



Lunenburg Police Department

Policy Number: 3.05	Subject: Temporary Holding Facilities
Issue Date: 04/15/2009 Revision Date: 10/25/2021; 2/3/2022 Effective Date: 05/01/2009	Massachusetts Police Accreditation Standards Referenced: 71.1.1; 71.2.1; 71.3.1; 71.3.2; 71.3.3; 71.4.1; 71.4.2; 71.4.3; 71.5.1
Issuing Authority: <i>Chief Thomas L. Gammel</i>	

I. GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to departments that may occasionally hold a detainee unattended in a room or area outside the cell block, such as an interview room, for the purpose of processing, questioning, or testing. This policy applies to all departments, even those that do not book or hold detainees at their facility, unless the department has a written directive stating that at no time will the department leave detainees unattended outside the confines of the holding facility for processing. Processing includes pre-booking activities involving detainees in custody (such as interviewing, etc.).

II. POLICY

It is the policy of this department that detainees may be held in a temporary holding area, without continuous control or supervision of department employees, for a period not exceeding two hours.

III. DEFINITIONS

- A. Temporary Holding Area: A room, space or area, for the processing, questioning or testing of detainees where they may not be subject to the continuous control or supervision of department personnel in the same room, space or area. The time period for which a detainee may be held under these circumstances may not exceed two hours. In rare circumstances, a detainee may be restrained to a fixed object, designed and intended only for such use, for no longer than two hours. Such areas usually include booking areas, interview rooms, processing rooms, breathalyzer rooms and other detainee waiting areas or rooms.

IV. PROCEDURES

A. Designation of Temporary Holding Areas

1. One or more rooms or areas shall be designated as temporary holding areas. [71.1.1]
2. The department has determined that the following may be used as a temporary holding area: Booking room and adjacent interview room.

B. Use of Temporary Holding Facilities

1. GENERALLY

- a. Prior to taking a detainee into a temporary holding area, the officer taking custody of the detainee shall:
 - i. Notify the supervisor/officer in charge;
 - ii. Search the area for weapons, contraband or other unauthorized items; and
 - iii. Search the detainee.
- b. The supervising officer shall document the reason, date, and time in and out of the facility, as well as any meals or personal service provided while the detainee is in a temporary holding area. [71.3.1(a)]
- c. Males, females and juveniles shall not be detained in the same area. Juveniles shall be detained in accordance with the department policy on Handling Juveniles. [71.3.1(e)]
- d. Detainees shall be allowed reasonable access to a restroom, drinking water, and other needs as appropriate. [71.4.1]

C. Safety and Security

1. SECURITY: All the procedures outlined below are intended to prevent the escape of detainees. [71.3.3(d); 71.5.1(d)]
 - a. Officers shall secure their weapons in an approved storage device prior to entering a temporary holding area containing a detainee. [71.3.3(a); 71.5.1(b)]
 - b. The officer taking custody of the detainee shall be responsible for inspecting the area for weapons, contraband, or objects that could be used as weapons before placing a detainee in a temporary holding area, and immediately after removal from the detention area. [71.3.1(b)]
 - c. The officer taking custody of the detainee shall be responsible for the supervision and monitoring of the detainee. Detainees should be physically observed and/or electronically monitored continuously, but in any event, there shall be a visual observation of each detainee at least every twenty minutes, with the checks properly recorded. [71.3.3(e) (f); 71.3.1(c); 71.5.1(a)]
 - d. The officer taking custody of the detainee is responsible for ensuring that detainees are properly restrained. At the discretion of the officer, the detainee may be secured to a fixed object. [71.3.1(d)]
 - e. Detainees may only be secured to an immovable object, such as a bar or ring, when it is designed or intended for the purpose of temporarily securing a detainee. [71.3.2; 71.3.1(d)]

- f. Access to in-use temporary detention areas and detainees shall be limited to the arresting officer(s), supervisors, and investigating officers. [71.3.3(c)]
- g. Any officer entering the holding area may use a radio duress button, portable radio, telephone, oral alarm or any other available means of communication to obtain assistance. [71.3.3(b); 71.5.1(c)]

2. FIRE/EMERGENCY

- a. Fire suppression equipment shall be located in easily accessible locations out of reach of a detainee.
- b. An emergency evacuation, fire prevention, and fire suppression plan shall be posted at the entrance to each temporary holding area. [71.4.2]

D. Inspections / Review [71.4.3]

- 1. PERIODIC INSPECTION: All temporary detention areas shall be inspected monthly by the Chief of police or his designee. The inspection shall cover:
 - a. Search for weapons or contraband;
 - b. Removal of unauthorized items; and
 - c. Operability of door locks, communications equipment, audio and video equipment and fixed restraint points.
 - d. The inspection reports shall be filed with the Chief of Police.
- 2. REVIEW: The Chief shall cause an administrative review of the areas and procedures to be conducted at least once every three years.