

	LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania	
	Policy 3.5.2	
Subject:		Distribution:
Cell and Temporary Holding Areas		All Personnel
Date of Issue:	Expiration Date:	Rescinds:
01-07-2019	Until Amended or Rescinded	Policy 3.5.2 (01-03-2018)
References:		
CALEA: 42.2.10, 71.1.1, 71.2.1, 71.3.1, 71.3.3, 71.4.1, 71.5.1, 72.1.1, 72.5.3; PLEAC: 1.2.2, 3.1.1 - 3.1.4, 3.1.6 - 3.1.8, 3.1.12, 3.1.14, 3.1.17, 3.1.18, 3.1.20 - 3.1.23, 3.2.1 - 3.2.5, 3.2.6 1.4.1, 1.4.2		
By Authority of:		
		Superintendent of Police

PURPOSE

The purpose of this policy is to establish procedures to maintain, equip, and utilize the Cells and Temporary Holding Areas.

POLICY

It is of the utmost importance that the Lock-Up Facility be maintained for the temporary detention of prisoners. The facility is designed to ensure the highest possible degree of safety for the detainee, officers, other Departmental personnel and the public.

DEFINITIONS

- A. Lock-up Facility** - For the purposes of this policy, the Lock-Up Facility consists of the cell area and the Temporary Holding Area(s). These areas are authorized for the interviewing, processing, testing, and temporary holding of detainees while under control of agency personnel.
- B. Temporary Holding Area** – Temporary Holding Areas are any location within the Department that are used for a brief period of time to detain, process, and/or question a person who is in custody, control, or care of any member of the Department. The Temporary Holding Area will consist of the detainee processing room, the interview room located in the booking area of the Lock-Up Facility, and interview room #1 in the Juvenile Unit. While in a Temporary Holding Area officers are responsible for the constant supervision, welfare and security of the detainee until the detainee is turned over to another responsible person or secured in a holding cell.

TRAINING AND ORIENTATION OF PERSONNEL

A. All sworn Department personnel shall receive initial training in the operation of the Lock-Up Facility and Temporary Holding Areas as part of their orientation, with retraining occurring at least every four years. Training shall be provided by a designated officer. Fire suppression training shall be provided by a designated member of the Fire Department, or other qualified person. This training shall include: **(CALEA 71.2.1, 72.1.1) (PLEAC 3.1.1, 3.2.6)**

1. Detainee security
2. Physical layout and design
3. Video equipment
4. Locking mechanisms on cells and key control procedures
5. Detainee property management
6. Metal detectors
7. Fire/smoke detectors and fire suppression
8. Safety
9. First aid
10. Emergency responses

PHYSICAL PLANT

A. The Lower Merion Police Department currently meets all state and local building codes. The cell area shall provide the following conditions for detainees:

1. Adequate lighting, which will remain on at all times. **(PLEAC 3.1.2 a)**
2. Circulation of fresh or purified air. **(PLEAC 3.1.2 b)**
3. Availability of a flush toilet (each cell is equipped with a toilet). Any detainee who is held in any other area and in need of a toilet facility will be escorted to the cell. **(PLEAC 3.1.2 c)**
4. Source of potable drinking water. **(PLEAC 3.1.2 d)**
5. Access to a wash basin. Detainees needing to wash themselves with water shall use the basin in their cell. **(PLEAC 3.1.2 e)**

6. Bed & bedding. **(PLEAC 3.1.2 f)**

7. Anything else required by law or regulation. (ADA) **(PLEAC 3.1.2 g)**

INSPECTIONS

- A. The maintenance and security of the Lock-Up Facility will be the responsibility of the Auxiliary Services Unit Commander or his/her designee. Direct supervision of the Lock-Up Facility is the responsibility of the ranking patrol supervisor.
- B. The Report Review Officer shall conduct a weekly security and sanitation inspection. The structural components and security devices will be visually inspected for operational wear, tear, intentional tampering, vermin and pest infestation. The area shall also be checked for weapons and contraband. The results of these inspections shall be documented and submitted to the Commander of the Auxiliary Services Unit on the "Weekly Inspection Log". **(CALEA 71.4.3)**
- C. Required repairs or maintenance that must be performed by outside personnel will be done so under the constant supervision of a sworn officer. Upon completion of the work, the officer shall perform a security inspection of the area to ensure that all tools and equipment were removed. The officer will make the proper notations on the Weekly Inspection Log.
- D. The Report Review Officer shall conduct daily inspections for security, weapons and sanitation. Any defects found shall be noted and immediately reported. If the findings affect the integrity of the cell area, the shift supervisor shall notify the Division Commander responsible for the building or the Watch Commander. The results of these inspections shall be documented and submitted to the Commander of the Auxiliary Services Unit on the "Daily Inspection Log". **(CALEA 71.4.3)**
 - 1. If the defect is of such a nature that it would endanger the officer or the detainee, the shift supervisor will make a determination for the necessity of closing that part of the facility until the defect is corrected.
- E. An administrative review of the Lock-Up Facility and temporary detention areas and procedures governing their use shall be conducted by the Auxiliary Service Commander annually. **(CALEA 71.4.3)**
- F. Fire suppression equipment shall be visually inspected weekly by the Report Review Officers verifying its presence and functionality. The weekly inspection must be documented, and any deficiencies reported to the Commander of the Auxiliary Services Unit. **(PLEAC 3.1.3 a)**

- G. A First Aid Kit will be maintained in the Lock-Up Facility and the Juvenile Unit. These kits shall be inspected weekly and replenished when necessary by the Auxiliary Services Unit. This inspection shall be documented on the weekly inspection form that is maintained in the cell area. **(PLEAC 3.1.18)**

FIRE PREVENTION PROCEDURE

- A. Smoking and incendiary devices are prohibited in the cell and holding areas. All smoking-related materials shall be taken from detainees as part of the intake process. **(PLEAC 3.2.4)**
- B. The Auxiliary Services Unit Commander shall ensure that the required inspections and testing of the fire equipment in the Lock-Up Facility are conducted and any deficiencies are corrected and documented.
- C. Fire suppression equipment shall be tested annually to ensure its functionality. The Auxiliary Services Unit Commander shall arrange for the Fire Marshal to perform the tests and obtain a written report documenting the date, time, condition of equipment, and identity of the person conducting the test. **(PLEAC 3.1.3 a)**
- D. The fire alarm and fire detection equipment shall be electronically monitored and inspected daily for functionality and documented by the Report Review Officer. All deficiencies are to be reported to the Commander of the Auxiliary Services Unit or, in his/her absence, the ranking police supervisor. Deficiencies and the corrective measures shall be documented in a police incident report. **(PLEAC 3.1.3 b)**
- E. The Auxiliary Services Unit Commander is to ensure that the fire alarm and detection equipment is tested and documented in accordance with the Township Fire Code.

EMERGENCY PROCEDURES ACCESS/EVACUATION

- A. In the event of an emergency, an officer and/or Communications Center personnel will immediately broadcast the nature of the emergency and notify the Montgomery County Communications Center to dispatch the appropriate emergency personnel.
- B. Lower Merion Communications Center personnel monitoring the detainees will make certain that there is an immediate response to the Lock-Up Facility by a sufficient number of police officers when observing anything that may be a risk to the safety and/or welfare of the detainee. **(PLEAC 3.1.21 d)**
- C. If a delay prevents the immediate response and arrival of patrol personnel or in cases where patrol personnel are not available, Lower Merion Communications Center personnel shall ensure that the personnel with in-building assignments (Investigations, TSU, S&I, or Auxiliary Services Units) are notified to immediately respond. **(PLEAC 3.1.21 d)**

- D. The emergency evacuation plan shall be posted in the Lock-Up Facility and juvenile holding area, along with a designated and signed emergency exit directing evacuation of persons to hazard-free areas. **(PLEAC 3.1.4)**
- E. Detainees will be evacuated and secured in the prisoner transport van at a safe location in the parking area.
- F. If detainees will be unable to return to the Lock-Up Facility within a reasonable period of time, arrangements will be made to transport the detainees to facilities in surrounding jurisdictions.

ACCESS TO CELL AREA

- A. Access to the cell area is restricted to authorized personnel of the Lower Merion Police Department, law enforcement officers of other agencies, and authorized criminal justice agency personnel. Such restrictions apply when any portion of the cell area is in use by a member of the agency and the area is occupied by a detainee or visitor for processing.
 - 1. As to not compromise the security of the cell area or the privacy of detainees, non-essential personnel may be restricted from entry into the cell area. This may be necessary to assist in the acquisition of necessary information from the detainee or development of investigative information that may be received from the detainee.
 - 2. In the case of emergency conditions, as determined by a supervisor, the cell area will be strictly off limits to all non-essential personnel. Non-essential personnel will be any personnel not directly involved in the arrest or processing of the subject in custody.
 - 3. The ranking police supervisor on duty may make exceptions as deemed necessary for the proper and orderly operation of the cell area.

SECURITY AND CONTROL

A. Cell Area Security

- 1. Absent an emergency, officers shall secure all weapons in a lock box prior to entering the cell area, except that a cover officer(s) may retain OC spray and/or an ECW if the circumstances dictate such a need. **(CALEA 42.2.10 a, 71.1.1)**
- 2. Cell doors shall be closed and locked whenever occupied by a detainee. All outer doors will be kept secured at all times.
- 3. Prior to placing a detainee in a cell, the officer shall conduct a thorough check of the cell for weapons, contraband, or other unauthorized material and ensure its removal. In addition, check the functionality of the CCTV, plumbing and lighting fixtures, make certain an adequate supply of toilet paper exists and the cell is

clean and in good repair. The lights must be turned on in any occupied cell.
(PLEAC 3.1.6)

4. If the inspection identifies any discrepancies, the cell shall be placed out of service. A written notification shall be placed on the door of the damaged cell and the on-duty patrol supervisor and the Communications Center shall be immediately notified. The on-duty patrol supervisor or the Officer in Charge of the Communications Center shall be responsible for notifying all department personnel via e-mail of any discrepancies. Any damage or contraband shall be properly documented.
5. Improper use of the bedding by the detainee will result in its removal from the cell.
6. The Lock-Up Facility is under 24-hour surveillance, monitored both visually and audibly through the use of a Closed Circuit Television (CCTV) and audio monitoring system located within the Communications Center in the PSB. When a detainee is placed in a cell, the Communications Center personnel shall be notified to check the visual and audible monitoring system to ensure proper function. This system allows the Communications Center personnel to be alerted as soon as possible in the event of an emergency within the Lock-Up Facility. To protect the personal privacy of detainees, the video and audio monitoring devices will be located in the Communications Center and shall be accessible to authorized personnel only. **(CALEA 42.2.10 d) (PLEAC 3.1.8, 3.1.21 a, b, c, 3.1.22)**
7. Communications Center personnel shall initial the prisoner intake form every 10 minutes, acknowledging the visual check of the detainee. **(PLEAC 3.1.21 a)**
8. Highly intoxicated, violent and/or self-destructive detainees will be placed in a separate cell to ensure the safety of the detainee. The arresting officer will notify Communications Center personnel to monitor the detainee closely.
9. At no time shall the number of detainees in each cell exceed the maximum lawful capacity as determined by the Fire Marshal, which is posted in the Lock-Up Facility. If detainees must remain more than eight hours, then the number of detainees cannot exceed the number of beds in each cell.
10. Personnel working in the Lock-Up Facility and Temporary Holding Areas will be equipped with a portable radio for use in case of an emergency. A telephone will also be available in the Lock-Up Facility and Investigations Unit to alert the Communications Center. Personnel not equipped with a portable radio will notify the Communications Center personnel who will constantly monitor their activity through the video and audio surveillance equipment. **(CALEA 42.2.10 d, 71.3.3b, 71.5.1c) (PLEAC 3.1.8, 3.2.5 c)**

11. At no time shall a male and female detainee occupy the same holding cell. Although the holding cells provide for the visual isolation of each unit, every effort should be made to maximize the distance of separation between male and female detainees to eliminate the possibility of verbal communication. **(CALEA 72.5.3) (PLEAC 3.1.12)**
12. Juvenile detainees are generally prohibited in the Lock-Up Facility. Juveniles will be detained in the Investigations Unit in conformance with the laws and regulations of the Commonwealth of Pennsylvania. **(CALEA 72.5.3) (PLEAC 3.1.12)**
13. Officers shall ensure that the cells are clean when they release a detainee. The releasing officer and the shift supervisor shall be held responsible for the condition of a cell. Departmental personnel shall take immediate action when necessary, such as rinsing down a floor, wall or commode.

B. Entering an Occupied Cell

1. Officers shall not enter an occupied cell at any time unless two or more officers are present except in the following circumstances:
 - a. To prevent an escape.
 - b. To prevent detainee from inflicting injury to themselves.
 - c. To render first aid.
 - d. To prevent cell damage.
2. Prior to entering a cell alone during an emergency, the officer must first announce the emergency and summon back-up assistance.
3. Occupied cell doors shall only be opened for placement, removal, transfer, or treatment of a detainee. Under no circumstances are maintenance or cleaning personnel allowed to enter an occupied cell.

C. Control of Cell Keys

1. Sets of keys for the lock-up facility will be located in the Communications Center, the Investigations Unit, and in the Processing area.
2. A duplicate cell key is maintained inside the locker in the Sergeant's Ready Room.

3. Only the cell doors in the cell area are accessed with keys. All exit doors must be accessed with an electronic security card.
 - a. In the case of a power outage or malfunction, access to the exit doors in the Lock-Up Facility can be gained via the master key. The master key can be obtained from Key Box #2 located in the Auxiliary Services Unit.

D. Doorways and Cells Shall Be Secured

1. All entrance/exit doors to the Lock-Up Facility area shall be kept closed and locked at all times except when necessary to permit entry/exit.
2. At any time when a cell is occupied, the cell shall be locked and secure.
3. Other interior doors within the cell area may be closed at the officer's discretion.

E. Tools and Culinary Equipment (*PLEAC 3.1.7*)

1. Culinary items are not allowed in the cell areas. Detainees should be fed in accordance with Policy 3.5.3, Prisoner Meals.
2. In the event of maintenance requiring the use of tools in the cell area, the person performing the work shall be under constant supervision while the work is performed. The cell area shall be searched upon completion of the work to ensure that no tools were concealed or left behind.

OUTSIDE AGENCY DETENTION

- A. Before placement of any detainee received from an outside agency in a holding cell, the receiving officer shall:
 1. Verify the authorization for such detention.
 2. Verify the identity of the delivering officer.
 3. Verify that appropriate court documents are in that officer's possession and obtain copies of same.
 4. Verify the positive identity of the detainee.
- B. Any detainee held in the cell area for an outside agency is the responsibility of that agency, and they shall comply with all policies and procedures of the Lower Merion Township Police Department.
- C. In the case of detention of adults for constables, detainees arrested by constables and brought to the police station by the constable may be accepted for temporary

detention provided that they cannot be immediately disposed of according to law and that:

1. The constable makes a request for the use of the holding cells.
2. The detainee is in lawful custody of the constable and not in need of medical attention.
3. The appropriate on-duty supervisor deems it necessary.

MASS ARREST AND OVERCROWDING (PLEAC 3.1.14)

- A.** In the event of a mass arrest situation where the holding cell area will not sufficiently house detainees, the following shall apply:
1. Contact the court and request arraignment of detainees as applicable.
 2. Assign additional officers to assist in the control of the detainees.
 3. Evaluate detainees currently held in the cells and consider moving low threat detainees to a holding room.
- C.** As a last resort, the Sally Port area will be used as a temporary holding area. All doors in the area will be closed and locked. Any materials or equipment will be removed prior to placing detainees in the area. Cell #5 in the holding facility will not be used to hold detainees but will rather be used as a bathroom facility for those detainees being held in the Sally Port.
- D.** In all cases, detainees shall be provided access to toilet facilities, water, and medical attention upon their request.

MEDICAL AND HEALTH CARE SERVICES (PLEAC 2.5.7)

- A.** No prisoner shall be booked into the facility or otherwise held who has injuries or illness that requires hospitalization or attention of a health care professional. If the severity of the medical condition is unclear, or if a prisoner requests medical attention, he/she shall be transported as soon as possible to the appropriate emergency care provider. All medical related problems will be noted in the investigation report and on the prisoner intake form.
- B.** Officers shall be alert for detainee injuries. If any are found, the shift supervisor shall be notified. If medical treatment is deemed necessary by the shift supervisor, it shall be provided; to include transporting to a hospital.
- C.** Any detainee who shows signs of physical or mental distress that pose a risk to life or significant risk to health, if not treated urgently, shall immediately be examined by

medical personnel. EMS will be summoned and make recommendations for the removal of an ailing detainee to a hospital. Unconscious detainees shall be transported to a hospital by ambulance for treatment. Any time a detainee makes a request for medical treatment, officers shall make reasonable arrangements to meet that need.

- D. Wounds, injuries, or medical issues, including those that appear to have occurred during the arrest process, shall be documented.
- E. A first aid kit shall be maintained in the cell area and Juvenile Unit. **(PLEAC 3.1.18)**
- F. All approved medications belonging to the detainee must be inventoried and remain secured with their personal property. In the event that a detainee requires the administration of a medication, EMS or hospital personnel will administer any and all medications as prescribed. This must be fully documented in the investigative report and noted on the prisoner log sheet. **(PLEAC 3.1.20)**
- G. Lock-Up Facility medical procedures for detainees shall be approved by a licensed physician. **(PLEAC 3.1.17)**

DETAINEE RIGHTS

- A. No detainee will be detained for an unreasonable period of time pursuant to the Pennsylvania Rules of Criminal Procedure.
- B. Detainees shall be permitted reasonable time and opportunity to contact family or friends for bail, and/or an attorney, at their own expense. Officers shall not post bail for any person other than a member of their family. Officers shall not suggest or recommend specific attorneys or bail bondsmen.
- C. Due to security concerns, detainees shall not be permitted visits from anyone while in the cell area. **(PLEAC 3.1.23)**
- D. If requested by the detainee, attorneys shall be granted access to the detainee at the earliest possible convenience. The identification and current status as an attorney shall be verified and they shall be screened for contraband and weapons. They may then be placed in a locked interview room with their client. There is no audio/video surveillance in these rooms; therefore, a guard shall keep them under surveillance. The detainee shall be carefully searched before and after the visit. The visit shall be documented in the report. **(PLEAC 1.2.2b)**
- E. Parents/guardians of juvenile detainees shall be granted access to the detainee under the same conditions as those for attorneys.
- F. Detainees will be granted reasonable access to a phone. Although these calls are not recorded, officers should personally monitor the call and document the call in the

incident report. The detainee shall be advised of same. The purpose of the call should be limited to:

1. Obtaining bail.
2. Obtaining identification.
3. Arranging for transportation on release.
4. Advising family or friends of their whereabouts.

TEMPORARY HOLDING AREAS

- A. The areas authorized as a Temporary Holding Areas are the booking area, the interview room located in the booking area of the Lock-Up Facility and rooms 204 and 208 in the Juvenile Unit. No weapons are permitted in any of the authorized temporary holding areas, except that a cover officer(s) may retain OC spray and/or an ECW if the circumstances dictate such a need. **(CALEA 42.2.10 a, 71.1.1) (PLEAC 3.2.1 b)**
- B. Prior to and after placing a detainee in the Temporary Holding Area, a security inspection of the area will be conducted for any contraband, weapons, etc. **(PLEAC 3.2.5 f)**
- C. The officer who places a detainee into a Temporary Holding Area has the responsibility for the constant supervision, welfare and security of the detainee until the detainee is turned over to another responsible person or secured in a holding cell. **(CALEA 42.2.10 b, 71.3.1 b, c 71.3.3 d, e, f, 71.5.1 a, d) (PLEAC 3.2.1 a, 3.2.5 d, g, h)**
- D. Securing detainees to fixed objects shall only be accomplished by using the designated cuff ports in the booking area attached to the bench, or the cuff ports located in the walls of the booking area, interview room and interview room #1 in the Juvenile Unit. **(CALEA 71.3.1 d) (PLEAC 3.2.1 c, 3.2.3)**
- E. While a detainee is in a Temporary Holding Area, only personnel involved in the investigation shall be permitted access. There shall be a limit of two (2) officers in the room with a suspect, unless an emergency condition exists. This is to ensure that the rights of the detainee are not violated, interviews are not interrupted, and procedures are not delayed. **(CALEA 42.2.10 c, 71.3.3 c)**
- F. When a juvenile is placed in room 204 or 208 whether secured or not, the appropriate log, (AUX-40) located in the Juvenile Unit, shall be completed. The log is routinely reviewed by the Juvenile Detectives for proper reporting purposes with the PCCD. (www.pccd.pa.gov/JHELD/Login.aspx)

- G.** Temporary Holding Areas are limited to one detainee/witness at a time. Males, females, and juveniles who are under arrest shall not be housed together in a Temporary Holding Area. **(CALEA 42.2.10 c, 71.3.1 e) (PLEAC 3.2.1 d)**
- H.** Detainees shall be permitted access to a restroom facility and drinking water upon request. Detainees shall use the restroom located in one of the holding cells. Juveniles may use the Investigations Unit restroom. The officer shall remain outside of the cell or restroom until the detainee has relieved themselves. **(CALEA 42.2.10 f, 71.4.1) (PLEAC 3.2.2)**
- I.** Detainees in a Temporary Holding Area may remain handcuffed if needed and appropriate.
- J.** Chairs and a desk are the only items that should be left in the room with a detainee. **(CALEA 42.2.10 e)**
- K.** The juvenile Temporary Holding Area shall be equipped with a first aid kit. **(CALEA 42.2.10 e)**
- L.** A supplemental incident report shall be used to document all the activities in the temporary detention rooms including any meals, if any, that were provided. **(CALEA 71.3.1 a)**

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all employees under their immediate supervision comply with this policy.