notify the on-duty Records Supervisor or Lead Specialist immediately.

Officers will notify Records Unit personnel immediately of dispositions of prisoners.

When a Records Specialist becomes aware that a prisoner is being detained beyond six hours, the on-duty Patrol Supervisor is to be notified.

Officers/PSOs are responsible for monitoring their own prisoners, however they may request assistance from Records to monitor the detention area. Records will ensure that the digital video monitoring equipment is functioning and may monitor the detention area as time permits, or if requested to do so during an emergency. To the extent possible, Records will control the monitoring of the area in such a manner as not to invade the detainee's need for privacy while using the restroom facilities.

Officers may obtain copies of booking room video clips by submitting an e-mail to the Courts and Custody Unit Sergeant. The email must include a reason for the request.

Outside agencies using the detention facility are required to notify Records upon arrival with the name and date of birth for their subject being processed for DUI and BAC testing. They shall notify Records of their departure. Records will log the information into their Book of Arrests and will request the agency using the detention facility to enter the information into the Booking Log located in the detention facility.

When the Records Unit is closed and/or not staffed the following will apply for the Bellevue Police Department Temporary Detention Facility:

Officers/PSOs are responsible for monitoring their own prisoners and completing the observation time documentation on the "Custody Facility Arrest Log". The officer/PSO will notify the on-duty supervisor that someone is being processed/detained in the detention facility.

Records will process booking/arrest numbers and other requests/information on the following business day.

Outside agencies using the detention facility are required to notify NORCOM upon arrival. They shall notify NORCOM of their departure. NORCOM will request the agency using the detention facility to enter the information into the Outside Agency Booking Log located in the detention facility.

The Bellevue Temporary Detention Facility is a 6 hour temporary detention facility. Every effort shall be made to transfer detainees as soon as practical to a jail facility or transfer custody of the detainee to another agency's care or release the detainee. Every detainee held within the detention facility shall be personally observed by an officer or PSO every 30 minutes except for juvenile offenders who shall be personally observed by an officer or PSO every 15 minutes.

The observation time and the person making the observation will be recorded in the "Custody Facility Arrest Log". It will be the booking officer's responsibility to ensure the detainee is observed. If the booking officer delegates that responsibility, it shall be noted on the "Custody Facility Arrest Log" as will any subsequent delegations of that responsibility. "Personally observed" shall not be construed as observing the detainee via closed circuit television. Particular attention shall be paid to those prisoners who:

- ❖ Those displaying emotional instability or violence.
- ❖ Intoxicated prisoners.
- ❖ Physically ill prisoners awaiting transportation to a medical facility.
- ❖ Escape risks.

Only under extreme emergent conditions shall this procedure be deviated from, and only then with supervisor approval.

Telephone Usage (CALEA 72.7.1)

Every person booked into the Bellevue Police Department Temporary Detention Facility will be permitted to make at least two phone calls.

All long-distance calls are to be made at the prisoner's expense or collect, provided that this requirement will not result in a prisoner without funds being denied access to his/her attorney.

During prisoner phone calls, an officer may listen to the prisoner's side of the conversation, unless the prisoner is talking with an attorney.

If the prisoner declines to make the telephone calls allowed, such refusal will be noted on the ADR form.

At no time will any prisoner be allowed to make phone calls on any telephone behind the booking desk in the officer bay. All prisoner calls are to be made in the prisoner telephone booth. If the phone in the booth is out of service the prisoner may utilize the phone on the fingerprint counter.

Visitation (CALEA 72.7.1 & .8.5)

Prisoners who will be detained at the temporary detention facility, and not transferred to another holding facility soon after booking, must be permitted confidential visits by an attorney. Confidential means privacy of conversation. Interview room A may be used after the sound recording has been disabled.

If the prisoner is to be transferred to another facility soon after booking is completed, the attorney, legal assistant or other person seeking to contact the prisoner is to be informed of the facility to which the prisoner is to be or has been transferred.

Attorneys and legal assistants, and their accompanying possessions will be searched for weapons and contraband before being permitted to visit a prisoner. Signs will be posted in plain view in the detention facility advising visitors of search/result of refusal/penalty for introducing contraband. Other prisoner visitors are not permitted within the detention facility.

The prisoner will be carefully searched before entering and after leaving the interview room. Each visitor will be required to register his or her name, address, and relationship to detainee before visitation is allowed.

Visitations may be denied if:

- ❖ There is not sufficient personnel available to search and process (log in and out) visitors, except visits by attorneys or legal assistants
- ❖ The visitor refuses to be searched
- ❖ The visitor appears to be influenced or affected by alcohol or drugs
- ❖ The visitor attempts, or there is a reasonable suspicion of an attempt by the visitor, to bring contraband into the facility
- ❖ There are reasonable grounds to believe that a particular visit would present a danger to security, staff, other visitors, or the prisoner(s)
- ❖ The prisoner does not want visitors
- ❖ A physician or mental health professional has notified the Department that it would not be in the prisoner's best interest to have visitors

Special Problem Prisoners at the Bellevue District Court Holding Facility

Any person who appears to be under the influence of alcohol or drugs, or who are violent or self-destructive, will not be detained at the Bellevue District Court holding facility.

Special Problem Prisoners at the Bellevue Police Department Temporary Detention Facility

Prisoners who are a danger to their own health and safety and/or to the health and safety of other prisoners and police employees, will be closely supervised, booked expeditiously and transported to the King County Jail, the long term custody facility currently under contract with BPD to provide jail services, or an appropriate psychiatric facility or hospital. Sober Cells shall be used for detaining all Special Problem Prisoners.

Special problem prisoners are not to be confined with other prisoners.

Intoxicated prisoners will be handled with the same amount of care as "Special Problem Prisoners" as described above.

Any prisoner determined to be suicidal by word or action shall be transported to the most appropriate facility as soon as possible.

Use of Sober Cells at the Bellevue Police Department Temporary Detention Facility

The Sober Cells (1 & 2) are to be used primarily for prisoners who are a danger to themselves or others. Any prisoner who presents a threat shall be transported to the long term custody facility currently under contract with BPD to provide jail services, or the appropriate psychiatric facility as soon as possible. If needed, officers may apply to a prisoner one of the protective padded helmets stored inside of the booking room. Visual inspection shall be made by an officer or PSO every 30 minutes and indicated on the booking log. Any time a prisoner is confined in a Sober Cell, the on-duty patrol supervisor and records staff must be notified.

Alcohol Influence

If a prisoner appears to be under the influence of alcohol the following will apply.

- ❖ If a prisoner is intoxicated and appears ill, the prisoner is to be examined by a qualified medical professional prior to being placed in detention, regardless of any breath test which may have been obtained.
- ❖ If a prisoner is intoxicated, appears healthy and reasonably coherent and agrees to take a breath test, one or more tests may be necessary. If the first reading is .25 or greater, a second test is to be conducted 30 minutes after the first test. If the second reading is higher than the first, the prisoner is to be examined by a qualified medical professional prior to being placed in detention.
- ❖ If the prisoner refuses to take a breath test and is, in the opinion of the on-duty Patrol supervisor, showing significant symptoms of alcohol ingestion, the prisoner is to be examined by a qualified medical professional prior to being booked and placed in detention.

Physical Illness/Injury (CALEA 72.6.1 & 6.3)

If at any time, a prisoner appears ill or injured or communicates same, the Bellevue Fire Department will be called immediately and will examine the prisoner and determine the extent of illness or injury and whether additional medical attention is necessary.

The on-duty Patrol supervisor will be immediately notified of any illness or injury involving a prisoner.

Prisoners suffering from the effects of "pepper spray" may be treated with fresh water from the eyewash station inside the detention facility. The prisoner may also be brought into the fresh air inside of the sally port if needed. In the absence of any other apparent illness or injury, it will not be necessary to have the Fire Department respond.

Prisoners requiring medical attention at a hospital, will be transported to the closest facility (Overlake Medical Center).

Medication (CALEA 72.6.3 &.6.5)

When a person being booked is in possession of prescription medication the booking officer will determine from the prisoner what the medicine is, who prescribed it, what the dosage times is, and when the last dosage was taken. If the prisoner shows no sign of injury or illness and indicates that the prescription medicine is for emergencies, i.e., "Glycerin" for heart trouble, the booking process is to be expedited so the prisoner can either be released, or transferred to a holding facility which can provide appropriate medical care.

Should a prisoner indicate a need to take prescription medication while in departmental custody, the booking officer will inquire as to the immediacy of such need. The prisoner and the prescription medication may be transported to Overlake Medical Center where the medication can be administered by qualified medical personnel.

All medicine will be kept with the prisoner's property and no medicine (prescription or non-prescription medication) is to be administered by any member of this Department.

Medical Attention/Written Report

A written report will be made regarding any medical attention or first aid given to a prisoner, including the dates, times, places, and names of the provider(s). The report will be included with the arrest report.