

SALEM POLICE**DEPARTMENT MANUAL****CHAPTER 55.0****DATE OF ISSUE**
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06/01/2021**SUBJECT:****THE LOCKUP AND HOLDING FACILITY****ISSUING AUTHORITY**
Chief Lucas Miller**MPAC:** 1.2.3 46.1.2 70.1.6 70.3.1 72.1.1 72.1.2
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☐ **NEW** ☒ **AMENDS** ☐ **RESCINDS****WEBSITE****GENERAL CONSIDERATIONS AND GUIDELINES**

The proper operation of the police lockup is critically important to the safety of police personnel and the well being of prisoners or detainees. By statute, the obligation to maintain a lockup includes the provision of any prescribed medication and nutritionally adequate meals. In addition, detailed statutory requirements exist concerning suicide prevention. The Salem Police Department is committed to operating a safe and sanitary lockup facility.

PROCEDURES

ACCESS TO FACILITY (NON-POLICE PERSONNEL): All non-police personnel granted access to the Holding Facility will be searched upon entrance to or exit from the facility. All non-police personnel are to be made aware of this rule prior to entering the Holding Facility. If any visits are allowed by the Watch Commander, the name and time of visit shall be recorded on the booking sheet. The preferred location of all visits is to have the visitor outside of the cell, while the prisoner remains locked in the cell. (72.1.2) (72.8.5)

- **ATTORNEYS** - May be admitted to the Holding Facility for a private consultation if it is deemed proper and reasonable by the Watch Commander. This consultation should take place in the Holding Facility; however, alternate arrangements for attorney/client consultation may be permitted under special circumstances at the discretion of the Watch Commander. Both the attorney and the client should

be advised that abuse of the privilege could result in a termination of the private consultation privilege authorized by the Watch Commander and both should understand that, prior to admittance. The Attorney shall provide his/her Bar Card and license to be photocopied. (72.7.1c)

- **MEDIA** - Access of the media to the Holding Facility is allowed only when the area is unoccupied by a prisoner or prisoners. Exceptions to this rule are granted by the Chief of Police exclusively, and only when such access will not impede the operations or efficiency of the facility, and does not invade the privacy of any prisoner being held within.
- **IMMEDIATE FAMILY** - Family members should not be granted access to the Holding Facility for the purpose of visiting with the detainee. To allow such visits would interfere with the operation of the facility, and would violate the privacy rights of other individuals being detained. The Watch Commander shall have the final say as to allow such visits.
- **NON-RELATIVES** - Access to the Holding Facility for visitation purposes by individuals who are not immediate family or relatives are not permitted. It will be the decision of the Watch Commander regarding any special circumstances.
- **TOUR GROUPS** - Under no circumstances shall a group being given a tour of the Police Station be permitted access to the Holding Facility if there is any individual being detained in that area of the building.

RESPONSIBILITY FOR OPERATION & MAINTENANCE: The Administration and Auxiliary Services Commander shall be responsible for the maintenance of the Holding Facility and shall exercise said duties through and in response to reports from the Patrol Division, Booking Officers, and the Custodial Staff. The Holding Facility as defined in this policy shall include the Booking Area, the Cell Block, and the Juvenile and Female Cells.

DELEGATION OF FISCAL ACCOUNTING: As the departmental official designated as responsible for maintenance and care of the Holding Facility, the Administration and Auxiliary Services Division Commander shall report to the Chief of Police regarding any outlay or commitment of funds, actual or proposed, inherent in or involving the continued safe and efficient operating conditions in the facility.

All minor expenses incurred in the routine daily operation of the Holding Facility (exclusive of departmental salaries) shall, whenever possible or applicable, be approved by the Administration and Auxiliary Services Division Commander. All invoices or receipts for routine or unusual minor expenses shall be turned over to the Division Commander for the purpose of recording prior to transfer to the Chief's Office to be paid. Such expenses shall include, but are not limited to, minor repairs, prisoner's meals (prior approval not needed) and cleaning expenses.

SECURITY PRACTICES: The following security procedures shall be adhered to by all officers and personnel involved in the booking and detention process of prisoners held in the Holding Facility:

To ensure that there is no error in the prisoner counting system, the on-duty Booking Officer shall fill out a Prisoner Booking Report, which will be turned over to the on-coming Booking Officer at the beginning of a Shift. In addition, the on-coming Booking Officer will perform a face to face physical count of the prisoners being held to make sure the list matches (72.8.1).

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Upon entry into the booking room the prisoner shall remain handcuffed. The booking officer shall make the determination when the handcuffs are to be removed.
(70.1.6b)

Anytime a prisoner is being processed or detained in the Holding Facility, the utility closet (that houses the cleaning supplies) door will remain closed. It is recommended that prisoners wash their hands in a cell

sink, to prevent them from gaining access to a potential weapon in the utility closet.

Officers may enter the cellblock only when monitored on the video units, or when personnel already in the area require their assistance. Officers may enter an occupied cell only when another officer is with them, to attend to a medical issue or when releasing a prisoner from custody. (72.4.2)

All prisoners, upon being booked into the facility shall be searched for contraband, and their personal property shall be listed on the booking forms, and then secured in a property locker. Individual cells shall be searched prior to placing a prisoner inside for lockup. It will be the responsibility of the Booking Officer to check a cell for weapons and contraband prior to placing a prisoner in a cell. It shall also be the responsibility of the booking officer to re-check the cell for weapons or contraband immediately after a prisoner is removed from a cell.

(72.4.5) (72.5.1a) (72.5.1b) (72.5.1c)

If a prisoner has medication of any kind in their property it must be identified. Identification may be accomplished by asking the detainee, inspecting the package or bottle, its contents or label, the internet, contacting a pharmacist, health care provide; or some combination of these methods.

Once identified, the medication must be documented on the booking form and secured in a locker. For further guidance Officers shall refer to *Dispensing Medication* section located on page 10 of this policy.

All prisoners shall be re-searched prior to transport to another facility, to include District or Superior Court. This search shall include any property or clothing that is to accompany them.

All prisoners held in the facility are to be monitored at all times on the monitors located In the Control Room. It is the responsibility of operations personnel and the civilian dispatchers to perform this function which includes audio and video monitoring. There is no intent in this procedure to violate the personal privacy rights of individuals held. The surveillance devices are never to be used for covert investigative purposes unless such action is essential to the safety or well being of the general public or an individual. (72.8.1) (72.8.2)

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Any prisoner having special or unusual circumstances of custody may have to be checked more frequently or may require continuous monitoring. Special attention should also be paid to individuals who have apparent medical or physical difficulties. The cameras in the cell block area shall be monitored while prisoners are being booked and while they are detained in the cell. The officer's or civilian dispatcher's shall monitor the prisoners for any indication of medical emergencies, attempts to harm themselves or any other situation that would require an officer's response. (72.4.8)

No firearms are allowed in the booking or cell areas of the Holding Facility at any time. Officers entering the area from the main building shall secure their firearm in a gun locker located near the Holding Facility door. Officers entering the booking area from the sally port shall utilize the gun locker in the sally port next to the entry door. Officers who are transporting a prisoner or detainee shall secure their firearms before removing the individual from the cruiser and after the overhead garage door is closed. (72.4.1) (70.1.6a)

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No tools will be allowed in Cell Block except with specific authorization of the Watch Commander or the Auxiliary and Administrative Commander. When culinary utensils are given to a prisoner, it is the Watch Commanders responsibility to ensure said utensil is removed from the cell. At the discretion of the Watch Commander, Department approved disposable eating utensils may be allowed in the cell block area. All utensils and trash must be removed after the meal is eaten and new utensils will be issued for any subsequent meals. (72.4.7)

ESCAPE: In the event of an escape of a prisoner from the custody of this Department, the following procedures shall be immediately undertaken: (72.4.10)

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Should the escapee be caught, the Dispatcher shall notify other law enforcement agencies of this fact through the appropriate communications means according to the time frame of the capture.

Specific supervision of females held will be the responsibility of a supervisor. When available, female officers shall conduct all searches and cell checks. The Booking Officer shall conduct booking, intake screening, and other Holding Facility responsibilities. Whenever possible males shall supervise male prisoners and females shall monitor female prisoners. It is recommended that two officers be present at all times when dealing with any prisoner. (72.8.3)

HOLDING FACILITY TRAINING: New hires will receive initial holding facility training during the FTO phase. Any veteran officer who may interact with prisoners (ie. Booking Officers or Superior Officers) will be fully trained in accordance with the Massachusetts Police Training Committee guidelines for police officers charged with all facets of detaining prisoners in a short term holding facility. They shall receive re-training at least once every three years. (72.1.1)

Inclusive in this training shall be holding facility security measures and procedures, breathalyzers, cameras, cell check recorders, restraint devices, booking system, handling emergency situations, supervision of prisoners, pertinent legal issues, fire suppression and equipment, prisoner rules and regulations (federal, state, and local), human and legal rights of prisoners, and detention procedures for unusual or special prisoners such as females, juveniles, mentally disturbed individuals, handicapped persons, and finally, suicide prevention in accordance with Mass. General Laws) Chapter 40 - Section 36. (72.1.1)

HANDLING PRISONERS WHO POSE A RISK: Any prisoner, who, in the judgment of the Watch Commander, presents a substantial threat to the facility, its occupants, or the employees of the Department may require special handling. In cases where the prisoner's actions pose a definite threat, the Watch Commander shall attempt to make arrangements with officials at the Essex County House of Correction in Middleton for immediate transfer to that facility.

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This segregation should not involve any other penalization other than the segregation itself. There should be no abridgement of rights or privileges that would normally be granted any other prisoner. The situation should be reviewed hourly to determine that it is still reasonable and proper, and return to an area of the Cell Block should only be done when the Watch Commander determines that the conditions that necessitated the original action have been removed or no longer exist.

All actions of segregation shall require a written report by the Watch Commander to the Patrol Division Commander. A copy of the report shall be attached to the Booking Report as part of the prisoner's arrest file. The report should contain the full reasons for the segregation, the time of the segregation, and, if applicable, the time of termination of the segregation. (The term "segregation" shall also refer to transfer to another facility.) This report may be included as part of the Prisoner Booking Report.

At no time shall a detainee be taken outside the confines of the booking or holding facility and be locked into any space or shackled to an immovable object unless under continuous direct personal supervision and control of another person who can immediately intervene on behalf of the agency or the detainee.

To ensure their safety while in the booking area Officers will either carry their portable radios or have access to the fixed radio unit, located on the booking room counter. If these are not available officers may summon help by activating the wall mounted speakers by the exit doors.

(72.4.9)

MEDICAL SCREENING & TREATMENT PROCEDURES:

Pursuant to Mass. General Laws, Chapter 276 - Section 33, all prisoners, upon being admitted to the Holding Facility shall be informed of their rights to medical attention in writing by a prominently displayed copy of these rights in the booking area. Also, according to the same chapter and section; **"Whenever a person is arrested for a crime and is**

taken to or confined in a jail, police station or lockup, the officer in charge thereof shall immediately examine the prisoner, and if he finds any bruises, cuts, or other injuries shall forthwith make a report thereof to the Chief of Police of the city concerning the requirement that the prisoner be examined shall not be deemed to compel the removal of clothing." (72.6.1.) (72.6.4) A separate report shall be filled out documenting the prisoner's injuries. The report will be forwarded to the Patrol Division Commander and the Chief of Police.

Any prisoner deemed in need of any medical attention by the Watch Commander shall be transported to the N.S.M.C. or other appropriate medical facility for medical attention. A separate Incident Report shall be filed on any incident of this nature. (72.6.1) (70.3.1)

All officers shall follow the guidelines listed below in attending to the medical needs of a prisoner: (72.6.1)

- a. The prisoner shall, upon arrival in the station, be received and screened by the Booking Officer. This screening shall consist of compliance with **MGL C276-S33** (Physical Examination Law) and **MGL C40-S36** (Suicide Prevention Law), as well as a brief inquiry into the current health of the prisoner (72.6.3a); medications currently being taken by the prisoner (72.6.3b); behavioral observations, including state of consciousness and mental status (72.6.3c) and a notation of any obvious bodily deformities or injuries (72.6.3d). All observations shall be noted on the Booking Report for later reference, if needed. Conversely, upon release or transfer of the prisoner, receiving/screening information shall be re-checked and any changes from the condition upon entry into the facility shall be further noted on the Booking Sheet.
- b. The Pre-Screening Division of the Mass. Department of Mental Health shall immediately be notified of prisoners believed to be mentally ill or otherwise unstable. Decisions on transfer or removal from the facility shall be made by Pre-Screening. Until such time of their arrival the prisoner may require constant personal

monitoring. It will be the policy of this Department to fully cooperate, as much as possible with the Pre-Screening representative on all matters of transportation and other requests of assistance. (70.3.1)

- c. Any special medical needs, problems or procedures shall be handled by Booking Officers while the prisoner is in custody, providing the Watch Commander determines that the instances can safely be handled. When transport to the North Shore Medical Center is necessary, the extent or nature of the illness or injury will determine the mode of transportation (i.e. ambulance or cruiser). The decision shall be that of the Watch Commander. When transporting by ambulance, a police officer shall accompany the ambulance. (70.3.1)
- d. Arrestees in need of detoxification shall be held in the holding facility unless circumstances warrant attention by medical authorities, as determined by the Watch Commander. Persons should only be held in Protective Custody when arrangements for transfer to the detox center cannot be arranged, or if the person would pose a threat to themselves or others if released to someone's custody.
- e. No officer shall be allowed to go beyond the scope of his/her training in administering to the emergency medical needs of a prisoner. This scope is determined by the level of emergency medical training of individual members of the Department (i.e. CPR, First Responder).
- f. A first aid kit will be maintained within the booking area. It will contain material necessary for light emergency medical treatment. A resuscitator and ambu-bag shall be kept in the Booking Room for easy accessibility to the booking area and the cellblock area. The Accreditation Manager will inspect the first aid kit, resuscitator and ambu-bag weekly and shall assure proper

inventory and maintenance of the items.
(72.6.2)

Questions to be asked upon intake of a prisoner are contained on the Booking Sheet. In addition, they shall make sure that they query NLETS under Q5 in order to determine if the prisoner has previously attempted suicide within the Commonwealth. The hard copy of this query shall be attached to the prisoner's Booking Report.

Dispensing Medication: Officers should keep in mind that M.G.L. c. 94C, § 9 prohibits the administration of a controlled substance by non-licensed persons. This policy simply affords a detainee the opportunity to self-administer prescribed medicine in accordance with label directions.

The OIC may permit any detainee to take any necessary medication, over the counter or prescription, specifically prescribed in writing by a licensed medical provider, provided that the administration of the drugs is requested by the detainee. (72.6.5)

- Only the quantity of medication specified by the prescribing practitioner shall be given to the detainee.
- Any medications brought in by a detainee, or given to him or her in the course of any treatment the individual may require while in department custody, shall be retained with the detainee's property.
- If there is any question concerning the administration of medications, the officer-in-charge may either confer by telephone with a qualified medical physician or pharmacist before administering the medication. An EMT may be requested, or the detainee may be transported to the hospital and the medication administered there.
- The detainee may only receive the dosage of medication as noted on the label the Officer must witness the detainee taking the provided medication.
- Any medications administered to a detainee shall be maintained on the booking sheet.

RELEASE OF PRISONERS FROM MEDICAL TREATMENT: Upon release of prisoners from medical treatment facility, the attending physician shall give the Police a signed release from treatment form. Upon completion, this form shall be forwarded to the Watch Commander/OIC and filed in central records.

HANDLING VIOLENT INTOXICATED, ETC. PRISONERS: Any prisoner who is uncontrollable due to being under the influence of alcohol or narcotic drugs; or is violent or otherwise self-destructive, shall, if transportation or removal to a detoxification facility is not feasible be isolated in single occupancy cell. Under no circumstances shall this prisoner be placed in a cell occupied by another person. (72.5.4)

If segregation of the prisoner into a single occupancy cell is not deemed or found to be sufficient protection for the prisoner or the facility, then the Watch Commander shall determine and take such action as is legal, safe, and effective to restrain any actions by the prisoner that would be detrimental to himself/herself, other occupants, the police officers on duty, and the facility. (72.5.4)

Above and beyond all measures taken to protect all concerned there shall be continuous monitoring of this individual through the video monitors, and, if necessary, by continuous personal observation in lieu of the 30-minute cell check. (72.4.8)

THE BOOKING REPORT: This document is generated by the in-house computer system will serve as the permanent arrest record and is archived in the system. It contains all the information needed to develop a profile on the subject and is used as a guide for the Booking Officer to use in gathering all pertinent and mandatory data regarding the prisoner. (72.5.2a)
For liability purposes, refusal to answer by the prisoner must be noted on the form regarding the following questions. Additionally the prisoners rights administered should be documented.

- a. Prisoner name, address, DOB, SS number & phone number;
- b. Marital status;
- c. All juvenile data (if applicable)
- d. Phone call refusal; and
- e. Breath test refusal (if applicable).
- f. Miranda Rights
- g. Prisoner rights
- h. Any relevant medical concerns
- i. Need for translator.

Upon full completion of the booking process, which includes any responsibility of the Booking Officer with relation to completing the form, including identity verification, a copy of the booking sheet, along with any attachments (Q5 TT Notice) shall be retained in the Control Room until it becomes the Arrest File in Central Records. (72.1.3)

These records shall be filed in Central Records. They shall not be open to public view. Only parties designated by the Chief of Police will be authorized to view detainee records.

(72.1.3)

ADDITIONAL BOOKING/CUSTODY INFORMATION: For ease of any potential verification in the future, additional booking/custody information shall be recorded on the Prisoner Booking Report. The categories that shall be included on this Report are: (72.5.2a) (72.6.5)

- a. A list of legally prescribed pharmaceuticals which the prisoner possessed at the time of arrest;
- b. The dates and times a prisoner was allowed by the OIC or House Officer to take prescribed medication;
- c. Any special diet conditions that are authorized by a physician who has contacted the Department;
- d. The date(s) and time(s) of meals given to the prisoner while in custody.
- e. Any segregation activity regarding the prisoner, and the reasons for such activity; and
- f. the date, time, name/relationship, and reason for visit with regards to prisoner visitors while in custody

If a prisoner received medical attention, a separate medical report will be generated.

HANDLING PRISONERS PERSONAL PROPERTY: All personal property of a prisoner including money and jewelry, shall be taken from the individual and placed inside a prisoner property envelope. The items shall be fully recorded on the Booking Sheet. This envelope shall then be placed inside a property locker in the Booking Area along with the prisoner's outer garments and footwear. Personal items that are too large to fit in the envelope shall still be recorded on the Booking Form, and placed in the locker. (72.5.1b) (72.5.2b) (72.5.1c)

Upon release of the prisoner all personal property shall be returned to the individual and he/she shall be requested to sign the booking sheet indicating such return. When prisoners are transferred to the custody of another agency or facility, the personal property of that prisoner shall be turned over to their agent following an audit of the property by the prisoner. The

disposition and/or retention of that property will become the responsibility of the agent. When a prisoner is transferred to Court and the Court will not accept the prisoner's property, all personal property will be retained for a period of 30 days. When the prisoner is transported to Court, the Booking Officer shall advise the prisoner that they must retrieve their property within 30 days. If they send another person to retrieve their property, there should be written permission for release of the property. During that 30 days period the property will be tagged with a prisoner property tag and held in the secure sally port on the designated shelves. (72.5.1d)

INSURING ARRESTEES RIGHTS: All persons arrested for the commission of a crime have immediate access to an attorney or counsel. It shall be the responsibility of the Booking Officer to ensure that an arrestee is afforded this right and that confidential access is provided. (1.2.3c) (72.7.1c)

All persons arrested for the commission of a crime shall be transported to Court as soon possible after the booking procedure is completed, and providing the Court is in session. It shall be the responsibility of the Watch Commander to ensure this right. (72.7.1a)

It shall be the responsibility of the Booking Officer to arrange transportation to Court, and to prepare the prisoner for this transportation. Normally, the Booking Officer will transport those held overnight or through a weekend. The Watch Commander shall assign a Patrol Officer for this transport.

INCIDENTS THREATENING THE FACILITY/OCCUPANTS: A threat, indicated or perceived, against the structure, the Department, or any person held in custody, which the observer or recipient considers not to be idly made, shall immediately be reported to the Watch Commander. The observer or recipient shall then file a written incident report detailing the nature and circumstances of the incident. The routing of this report will include only the Patrol Division Commander who will apprise the Chief. (72.4.11)

Following notification, the Watch Commander shall take whatever action he/she deems sufficient to negate the effect or consequence of said threat.

PRISONER'S MEALS: Three (3) meals will be provided to prisoners for every 24 hours they are detained. Meals and food may be brought in to a prisoner by a member of his/her family at the discretion of the Watch Commander and will be served only after inspection by the Booking Officer. The Booking Officer will

serve all meals. All containers will be removed from the cell by the Booking Officer upon completion. Regularly scheduled meals may not be intentionally varied by time or withheld from prisoners as a form of punishment or reward. (72.7.1f) (72.8.4)

Any special diet that is required in accordance with treatment prescribed by a licensed physician will be granted whenever possible within the parameters of cost effectiveness and available resources. Any meal served in compliance with this diet should conform as closely as possible to meals served to other prisoners at a similar time.

Records of meals served to prisoners shall be kept on the Booking Sheet. They shall include the Date and Time of food service. (72.8.4)

EVACUATION ROUTES AND PROCEDURES: In the event of fire or other situation which presents a hazard or danger to those being held in the Holding Facility area it shall be the responsibility of the Booking Officer, with necessary assistance from other officers, to oversee the safe evacuation of prisoners. (72.3.2)

The prisoners will be taken out of the cells and handcuffed. The safest of the following evacuation routes will be followed: (72.3.2)

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If return to the Holding Facility area is not possible following an emergency incident which requires evacuation, then the Watch Commander shall make arrangements to transfer prisoners to another facility. This should be done immediately upon learning that return to our facility is not possible.

If a prisoner requires medical treatment following evacuation then the Watch Commander or Booking Officer shall arrange transportation according to established procedures.

WEEKLY INSPECTIONS OF SAFETY & SECURITY : It shall be the responsibility of the Accreditation Manager or his/her designee to conduct a weekly inspection of all equipment pertaining to the operation of the Holding Facility, including the Cellblock and the Booking Area. The primary reason for this inspection is to insure that this equipment is satisfactory for the continued security, health, and wellbeing of both the prisoners and Department personnel. The items inspected shall include: (72.4.6)

- all locks and security devices;
- cell doors and bars;
- ventilators;
- drains and drain covers;
- light fixtures;
- cell toilets;
- audio and video equipment; and,
- all emergency medical equipment(to include the AED outside the Holding Facility Door).

Also, any items found in the area which do not belong should be removed and Booking Officers should be notified of the incident. Finally, when observations are made regarding areas that require maintenance, arrangements should be made for immediate service.

(72.6.2)

SANITARY CONDITIONS OF THE FACILITY: The Cellblock, Booking Area, and cells shall be cleaned thoroughly on a daily basis by the custodial staff. All Watch Commanders and Booking Officers shall assure, as much as possible, that conditions of occupied cells remain sanitary while being occupied. This includes activating the waste disposal system whenever necessary and seeing that a cell is returned to its original state upon the release of a prisoner. They shall also notify the Auxiliary and Administrative Division Commander in writing of any unsanitary conditions or situations. (72.4.6)

FIRE PREVENTION PROCEDURES: It is the responsibility of the Auxiliary and Administrative Division Commander to ensure that fire detection and suppression equipment is tested on a regular basis. This procedure shall be conducted semi-annually and with the assistance of the current, contracted alarm company. It will include tests of detection equipment (smoke and heat detectors), suppression equipment (sprinkler systems and fire extinguishers), and the annunciating system itself. The Auxiliary Division Commander shall maintain records of these tests on file. They shall contain information regarding any malfunctions or disorders, and the actions taken for correction. (72.3.1a)

In addition, the Day Watch Commander, or his/her designee, shall conduct a daily visual inspection of all fire suppression and detection equipment to ensure that it is in its proper location, shows no apparent damage, and seems to be in good working order. This will be documented in the OIC "On Duty" Report. (72.3.1b)

AUTHORITY FOR USE OF WEAPONS: In the event that a riotous, tumultuous, or potentially hazardous situation should occur in the Holding Facility, the Watch Commander shall be notified immediately, unless exigency prohibits this. It shall be his/her decision as to whether firearms, including weapons not normally carried by officers, chemical agents such as OC, or other available defensive equipment shall be used to quell such disturbance. In addition, the Watch Commander shall as soon as possible, notify the Patrol Commander and the Chief of Police of the occurrence. A written Report of the incident shall also be filed in a manner consistent with Department policy. (72.4.1)

HANDLING GROUP OR MASS ARRESTS: On occasions where there are more persons arrested than the facility can hold, it shall be the responsibility of the Watch Commanders to:
(46.1.2) (72.5.6)

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PRISONER TELEPHONE CALLS: All prisoners have the right to make a phone call. They shall be advised of this right upon being booked. These calls may be made at the time of booking or at a later time of his/her choice when the duties of the House Officer permits. All prisoners shall be informed that all telephone conversations are monitored and the booking room is subject recording. (72.7.1d) (72.7.1e)

ARREST BY OUTSIDE AGENCY: Whenever subjects are brought to this facility under arrest and the arrest has been made by someone other than a Salem Police Officer, the Officer in Charge shall, before accepting the arrestee, determine whether that person has legal arrest powers and whether or not the charges constitute a legal arrest. The Booking Officer shall determine positive of the arrestee, either by identification, fingerprints or photo id. (72.5.5)

If another agencies arrestee has a medical emergency that requires a transport to the hospital then that agency shall provide an Officer to take custody and monitor their prisoner for the entire period of time the arrestee is not in the Salem Police Station.

If the Salem Police Department is holding an arrestee for another agency and that arrestee requires enhanced monitoring. For example if they become suicidal, a threat to the holding facility or pose a danger to themselves or others, the Officer in Charge may request the arresting agency provide an Officer for continuous monitoring of the arrestee.

PRISONER'S RIGHT TO BAIL: All persons arrested who according to law have a right to have bail set, shall be afforded that privilege in the form of notification of the Bail Commissioner of the charges against them. This notification shall be made under the direction of the Booking Officer as soon as possible upon completion of the booking process. No person arrested who has the legal right to bail shall be denied the opportunity to meet bail requirements set by the Bail Commissioner. (72.7.1b)

ID OF PRISONERS BEFORE BAIL OR RELEASE: It is critical that the right person is being bailed or released from the Holding Facility. It shall be the responsibility of the Booking Officer to establish the correct identity of this person. This may be accomplished by verbal confirmation, accompanied by a check of the information contained in the Booking Report and/or comparison of the persons' photograph. (72.5.7)

PRISONER MAIL: In the unlikely event a person in custody should receive mail it shall not be opened, inspected or accepted. A notation "Return to Sender" shall be made on the envelope and it shall be turned over to the Postal Service. If a package is brought to the station for a prisoner, it shall be decided by the Officer in Charge whether or not to accept the package. No items may be received that which are prohibited by law. (72.8.4)

SUICIDES OR ATTEMPTED SUICIDES BY DETAINEES: All members and employees of the Department shall adhere to the provisions of **MGL C40 s36A and 36C**, relative to suicides and attempted suicides by detainees in a holding facility.

SUICIDE If a person commits suicide while in custody of the Department, the Watch Commander shall submit a complete report on the incident to the Patrol Division Commander and the Chief of Police. It shall be the responsibility of the Patrol Division Commander to check the report to make sure that it contains the identity of the deceased and that it adequately describes the circumstances. One copy shall go to the State Medical Examiner's Office within seven (7) days of the incident.

ATTEMPTED/THREATENED SUICIDE: If a person while in the custody of this Department attempts to commit suicide, the Watch Commander shall file a complete report with the Patrol Commander. He/she shall be responsible for sending a notification to the Criminal Justice Information System (CJIS). The message shall contain the name, address, DOB of the person, reason for detention and the nature of the attempt. A copy of the message shall be attached to the report to other Watch Commanders.

SECTION 36C TRAINING: The statute requires that all police officers be trained by the MPTC in the detection, intervention and prevention of suicide. The training shall be conducted at entry level and shall include the nature and symptomology of suicide, communicating with suicidal detainees and appropriate suicide prevention techniques and emergency measures. All police officers hired prior to April 1986 have received in-service training under MPTC. All newly promoted Officers shall receive additional training as prescribed by the MPTC. (72.1.1)

TRANSFER FROM CUSTODY:

Anytime a prisoner is transferred to agencies custody and that prisoner is violent, threatening, and suicidal, has medical or emotional issues the booking officer will fill out a Prisoner Transfer Form (pat-17). The Officer who transfers custody of the prisoner will ensure the form is signed off on by the receiving agency. They will then attach the completed form to the Booking Report.

Any law enforcement officer who commits an indecent assault and battery on a person in their custody or control will be charged under G.L. c. 265, §§ 13H½.

11/20/2015 2 para. Added page 4 regarding medication and i. added on page 12 regarding translators
6/1/2021 G.L. C. 265 SS13 H.1/2 added