**Sample Police Department**

**Booking Procedures for Holding Cells**

NOTE: The following guidelines address both safety and policy and are for internal use only. This document does not nor is intended to enlarge an employee’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of these guidelines if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

1. PURPOSE

To establish a uniform and effective method of booking and temporarily confining arrested persons in designated holding cells.

1. POLICY

It is the policy of this department to either bond out or transport all prisoners as soon as possible to the (name of) county jail. In limited circumstances, the arrestee may be temporarily confined in the department’s holding cell pending completion of the booking process or attendance in court, pending transfer to the county jail or other agency, or release on bond.

1. **DEFINITIONS**
2. Holding Cell: A small room or other designated area, which may be secured, utilized for the temporary detention or confinement of arrestees or prisoners awaiting booking, attendance in court, pending transfer to the county jail, or release on bond.
3. The term holding cell may include a designated holding bench or other stationary seating area in which arrestees or prisoners may be handcuffed or otherwise secured.

1. **PROCEDURE**
2. General
3. Arrested persons may be temporarily confined in the department’s holding cell pending completion of the booking process or attendance in court, pending transfer to the county jail or other agency, or release on bond.
4. Arrested person should not be confined in the holding cell for a period exceeding four (4) hours under normal conditions. Limited circumstances could occur requiring additional confinement; however, any such circumstance should be documented, and the on-duty supervisor notified.
5. In addition to audio and video monitoring, physical checks of arrestees in the holding cell should be conducted every 30-60 minutes and a written log of those checks maintained. Limited circumstances could occur which delay these checks; however, any such circumstance should be documented, and the physical checks resumed as soon as possible.
6. If the arrest is for a violent felony, DUI, Domestic Violence, or other offense for which release on bond is not immediately available and the county jail will not accept an arrestee they may be placed in the holding cell. The Chief of Police or their designee shall be notified immediately to contact the Sheriff or Chief Deputy in order to rectify the problem.
   1. Violent felony, DUI, and Domestic Violence arrestees will not be released from the holding cell until they are transferred to the county jail or another facility, or they are released on bond.
   2. If on-duty personnel are insufficient to monitor the holding cell for an extended period of time, off-duty personnel may be called in until the arrestee is transferred or otherwise released.

1. Seriously Ill, Injured, Unconscious, or Suicidal Persons
2. All arrested persons are under the care, custody, and control of the department during arrest, booking, and transport, until their transfer to the county jail or release on bond.
3. Arrested persons that are seriously ill, injured, unconscious, potentially suicidal, or otherwise requires immediate medical attention will not be booked, transferred to the county jail, or placed in the holding cell, until appropriate medical treatment has been provided.
4. The arresting officer will submit a statement concerning the prisoner’s injuries and medical treatment in the Incident/Offense and/or Arrest report.
5. Upon transfer to the county jail, jail personnel should be notified of arrested persons with special medical conditions, known or suspected infectious disease, intoxicated persons, or those classified as potential physical, mental, or suicidal risks, if known.
6. Removal and Security of Property
7. All property including shoes, belts, billfolds, cigarettes, lighters, matches, money (bills and coins), checkbook and checks, jewelry, etc. will be removed from the prisoner’s control and placed in a property bag in view of the prisoner.
8. All property removed from a prisoner will be documented on a property inventory form. The prisoner will be requested to sign the form after the arresting officer signs it. If the prisoner refuses to sign, a second officer/employee if available will witness the inventory sheet. Arresting officer will write REFUSED in the signature block.
9. Prisoners will not be permitted to remove or handle any item after it has been placed inside the property bag. Officers should be on alert for contraband, weapons, or other dangerous items hidden in the prisoner’s property.
10. All items (purses, packages, jackets, canes, etc.) will be secured either in the property bins or the property room after the officer tags it with the owner’s name.
11. Completion of Arrest Report

1. The arresting officer will complete the arrest report as soon as possible after the arrest has been made. The arrest report will be reviewed by the shift supervisor prior to the end of the shift. The supervisor will review the report for completion and accuracy.

2. The arresting officer shall request of the communications operator to run a 10-29 (check for wants) on each person booked. A driver’s history will be run on each person arrested for DUI.

3. The arresting officer will ask the individual for the information required on the arrest report to verify its correctness, even if the information is available from another source. The releasing officer will also verify the information on the arrest report. All addresses will be entered as complete street addresses in the same format as required for the Incident/Offense Reports.

4. If the individual will be transferred to the county jail all necessary paperwork to include all property and the property inventory form shall accompany them. The original property inventory form shall be filed with the police department.

1. Fingerprints and Photographs
2. Arrested persons will be fingerprinted and photographed at the time of arrest.
3. All persons will be photographed following these guidelines:
4. Remove all headgear
5. One frontal full-face photograph. Have the person stand up straight, look at the camera, and open eyes.
6. One photograph with the person facing his/her left.
7. The person will be fingerprinted on the cards as described:
8. Up to three charges of the same classification may be placed on one card.
9. In all cases one (1) green R-84 and two (2) red FD-249 cards will be completed.
10. The prisoner’s history number will be written on the top center of the green disposition form.
11. Advising Inmate of Charges and Bond
12. After all booking requirements have been met the arrestee will be advised of the charges and bond requirements.
13. Persons arrested for DUI cannot be released until their BAC is 0.02% or less. Individuals booked in with a high BAC should be transported to the county jail.
14. Persons arrested for Domestic Violence cannot be released on bond until after an appearance before a judge or magistrate within 24 hours of the arrest.
    1. If the arrested person is not taken before a judge or magistrate within 24 hours of the arrest, they shall be released on bond.
15. Phone Calls
16. All persons will be provided an opportunity to place a telephone call upon completion of the booking process.
    1. If allowing the telephone call would present a security risk, access may be delayed until the risk is abated, at the discretion of the arresting officer.
17. Warrants
18. If an individual is arrested on a warrant, the appropriate information will be entered on the arrest report. The communications operator will remove all warrant detainers from the NCIC/ACJIS Computer and clear the warrant from the in-house computer.

APPROVED: CHIEF OF POLICE DATE

I HAVE READ AND UNDERSTAND THIS ORDER

SIGNATURE OF OFFICER DATE

***DISCLAIMER***

***NOTE****: These documents are being provided to you from the AMIC/MWCF Loss Control Division and are not intended to be legal advice. They do not identify all the issues surrounding a particular topic. Laws and “Best Practices” change and policies must be continually reviewed and updated as needed. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic. Reliance on this information is at the sole risk of the user.*