

**CITY OF FERGUSON
OFFICE OF THE CHIEF OF POLICE**

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PRISONER CONVEYANCE AND HOLDOVER FACILITIES

416.00 PURPOSE

The purpose of this General Order is to provide officers of the Ferguson Police Department with guidelines for the safe handling of prisoners during conveyance in police vehicles and, to establish guidelines for the management and administration of this agency's prisoner holding facility to include the security, control and care of prisoners housed therein.

416.01 POLICY

It is the policy of the Ferguson Police Department to provide safe transportation of prisoners and to provide secure temporary holding cells for prisoners awaiting interrogation, arrest processing, transfer to the county jail or other administrative procedures and to maintain detention facilities in a sanitary and safe manner. As such, officers transporting prisoners and officers assigned to or using holding cells shall adhere to the following procedures and shall be alert to any problems or conditions that may compromise security, safety or the well being of detained prisoners.

416.02 TRANSPORTATION OF PRISONERS

A. Prisoner searches prior to conveyance: No prisoner will be conveyed in a police vehicle until they are thoroughly searched for weapons and contraband. After the prisoner is taken out of the vehicle, the interior will be inspected for items possibly disposed of by the prisoner.

B. Restraining Devices: It is necessary for officers to know when and how prisoners are to be restrained and when, where, and how particular restraining devices are to be employed. Restraining devices include handcuffs, flex cuffs and shackles. Officers should be aware that “positional asphyxia” may lead to injury and death. Positional asphyxia is a physical condition that may result when a person is restrained in a position or manner that prevents or limits proper breathing. Placing a prisoner in this situation is prohibited. To prevent injury to restrained subjects the following methods apply:

1. Physically Disabled Prisoners: It should not be assumed that restraining devices are unnecessary for disabled prisoners. A prisoner in a wheelchair or one who uses walking aids may not require the use of restraining devices in all instances. Restraining devices also may be harmful to sick or injured prisoners, depending upon the nature of the sickness or injury. Officers should take into consideration the condition of the person arrested and consult with a supervisor if a restraining device may cause harm to the person arrested.
2. Mentally Disabled Prisoners: Mentally disabled prisoners may pose a significant threat to themselves and/or the transporting officers. The selected device should restrain the prisoner securely without causing injury. These devices should be required whenever practical but should not preclude the use of handcuffs in emergency situations. The type(s) of restraints used should be indicated on the booking sheet.
3. Handcuffing of prisoners: Prisoners will be handcuffed, hands to the rear at all times and handcuffs will be placed on both wrists except when physically impossible, (i.e., amputations, casts, bandages, etc.). Handcuffs will be double locked at all times for officer safety. The only exception to this is when a prisoner is disabled (as described in B.1., above).
4. Position of prisoners during conveyance: Prisoners will be placed in the back seat of patrol cars equipped with separation cages. The prisoner will be placed in the right rear seat and seat belted in place. Officers operating police vehicles not equipped with separation cages will summon a cage car or prisoner conveyance van to transport their prisoner. Prisoners will not be transported in the front seat of police vehicles. At no time will one officer convey more than one prisoner in a vehicle not equipped for prisoner security. The only exception to this is the use of an unmarked police unit being used to transport a non-violent prisoner for investigative purposes only. The prisoner should still be positioned in the right rear seat area and seat belted in.
5. Shackles & Restraining Devices: Restraining devices will be removed prior to placing a prisoner in a cell unless the subject is a danger to himself or others. Prisoners will only be shackled with supervisory permission. Handcuffs used to shackle prisoners will be double locked. While shackled, the dispatcher will constantly monitor prisoners.

C. Conveying Prisoners of the Opposite Sex: Whenever an officer conveys a prisoner of the opposite sex, that officer shall give the dispatcher by radio the beginning mileage on the conveyance vehicle at the start of the conveyance as well as the ending mileage when

the officer arrives at the final destination. The dispatcher must record the starting and ending locations, times and mileage in the narrative section of the incident.

- D. **Prisoner Escort:** Officers will remain to the rear of prisoners at all times during movement of prisoners. Prisoners should *never be allowed to stand behind officers for any reason.*
- E. **Safety Awareness:** Officers will practice pistol retention and safe prisoner control techniques while handling individuals in custody.

416.03 HANDLING OF PRISONERS THAT POSE AN EXTREME SECURITY RISK

- A. From time to time, prisoners may pose an extreme risk to the safety of officers, i.e., extremely violent persons, persons with a history of officer assault, etc. In such cases, supervisors will ensure there are sufficient officers on hand to control the prisoner with a minimum of risk of injury to police personnel or to the prisoner.
- B. Prisoners under the influence of alcohol or drugs or who are violent should be segregated from other prisoners. Special consideration should be given to ensure the potential for detainees to injure themselves or others is minimized. The means to segregate prisoners once it has been determined they are intoxicated, under the influence of drugs or violent are;
 - 1. placing them into single cells prior to processing, and/or,
 - 2. using restraining devices to secure them within a single cell
- C. Such detainees should remain under close observation. If a prisoner to be transported to another agency or court is considered an unusual security risk; the transporting officer shall notify the appropriate agency or court of the risk.

416.04 SPECIAL TRANSPORT SITUATIONS

If a prisoner becomes sick or is injured incidental to arrest, the *arresting officer* should seek medical attention at that time.

416.05 ESCAPE OF PRISONER DURING TRANSPORTATION

- A. Following an escape of a prisoner while being transported, the transporting officer will:
 - 1. Immediately notify the dispatcher who will notify the Commander of Operational Support, his designate, or the on-duty Watch Commander and broadcast information on the escaped prisoner.
 - 2. Prepare a police report.

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3. Cause a wanted to be entered into the computer system, and notify the detective bureau for follow-up investigation.

B. If the escape occurs in another jurisdiction, the dispatcher shall notify the appropriate jurisdiction. The officer shall remain and assist the appropriate jurisdiction in the search.

416.06 HOLDING FACILITY ADMINISTRATION

A. Supervision – General: The Commander of Operational Support serves as the administrator of the prisoner holding facility.

1. Said commander or his designee shall be responsible for all aspects of the holding facility to include prisoner processing issues, record keeping, staff training, security, sanitation and maintenance, safety, and the designation of such personnel necessary to safeguard the overall well being of prisoners.
2. When on-duty, the administrator shall ensure the safe and efficient operation of the holding facility as provided in this general order. The on-duty Watch Commander is responsible for prisoner processing, security, sanitation, safety, and the overall well being of the prisoners during daily operations, in the event the Commander of Operational Support or his designee are off-duty.

B. Supervision – Detainees:

1. Twenty-four hour visual supervision of detainees housed in the holding facility is maintained by the camera system directed to the communications dispatchers(s) and is essential for maintaining security and ensuring the safety and welfare of detainees.
2. All electronic visual detainee surveillance equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.
3. The on-duty Watch Commander is responsible for obtaining a count of the detainee population at the beginning and end of his shift and for briefing the next oncoming Watch Commander of the inmate population.
4. The Commander of Operational Support or his designee is responsible for monitoring the length of time that each prisoner has been held to ensure that no prisoner is held in this facility for more than seventy-two (72) hours. When the Support Service Commander or his designee is unavailable the responsibility for monitoring the length of time each prisoner is held is transferred to the on-duty Watch Commander.
5. Detainees who are security risks should be under closer surveillance and require more frequent observation. This classification includes not only detainees who are

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violent but also those who are suicidal or mentally ill or demonstrate unusual or bizarre behavior.

6. All contact with prisoners within the holding facility is recorded by the electronic surveillance system in communications.

C. Training

1. Only commissioned and correction officers who have received training in safety procedures, holding facility operations, supervision and physical restraint of prisoners or other training deemed necessary by the Commander of Operational Support shall perform duties relating to the holding facility operations.
2. All officers shall receive in-service training on the application of physical restraints, searching and booking prisoners into holding cells, fire suppression equipment and evacuation.

416.07 SAFETY AND EMERGENCY OPERATIONS

A. Fire

1. The holding facility shall be equipped with automatic fire and smoke detection devices.
2. If an alarm sounds, the dispatcher will notify the Commander of Operational Support or his designate (if on-duty), or the on-duty Watch Commander and the fire department.
3. A chemical fire extinguisher is located within the jail office.

B. Inspections and Preventions

1. The Commander of Operational Support or his designee shall have the Ferguson Fire Department conduct semi-annual documented, visual inspections of the smoke detection devices and fire extinguisher(s) within the jail facility.
2. The Commander of Operational Support, his designate or on-duty Watch Commander, shall conduct a daily visual inspection of all holding facilities. Fire prevention is the responsibility of all employees. While all city facilities are “smoke free”, personnel should remain vigilant to fire hazards especially in the holdover area. Any hazardous conditions should be immediately brought to the attention of the Commander of Operational Support, his designate or on-duty Watch Commander for corrective action.

3. At the beginning of a correction officer's tour of duty, it will be his/her responsibility to take a brief tour/inspection of the jail facility. This will be for the purpose of not only identifying obvious items in need of maintenance or repair but, also to assess the general inmate population's condition. Items in need of immediate maintenance will be noted and relayed to the Commander of Operational Support or his designate. In their absence, the on-duty Watch Commander will be notified. Items not in need of immediate attention will be noted and forwarded on to the Commander of Operational Support or his designate.

4. With reference to the seventy-two (72) hour rule noted above, each Correction's Officer will note at the beginning of their tour of duty, each inmate's status with respect to any noted medical condition, prescribed medications on hand, or remaining hours left in their detention time so that they may be addressed during their tour of duty.

C. Evacuation Plan

In the event of fire emergencies as well as tornado, earthquake, terrorism or other disasters the need may arise to evacuate all prisoners being held in the department holdover or temporary holding rooms. If the situation arises that the holdover must be evacuated, the following procedures will be followed:

1. Dispatch should broadcast a need of aid call and have available officers respond to the station for assistance.
2. If the emergency situation is life threatening, prisoners will immediately be removed from their cells. The dispatchers have the ability to electronically release all cell door locks from their console but this is to occur only after seeking permission from the Commander of Operational Support, his designate or on-duty Watch Commander, and then only after all safety precautions are taken into account by the above. The detainees will be escorted by a sworn officer(s) and directed to follow the posted evacuation route to rapidly exit the building. Officers should assemble detainees in the front of the building or on the rear lot as the situation dictates.
3. Officers shall administer first aid to the extent of their training and respond EMS personnel to check the inmates.
4. Prisoners held for serious offenses or who are intoxicated or violent should be restrained and placed in the prisoner conveyance van or the back seat of a caged police vehicle.
5. Prisoners being held for non-violent, misdemeanor or municipal offenses should be released on recognizance and advised they will be notified relative to a court date at a later date.

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6. Prisoners held for serious offenses or who are intoxicated or violent should be transported to St Louis County Corrections as soon as possible.

416.08 PRISONER ILLNESS, INJURY OR DISABILITY

- A. The holding facility is not intended for or equipped to handle prolonged custody of arrestees who require immediate or sustained medical attention or who are violent or self-destructive.

Therefore:

1. No prisoner shall be booked into the holding facility or otherwise be held for interrogation or other purposes that has injuries or illnesses that require hospitalization or attention of a health care professional. This includes obvious cases of injury or illness as well as situations in which arrestees; suffer from extreme alcohol intoxication or possible drug overdose; exhibit symptoms of severe mental disorder, or have talked about committing suicide or shown signs of being a suicide risk.
2. If the severity of medical condition is unclear of if a prisoner requests medical attention, the arresting/booking officer shall notify the Commander of Operational Support or his designate if on duty, or in their absence the on-duty Watch Commander. If EMS is required, the dispatcher will then notify them.
3. A first aid kit is available to department personnel and will be subjected to a semi-annual inspection and replenished as necessary by the Commander of Operational Support or his designate.
4. If after booking, a prisoner is identified as a potential medical problem or security risk, he or she should be released pending warrant application or on bond if at all possible. If personnel numbers permit, a fit for confinement should be sought with permission of the Commander of Operational Support, his designate or the on-duty Watch Commander. Either way, prior to release, first consult with the above contacted individual and assess all circumstances surrounding the prisoner.
5. If it becomes necessary to place a prisoner in a detention cell after it has been determined that he/she should be segregated for medical purposes, the on-duty Watch Commander should prepare a memo to the oncoming Watch Commander, or Commander of Operational Support (if on-duty), advising that the cell needs to be cleaned and disinfected upon the prisoner's release from custody.

416.09 RIOT AND ASSAULT

In the event a disturbance among detainees or an assault upon a police officer occurs within the holdover area, a supervisor shall be notified and respond to the holdover. Assaults on Police Officers, Corrections' Officers or other detainees shall require a separate incident report number, and report.

416.10 PRISONER ESCAPE FROM STATION

- A. Commander of Operational Support or his designate. If neither are on-duty, the communications center and on-duty Watch Commander are to be notified.
- B. Descriptions, identities and offenses of escapees shall be relayed to all on-duty personnel and surrounding jurisdictions as quickly as possible.
- C. The Commander of Operational Support, his designate, or the on-duty Watch Commander shall coordinate intelligence gathering and search procedures among agency personnel and other law enforcement authorities as appropriate.
- D. The holding facility shall be secured as soon as possible, all prisoners accounted for, and all security doors and devices inspected to ensure proper functioning.
- E. The Commander of Operational Support (if on-duty) or the Watch Commander shall initiate investigation of the circumstances surrounding the escape and provide a full report with recommendations to the Chief of Police.

416.11 COMFORT AND SANITATION

- A. Sufficient air, lighting and sanitary facilities are essential to the health of detainees.
 - 1. The holding facility shall be maintained at all times in a clean and sanitary condition and the facility shall have adequate lighting and circulation of air.
 - 2. Detainees shall have access to toilet, wash-basin and drinking water. There is a shower stall available for prisoners to use if necessary. Prisoners that are using the shower cell should be monitored by an officer of the same sex.
 - 3. Fire-retardant bedding shall be provided to all detainees unless detainees are deemed suicidal.
 - 4. When occupied, the facility shall be cleaned on a daily basis in accordance with routines and procedures established by the Commander of Operational Support.
- B. The Commander of Operational Support or his designate shall conduct inspections of the holding facility to identify any conditions that are unsanitary or conducive to infestation by vermin. A report shall provide time frames for correction or recommendations for equipment or facility improvements necessary to rectify the problem.

416.12 SECURITY AND CONTROL

- A. The Watch Commander is responsible for security of the jail facility, in the absence of the Commander of Operational Support or his designate.
- B. No officer will enter the holdover/jail area with firearms while prisoners are inside the holdover/jail area. Officers booking prisoners into or entering the holding facility shall secure their firearms in the weapons lockers located outside of the holding area. The securing officer will maintain the key to recover the weapon. This procedure will be followed by other agency officers picking up prisoners. All arriving prisoners coming into the jail area will be brought into the facility via the department sally port bay only.
- C. No prisoner will be left unsupervised while outside the holdover area. An officer must be physically present while prisoners are outside of the holdover area.
- D. Prisoners waiting to be booked will be placed on the holding bench or in a cell until it is their turn to undergo the booking process.
- E. The booking officer shall maintain control of his prisoner(s) brought into the facility for detention and shall be responsible for security decisions involving such prisoner(s) while booking.
 - 1. Cells shall be used for holding females only in accordance with established department policy. Cells 4 and 7 are designated as the female cells until further notice. Holding facilities for juveniles include only the department Juvenile holdover room and should be used on a temporary basis only.
 - 2. At no time will females and males (adults) be held in sight of each other. At no time will juveniles be secured in the jail or jail cell environment. When juveniles are brought into the jail facility for fingerprinting and/or booking purposes they will be kept from the adult inmate population, and in total sight and sound separation of same. The maximum time allotted to keep juveniles in the Juvenile holdover room will adhere to Mo. State guidelines.
 - 3. A property inventory search report shall be completed reflecting all items brought by the prisoner into the holding facility and should be signed by the prisoner. Prisoners will not be allowed to keep property in cells other than clothing. All belts, jewelry, shoelaces, cold-weather clothing, and other personal items will be inventoried. All containers found on the arrestee shall be opened for inventory, and all property shall be listed, tagged, and securely stored in numbered lockers in the jail facility. Upon release from the jail facility, the prisoner will again sign the property form indicating their property was returned.
 - 4. A strip search may be performed if criterion for the search is sufficient to warrant same, and only after acknowledgement and approval from the Watch Commander

is granted. This search shall be conducted only by an officer of the same sex as the prisoner.

5. Only arresting and booking officers or those otherwise directly involved in the booking process shall be allowed in the booking area.
6. Handcuffs or other restraining devices may be removed at the discretion of the booking officer based upon the conduct of the prisoner, the offense for which the arrest was made and related circumstances.
7. Holding facility entry/exit doors shall be secured at all times.

F. Prior to placing a prisoner in a cell, a search of the cell shall be conducted for weapons or contraband. Prior to release a similar search shall be conducted that will also include an inspection for property damage. Problems uncovered in these searches shall be brought to the attention of the Commander of Operational Support, his designate or the on-duty Watch Commander (if both prior persons are off-duty) prior to cell assignment or release of a prisoner. During the time of release all items pertaining to this prisoner, to include (but, not limited to) cups, wrappers, toilet tissue, blanket, and mat will be removed by the prisoner.

G. When cell assignments are made, the booking officer shall ensure that all locking mechanisms are operative and that audio and/or video monitoring devices are operative. Audio/Visual monitoring devices are employed for security and safety purposes. They shall not be used for monitoring inmate conversations with clergy, mental health or medical personnel or attorneys.

H. Officers shall not enter an occupied cell alone unless emergency circumstances exist. Officers should conduct all interactions with the prisoner from outside the cell for their safety.

I. No tools or similar items shall be brought into the holding facility at any time, unless authorized by the Commander of Operational Support, his designate, or the on-duty Watch Commander.

J. Smoking is not permitted within the holding facility by either prisoners or police personnel.

K. The Commander of Operational Support, his designate, or the on-duty Watch Commander shall take those steps necessary to keep the number of prisoners within limitations of the facility. This includes efforts to;

1. expedite the bond of prisoners accused of less serious offenses;
2. timely release of prisoners being held during interrogation; or

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3. transfer of prisoners to the St Louis County Corrections or release to the custody of any law enforcement agency for which the prisoner is being held.

L. In the event arrests exceed the capacity of the holding facility, the Commander of Operational Support, his designate, or the on-duty Watch Commander shall make arrangements to release detainees on lower bail, or recognizance.

M. Due to the short term nature detainees are held, the department is not prepared to deal with the problems and hazards associated with receiving property on behalf of a detainee in custody. Therefore, all deliveries to detainees are prohibited; likewise, no property/items are to be released from a prisoner to an outside party, prior to release. The only exception to this rule is that of prescription medicine allowed brought in as long as it is, a) in its original container, and b) within its expiration date.

416.13 BOOKING AND VISITATION

- A. All prisoners arrested and brought into the Jail facility for booking on municipal charges will complete and file a written complaint for each charge filed and advise the Corrections' Officer on-site of same. In the event a suspect, not in custody, has an active wanted placed upon him for municipal charges, the Officer placing the wanted will provide the completed written complaint(s). See *G.O. 424.00 Teletype Wanted Arrests* for procedure.
- B. All prisoners booked into the facility under arrest shall be photographed and fingerprinted, via IRIS®, and Live-Scan®. Fingerprints shall be processed and forwarded for identification purposes to state and federal authorities.
- C. The arresting officer is responsible to obtain a computer check to determine if the prisoner has outstanding warrants. The Corrections' Officer will verify this by completing a record check of his/her own, for purposes of checks and balances. Further, Corrections' Officers will also complete a computer check of all state, local and NCIC files for all pre-release detainees, as defined under Mo State Statute, 221.510 ("Jake's Law").
- D. Prisoners shall be informed they may utilize the telephones, designated for detainee use, and shall be allowed to do so following the booking process or within a reasonable amount of time after being brought to the holding facility.
- E. Attorneys and verified clergy (both individuals should have an I.D. card identifying as such) shall be permitted access to their clients at any hour. Such visitations will be held utilizing the visitor viewing room/area only. The prisoner must be searched for contraband prior to being placed in the room and upon leaving the room. An officer must remain in the immediate area outside the room during the visitation. No other individuals are allowed visitation.

416.14 FEEDING PRISONERS

- A. The Commander of Operational Support, his designate, or the on-duty Watch Commander shall ensure that all prisoners detained in holding cells are provided with sufficient food during meal hours. Meals shall be ordered by assigned personnel from the agency supplier, as designated by the Chief of Police.
- B. Special diets shall be accommodated only when prescribed by a physician.
- C. No prisoner shall be permitted to receive food or beverage from any visitor.

416.15 PRISONER RELEASE

- A. Prisoners charged with a crime shall be released from custody only, when:
 - 1. directed by proper legal authority, and
 - 2. they have been positively identified by photo ID, fingerprint or personal knowledge.
- B. Prisoners shall be requested to sign the receipt for their personal property after items have been compared against the original inventory log and found to be complete. Corrections Officers shall ensure all property including outerwear (i.e., jackets, coats, etc.) is released with the prisoner.
 - 1. Any discrepancies shall be reported immediately to the Commander of Operational Support, his designate, or the on-duty Watch Commander.
 - 2. Refusal of the prisoner to sign shall be noted on the booking sheet by the releasing officer. Notification shall also be made to the Commander of Operational Support, his designate, or the on-duty Watch Commander regarding this action.
 - 3. Items held as contraband or evidence shall be noted separately on the inventory form
- C. Authorities taking custody of released prisoners shall be provided with all relevant information on the prisoner, to include information on pending charges, illness or injury, suicide attempts or potentials, drug use, use of prescription drugs, records of medical treatment or diagnosis and potential for violence or escape. Prisoner property shall be released to and signed for by the accepting authority after it has been audited.

416.16 TRANSPORTATION OF PRISONERS TO OTHER HOLDING FACILITY

- A. When prisoners are to be transported to the St Louis County Department of Corrections for confinement, the transporting officer will follow the rules set forth by the St County Corrections Department pertaining to receiving prisoners.

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B. The transporting officer will:

1. deliver a completed booking sheet showing charges and prisoner property inventory to the receiving officer;
2. obtain the signature of the receiving officer and/or written documentation detaining the prisoner transaction; and
3. advise receiving agency personnel of any potential medical, fit for confinement or security hazards.

416.17 TEMPORARY HOLDING

Detainees may be restrained and secured to the immovable rings at the secured bench, located just inside the jail facility from the sally port. This temporary holding bench should only be used when no other suitable method is available.

416.18 TRAINING

Annual review and acknowledgement of the provisions of this general order and orders directly relating to the holding facility will suffice as training for sworn personnel and dispatchers with responsibility for detainees in temporary custody.

By order of:



Colonel Thomas Jackson
Chief of Police