42.2.10

(M M M M) (LE1) Interview Rooms

The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:

a. weapons control;

b. security concerns;

c. number of personnel allowed in the interview room;

d. means and methods for summoning assistance, if needed;

e. equipment or items to be kept in the interview room or area; and

f. access to restrooms, water, or comfort breaks.

Commentary

For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. (M M M M) (LE1)

Chapter 43 Introduction

Standards in this chapter relate to the control of vice, drugs, and organized crime. These control functions deal with activities that may or may not be related but use investigative methods that are closely related. While some agencies may separate the functions, others may place them in a single organizational component or as additional subfunctions within the criminal investigations function.

Vice control may involve prostitution, illegal use/sale of alcoholic beverages, and the distribution/sale of obscene and pornographic materials. Drug control focuses on the distribution/sale of illegal and controlled substances. Organized crime control should address unlawful activities by members of organized groups or associations engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or other offense for profit, or engaged in supplying illegal goods and services, prostitution, drugs, liquor, weapons-or other unlawful conduct that may include intimidation or corruption.

Organized crime activities are not restricted to large urban areas but can exist in any community where it is possible for a group of persons to establish an organization for criminal activity that provides a continuing financial profit. Investigations into vice, drug, and organized crime offenses can involve tremendous expenditures of time, money, and effort. By establishing criteria with which to evaluate the accuracy and credibility of initial information and determine the scope and relative importance of the problem, the agency can determine which vice, drug, and organized crime offenses should be investigated.

43.1.1

(M M M M) (LE1) Complaint Management

The agency has a written directive for investigating vice, drug, and organized crime activities, to include:

a. specifying procedures for receiving and processing complaints;

b. maintaining a record of complaints received;

c. maintaining a record of information conveyed to and received from outside agencies; and

d. specifying procedures for advising the agency's CEO of activities.

Commentary

The agency should establish procedures ensuring that each complaint received is recorded and investigated to the fullest extent possible. The directive should include a listing of complaint forms used, information needed, and preliminary actions to be taken. The agency should establish procedures for conducting preliminary and follow-up investigations of vice, drug, and organized crime offenses. Every complaint received should be recorded and entered in a complaint filing system with provision for purging after a specified period of time.

It is recognized that some agencies may not have functional responsibility for the investigation of vice, drug, or organized crime activities. Notwithstanding, the agency should have procedures for meeting the standard, even if only in the normal course of the agency's reporting mechanism. (M M M M) (LE1)

43.1.5

(M M M M) (LE1) Covert Operations

The agency has written procedures for conducting, or participating in, surveillance, undercover, decoy, and raid operations.

Commentary

The intent of the standard is to have contingency procedures for all types of operations. The procedures can be contained in a single directive, a manual, or in a series of directives. They can be as simple as a checklist or more detailed depending upon the extent of the plans. Agencies conducting their own operations, or assisting other agencies who are conducting similar operations should, at a minimum, take into consideration provisions for familiarizing officers with the objectives and details of the operation, the neighborhood, or target area; determining operational procedures for observation, arrests surveillance, documentation and/or video/audio recording, high risk entries; supplying officers with expense funds; establishing means of routine and emergency communication; providing relief, backup, security, and perimeter protection for officers; supplying officers with false identity, disguises, and necessary credentials; obtaining authorization for the raid and use of force; designating a single person as a supervisor and coordinator; making contacts with suspects; searching for and seizing evidence and/or contraband; obtaining coordination and assistance from others both inside and outside of the agency; and agency report requirements. (M M M M) (LE1)

Chapter 44 Introduction

Standards in this chapter relate to the organizational and operational aspects of juvenile operations.

Beyond enforcing the law with respect to juvenile offenders, agencies should make a firm commitment to implement procedures directed toward addressing the causes of the behavior and to develop programs designed to prevent juvenile delinquency. In mid- to large-size agencies, a juvenile operations component should be established; in smaller agencies, the assignment of the function to a person as a part-time responsibility may suffice. The activities engaged in by those responsible for the function should include such things as conducting follow-up investigations of cases involving juvenile offenders, processing youth arrests, preparing and presenting court cases in which a juvenile is involved, diverting juvenile offenders from the juvenile justice system, and designing and implementing programs intended to prevent delinquent and criminal behavior by youths. Beyond this, consideration should be given to developing mechanisms to assure that the victims of juvenile crimes are apprised of case status and disposition.

When dealing with juveniles, law enforcement officers should always make use of the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty. Generally speaking, law enforcement agencies have four sets of alternatives from which to choose when dealing with juveniles: they may release the offender and take no further action; they may divert the offender to any of a number of social service agencies; they may dispose of the case themselves; or they may (in the case of serious offenders) refer the youth to juvenile court (intake). Because a range of alternatives exists, agencies should establish guidelines and criteria for the use of each.

Given the special legal status of juveniles, criteria should be developed that govern when juveniles should or should not be taken into custody. In addition, procedures should be established for the interrogation and temporary detention of juveniles, who are taken into custody. Procedures should also be developed for the collection, dissemination, and retention of fingerprints, photographs, and other forms of identification, as well as juvenile records. The standards in this chapter are not intended to usurp state statutes or ordinances. Evidence of adherence to state statutes or ordinances will be taken as evidence of compliance.

44.1.1

(M M M M) (LE1) Juvenile Operations Policy

A written directive describes the agency's juvenile operations function.

Commentary

The intent of this standard is to establish agency accountability for the juvenile function in writing. The agency should make a firm commitment to develop and perpetuate programs that are designed to prevent and control juvenile delinquency, while emphasizing that participation or support in the juvenile operations function is shared by all relevant components and personnel. Law enforcement agencies can also take an active leadership role in developing community recreational programs for juveniles. If a recreational program is needed but does not exist, the agency is encouraged to organize one. However, once the program is established, it is best for the agency to turn over the management to professional recreational personnel or citizens' groups and allow agency personnel to participate in the program on a voluntary basis.

The function should be developed and operated to effectively meet agency needs. Placement of the function within the organizational structure is also addressed by standard 11.1.1. Proving compliance with this standard may be accomplished through a series of documents or a single, all inclusive directive. (M M M M) (LE1)

44.2.1

(M M M M) (LE1) Handling Offenders

A written directive requires that officers dealing with juvenile offenders use the least coercive among reasonable alternatives and includes, at a minimum, provisions for the following:

a. outright release with no further action;

b. criteria and procedures for issuing written citations or summonses to juvenile offenders to appear at intake in lieu of taking them into custody; and

c. referral to juvenile court.

Commentary

In keeping with the doctrine of parens patriae, e.g., that the state plays the role of parent to the child rather than adversary, agencies should seek the least forceful alternative when disposing of cases involving juveniles.

Law enforcement agencies have a wide range of alternative remedies they may employ, ranging from warnings to intake.

If allowed by law, written citations or summonses should be used rather than taking juveniles into custody. A copy of the citation should also be sent to the juvenile's parents or guardians.

The agency should have guidelines for making diversion decisions, such as the nature of the offense, the age and circumstances of the offender, the offender's record, the availability of community-based rehabilitation programs, and recommendations for diversion from complainants or victims.

Where appropriate and when resources are available, simple treatment by the agency alone, consisting principally of supervision on a voluntary basis agreed to by the parents, may suffice.

In other cases, a relatively prolonged program of treatment or diversion on a voluntary basis, necessitating the services of one or more social agencies, may be needed.

Agency referral of alleged juvenile offenders for formal legal proceedings should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system would include all delinquent acts that, if committed by an adult, would be felonies; all delinquent acts involving weapons; all serious gang-related delinquent acts; all delinquent acts involving aggravated assault and battery; all delinquent acts committed by juveniles on probation or parole or by those with a case pending; and all repeated delinquent acts (within the preceding 12 months).

Other cases that may require referral to the juvenile justice system include juveniles who have been selected for a diversion program but have refused to participate and cases in which it has been determined that parental supervision is not effective.

If prevailing law specifies requirements for intake, the standard may be satisfied by incorporating reference to the law into the written directive. (M M M M) (LE1)

44.2.2

(M M M M) (LE1) Procedures for Custody

The agency has written procedures for taking a juvenile into custody including, at a minimum, provisions for the following:

a. *determining whether the juvenile is alleged to have engaged in noncriminal misbehavior (a status offense);*

b. *determining whether the juvenile is alleged to have been harmed or to be in danger of harm;*

c. *ensuring that the constitutional rights of juveniles are protected;*

d. *bringing the juveniles to the intake facility or the juvenile component without delay (unless a juvenile is in need of emergency medical treatment); and*

e. *notifying parents or guardians of juveniles that the latter have been taken into custody.*

Commentary

The intent of the standard is to provide guidance to agency personnel in making custody decisions in juvenile matters. For the purposes of this standard the term "taking into custody" encompasses the concept of protective custody for juveniles.

Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody. (M M M M) (LE1)

44.2.3

(M M M M) (LE1) Custodial Interrogation

A written directive describes the procedures for the custodial interrogation of juveniles.

Commentary

In developing this directive, the agency should be aware that the voluntariness of the juvenile's confession will generally be the issue. In determining whether a confession is voluntary, the courts look to the totality of the circumstances which includes a review of the following factors related to the juvenile defendant: 1) age, intelligence, educational background, 2) mental capacity, including whether the defendant was nervous and physical condition, 3) prior experience in the criminal system, 4) whether the defendant is suffering from any injury or pain at the time the statement is given, 5) the duration of the questioning, 6) time of day, 7) whether the defendant is tired and is desirous of sleep, 8) length of confinement, 9) whether Miranda or police caution warnings were given ,when, and whether he understood them, 10) whether the room size was of sufficient size and supplied with appropriate furniture, 11) whether defendant was cuffed or threatened, 12) whether defendant was refused the use of bathroom, food, or drink, 13) whether there was a promise of leniency, 14) whether the juvenile understood the interrogation process, 15) whether a youth officer is present during the interview, 16) whether the parents were notified, 17) whether the juvenile asked for a parent to be present, 18) whether the police prevented a concerned adult from speaking with the juvenile, which is a significant factor, and 19) familiarity with English or the official language. (M M M M) (LE1)

Chapter 46 Introduction

And Homeland Security

The standards in this chapter relate to critical incidents encountered, and special operations conducted, by a law enforcement agency.

Critical incidents connote situations, generally of an emergency nature, that result from disasters, both natural and man-made, pandemics and civil disturbances. Disasters include floods, hurricanes, earthquakes, explosions, and tornadoes. Pandemics are infectious disease outbreaks that occur over very large areas, cross international borders, and usually involve large numbers of people. Civil disturbances include riots, disorders, and violence arising from dissident gatherings and marches, public events, political conventions, and labor disputes.

The critical incident (section 46.1 Critical Incidents) follows the structure of the National Incident Management System (NIMS). The incident command system is a component of the National Incident Management System.

The special operations (section 46.2 Special Operations) encompasses the use of a tactical team, negotiation with hostage takers or barricaded persons, coverage of special events, protection of VIPs, and conduct of search-and-rescue missions.

In many large agencies, these activities are grouped in a formally organized special operations (or tactical) component that provides a concentration of resources and specialized expertise at a level that could not be achieved as easily by conventional operational components, such as patrol or criminal investigations. Other agencies choose to establish a part-time component, staffed by personnel from other functions who assemble as the need arises. However, special operations encompass activities for responding to certain kinds of emergencies or unexpected situations that might be better served by some type of specialized component rather than organized under conventional operational components.

Smaller agencies may or may not have a special operations (or tactical) component. Regardless, these types of emergency situations arise in jurisdictions of any size and every agency may be the first responder even when another, larger agency may be called in to assist or even resolve the incident. For this reason, every agency must have a written plan(s) that outlines the procedures for how the situation will be handled. Agencies need not create separate manuals for each standard. Rather, compliance can be achieved by a single, comprehensive manual which embraces common bullets, with relevant areas addressed by appropriate sections. With the exception of the conditional standards, this chapter applies to every size agency.

Other standards related to this chapter are included in the chapters on mutual aid (Chapter 2 Agency Jurisdiction and Mutual Aid), training (Chapter 33 Training and Career Development), and property and evidence control (Chapter 84 Property and Evidence Control).

46.1.1

(M M M M) (LE1) Planning Responsibility

A written directive specifies a position in the agency tasked with planning a response to critical incidents.

Commentary

The person holding this position should be the principal planner and advisor on critical incidents to the agency's chief executive officer. In larger agencies, an important part of the duties attendant to this position may be to act as an expediter of resources during critical incidents. (M M M M) (LE1)

46.1.2

(M M M M) (LE1) All Hazard Plan

The agency has a written All Hazard plan for responding to critical incidents such as natural and man-made disasters, pandemics, civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents. The plan will follow standard Incident Command System (ICS) protocols, which include functional provisions for: command (46.1.3), operations (46.1.4), planning (46.1.5), logistics (46.1.6), and finance/administration (46.1.7).

Commentary

The Incident Command System (ICS) has proven very effective in federal and fire services emergencies over the past two decades. This system permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency's (FEMA) ICS is comprehensive, available on the Internet, and widely used.

The Incident Command System (ICS) establishes standardized incident management processes, protocols, and procedures that all responders-federal, state, tribal, and local-will use to coordinate and conduct response actions. With responders using a common language and standardized procedures, they will all share a common focus, and will be able to place full emphasis on incident management when a critical incident occurs-whether terrorism or natural disaster. (M M M M) (LE1) - Change Notice 5.5 (March 20, 2009)

46.1.3

(M M M M) (LE1) Command Function

At a minimum, the command function will address the following:

a. activating the incident command system;

b. establishing a command post;

c. initiating the notification and mobilization of additional agency personnel;

d. obtaining support from other agencies;

e. establishing a staging area, if necessary;

f. providing public information and maintaining media relations;

g. maintaining the safety of all affected personnel; and

h. preparing a documented after action report.

Commentary

None. (M M M M) (LE1)

46.1.4

(M M M M) (LE1) Operations Function

At a minimum, the operations function will address the following:

a. establishing perimeters;

b. conducting evacuations;

c. maintaining command post and scene security;

d. providing for detainee transportation, processing, and confinement;

e. directing and controlling traffic; and

f. conducting post-incident investigation.

Commentary

The operations function is responsible for the management of all tactical operations directly related to the primary mission. (M M M M) (LE1)

46.1.5

(M M M M) (LE1) Planning Function

At a minimum, the planning function will address the following:

a. preparing a documented incident action plan;

b. gathering and disseminating information and intelligence; and

c. planning post-incident demobilization.

Commentary

The planning function is vital to the success of the critical incident plan. Preparation of a documented incident action plan is one of the first responsibilities of the planning function. This function is also responsible for collecting and evaluating information about the incident, the status of resources, and anticipated equipment and manpower needs. The planning function is typically tasked with assembling information on current and alternative strategies, identifying needs for special resources, providing periodic predictions on incident potential, and preparing recommendations for release of resources. (M M M M) (LE1)

46.1.6

(M M M M) (LE1) Logistics Function

At a minimum, the logistics function will address the following:

a. communications;

b. transportation;

c. medical support;

d. supplies; and

e. specialized team and equipment needs.

Commentary

The logistics function provides manpower, facilities, services, and materials in support of the critical incident. (M M M M) (LE1)

46.1.7

(M M M M) (LE1) Finance/Administration Function

At a minimum, the finance/administration function will address the following:

a. recording personnel time;

b. procuring additional resources;

c. recording expenses; and

d. documenting injuries and liability issues.

Commentary

The finance and administrative function is responsible for all financial and cost analysis aspects of the critical incident. (M M M M) (LE1)

46.1.9

(M M M M) (LE1) Annual Training

A written directive provides for documented annual training on the agency's All Hazard plan for affected agency personnel.

Commentary

The expanding scope and sophistication of emergency operations, along with increased possibilities of pandemics and acts of terrorism, require law enforcement agencies to quickly act to stabilize and control emergency situations. Increasingly, law enforcement agencies must deal with large catastrophes with little or no notice. Immediate and decisive action is required to minimize loss of life, reduce property damage, and permit involved authorities to fulfill their responsibilities.

The Incident Command System (ICS) permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency (FEMA)'s ICS is comprehensive, available on the Internet, and widely used. An agency may choose a different model but must insure that it accomplishes the intent of ICS and that any system used is readily adaptable to systems other agencies may use in important areas, e.g., terminology, modular organization, integrated communications, and unity of command. The ICS will not be effective if training is not provided or if it is not used.

While the law enforcement mission is often handled with few officers, there are situations that quickly escalate into major incidents. It is important to work with other agencies that use this system, so when crises arise, all personnel are familiar with the ICS structure and can function effectively within it. Compatibility between agency ICSs is imperative if ICS is to work effectively. This standard does not require the use of ICS with minor instances handled solely by the agency.

Additionally, not all components of ICS need to be activated when the system is operational; only those that are needed in the situation should be used. Component activation and deactivation depends upon changing circumstances.

Training should include tabletop, actual exercises, multiple agency involvement, and may be in conjunction with specific plans required in other standards and operations in (Chapter 46 Critical Incidents, Special Operations and Homeland Security).

The agency should also consider the effect of this standard on other standards that address command protocol and require coordination and authority, e.g., standards 12.1.2 and 12.1.4. (M M M M) (LE1) - Change Notice 5.5 (March 20, 2009)

46.1.10

(M M M M) (LE1) Active Threats

The agency has a written directive addressing active threats to include:

a. public notifications for awareness and safety;

b. notification of additional public safety departments and other resources;

c. response to threats when lives are in imminent danger;

d. public sheltering and containment of the incident; and

e. documented annual review of policy and training needs.

Commentary

Situations involving active threats are serious in nature and can occur in any environment. This may include such settings as educational campuses, malls, businesses, special events, the general workplace, and can include physical or virtual threats.

The general topics and standards addressed in Chapter 46 - Critical Incidents, Special Operations, and Homeland Security address this situation from a broad response perspective. The agency, along with other public safety agencies and response resources, should develop specific plans and actions for responding to these situations. Training should be provided and may be incorporated into the annual All Hazard training requirement found in 46.1.9. (M M M M) (LE1)

46.2.7

(M M M M) (LE1) Special Events Plan

The agency has a written plan for handling special events.

Commentary

The intent of the standard is to encourage the development of an overall plan, setting out requirements, in turn, for specific planning and operation for each individual event. The plan should designate a single person or position as supervisor and coordinator for each event.

Special events may include parades, entertainment/sporting events, highway construction/ maintenance activities, picketing/demonstrations, etc. The plan should address the following problems and special circumstances: ingress and egress of vehicles and pedestrians, parking space, spectator control, public transportation, relief of personnel assigned, news media, alternate traffic routes, temporary traffic controls and parking prohibitions, and emergency vehicle access. Consideration should also be given to use of special operations personnel, logistical requirements, and coordination inside and outside the agency. (M M M M) (LE1)

46.3.1

(M M M M) (LE1) Liaison with other Organizations

The agency maintains liaison with other organizations for the exchange of information relating to terrorism.

Commentary

The exchange of information should facilitate information sharing and multi-jurisdictional preemption of terrorist acts or events. Private agencies should be considered for participation in information sharing as necessary for various situations. (M M M M) (LE1)

46.3.4

(M M M M) (LE1) Hazmat Awareness

The agency provides awareness level training for events involving hazardous materials.

Commentary

The purpose of this standard is to provide responding law enforcement officers the basic knowledge to recognize a hazardous situation and immediately implement basic procedures to have authorities with the technical ability assess the situation. Also, law enforcement personnel need to understand basic self-protection measures for themselves and others, while being able to protect the incident scene and controlling the area to prevent unauthorized or unknowing persons from entering into a possible contamination zone. (M M M M) (LE1)

Chapter 52 Introduction

The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. To a large degree, the public image of the agency is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or its employees.

The standards in this chapter assume that in large agencies there will be a specialized organizational component, usually as a part of the office of the chief executive, responsible for internal affairs matters. In those cases involving the integrity of the agency, the specialized unit will actually conduct the investigation and carry out all assignments related to resolving the issue. The specialized unit should be a resource and should review those internal affairs matters of lesser importance that are investigated by supervisory personnel.

In smaller agencies, a specialized unit may not be established. However, the function is important and investigations may be assigned to an individual on an as needed basis or be conducted by the chief executive officer.

Agencies having an internal affairs function consistent with these standards will have the capability to respond appropriately to allegations of misfeasance, malfeasance, and nonfeasance by employees, and to complaints about the agency's response to community needs, thereby instilling public confidence in the agency.

52.1.1

(M M M M) (LE1) Complaint Investigation

A written directive requires all complaints against the agency or its employees be investigated, to include anonymous complaints.

Commentary

To ensure the integrity of its operations and personnel, agencies should investigate all allegations of misconduct, regardless of their source. Anonymous complaints can be difficult to investigate; however, the agency should carefully review each complaint for validation before disregarding it for lack of a credible complainant. (M M M M) (LE1)

52.1.2

(M M M M) (LE1) Records, Maintenance and Security

A written directive requires the agency to maintain a record of all complaints against the agency or employees and to protect the confidentiality of these records by maintaining them in a secure area.

Commentary

The confidentiality of internal affairs records is important, and proper security precautions should be taken. This records activity is a task of the internal affairs function and is an exception to the personnel records or centralized records systems.

The schedule for retaining internal affairs records should be consistent with legal requirements. (M M M M) (LE1)

52.1.3

(M M M M) (LE1) CEO, Direct Accessibility

A written directive specifies that the position responsible for the internal affairs function has the authority to report directly to the agency's chief executive officer.

Commentary

The sensitivity and impact of internal affairs matters on the direction and control of an agency require that the agency's chief executive officer receive all pertinent information directly. (M M M M) (LE1)

52.2.1

(M M M M) (LE1) Complaint Types

A written directive specifies:

a. the type of complaints to be investigated by line supervisors; and

b. the type of complaints that require investigation by the internal affairs function.

Commentary

The intent of this standard is to provide guidelines regarding which categories of complaints are to be handled by the internal affairs function and which are part of routine discipline. The criteria for determining the categories of complaints to be referred to the internal affairs function may include allegations of corruption, brutality, misuse of force, breach of civil rights, and criminal misconduct. Criteria for assignment of the investigation of the complaint to line supervisors may include, for example, alleged rudeness on the part of the officer, tardiness, or insubordination. (M M M M) (LE1)

52.2.3

(M M M M) (LE1) Investigation Time Limits

A written directive specifies a time limit for completing an internal affairs investigation, with provisions for extensions.

Commentary

None. (M M M M) (LE1)

Chapter 54 Introduction

Standards in this chapter relate to the establishment and maintenance of public information. Agencies have an obligation to inform the public and news media of events that affect the lives of citizens in the community with openness and candor.

To convey information, agencies often rely on the news media. Policies should be developed that govern what information should be released, when it should be released, and by whom it should be released. In large jurisdictions where media contacts are frequent and often of a sensitive nature, a full-time public information officer (PIO) may be needed to coordinate activities. Where the community served is small and media contacts infrequent, the assignment of the function to an individual as a part-time responsibility may suffice. Agencies should consider procedures for involving the media in the development of policies affecting the news media, and for determining when a public information officer should respond to the scene of a crime or other event.

A state-level agency must comply with those public information standards that are consistent with its mission. A state agency is not expected to perform public information activities that would interfere with those provided by local agencies. State agencies may wish to consult CALEA staff about the applicability of these standards to their operations.

54.1.3

(M M M M) (LE1) News Media Access

A written directive controls media access at locations where such access would interfere with law enforcement operations.

Commentary

The guidelines for media access should be communicated to the media to help ensure their cooperation. The following standard should be referenced when writing the directive(s): 46.1.3.f. (M M M M) (LE1)

Chapter 55 Introduction

The principal justification for the standards in this chapter is that they are integral to sound law enforcement. For example, compliance with these standards can enhance an agency's ability to make quality arrests including those that survive to plea or trial. Research findings over time and across jurisdictions consistently indicate that a major cause of case attrition after arrest, but before plea or trial, is witness related problems. Similarly, research suggests that the probability of conviction increases markedly as the number of cooperative witnesses increases. If victims and other witnesses (see Glossary for definitions) are subjected to what they consider poor treatment, they can be expected to offer something less than wholehearted cooperation with law enforcement agencies, which can have a devastating effect on investigations and subsequent prosecutions, if any.

Writing for a National Sheriffs' Association publication, the chair of the President's Task Force on Victims of Crime (1982), former Assistant Attorney General Lois H. Herrington made the following point: In a free society, we are absolutely dependent upon the aid of these victims to hold the criminal accountable. In return the victim deserves support and fair treatment. As often the first to arrive on the scene of the crime, the (officer) is the initial source of protection for the victim. The manner in which (the officer) treats a victim at the time of the crime and afterwards affects not only (the victim's) immediate and long-term ability to cope with the crime, it can determine his (or her) willingness to assist in prosecution.

In its own best interests, law enforcement has a role to play in victim/witness assistance, a role that no other component of the criminal justice system can effectively duplicate e.g., victim/witness assistance activities of prosecutors' offices usually affect only witnesses of cases that have been accepted for prosecution.

The review described in standard 55.1.2 is designed to identify appropriate victim/witness services that the agency can provide without duplicating services offered elsewhere in the community, whether by another government agency or by a private-sector organization. Standard 55.1.3 depends in large part, on the results of the review noted in standard 55.1.2. Standards in (subsection 55.2 Operations) address primarily victim/witness services offered prior to preliminary investigation, during preliminary and follow-up investigations, and following arrest of the suspect.

State-level agencies and those with similar jurisdictional or mission characteristics must comply with victim/witness assistance standards that are in accord with their respective missions. Such agencies are not required to perform activities that would interfere with local victim/witness assistance efforts but may assist local departments as deemed appropriate. State-level and similar agencies may wish to consult with CALEA staff about the applicability of these standards to their operations.

The standards in this chapter are designed to ensure that victims and other witnesses receive professional handling consistent with their important investigative and prosecutory role.

More importantly, agencies must make every reasonable effort to assure that the personal rights and safety of the victim or witness are protected by its actions. Agency members should be particularly sensitive to the special needs of the victims and families of crimes such as domestic violence, child abuse, sexual assault, and abuse of the elderly because of their effect on the delicate structure of the family unit and the community in general.

55.2.6

(M M M M) (LE1) Next-of-Kin Notification

A written directive establishes procedures for notifying next-of-kin of deceased, seriously injured, or seriously ill persons.

Commentary

The procedures should ensure that notifications are carried out promptly and in a considerate manner. Whenever possible, assistance should be obtained from the clergy, relative, or close friend. Procedures should also address notification requests initiated by other agencies. The agency may cover notifications for accident and non-accident situations in the same directive. (M M M M) (LE1)

Chapter 61 Introduction

Standards in this chapter govern the processes and procedures that enable the agency to execute its traffic related responsibilities and services.

Support activities include data collection and analysis, formulation of policy and procedures, development of effective enforcement techniques, program planning, personnel allocation and utilization, and program evaluation.

Depending upon the organization of the traffic function and the degree of specialization within it, responsibilities for particular functions may be assigned to the patrol or other specialized function.

The agency's activities are specifically directed toward reducing violations through preventive patrol and active enforcement. The standards also govern relationships with motorists, pedestrians, courts, and prosecutors.

Agency activities connected with, or related to traffic collision, include providing emergency assistance to the injured, protecting the collision scene, conducting on scene and follow-up investigations, preparing reports, and taking proper enforcement action relative to the incident.

Activities undertaken by the agency that directly affect the movement and control of vehicles and pedestrians include point traffic control, traffic engineering, school crossing supervision, and other activities related to the design and implementation of plans and programs that expedite the movement of vehicles and pedestrians.

While some agencies perform their own traffic engineering with trained personnel, most agencies have a liaison and data-sharing relationship with a local, regional, or state engineer. Close coordination and cooperation are essential to the maintenance of a safe and efficient highway system.

Lastly, the agency may perform a variety of diverse, traffic-related services including providing general assistance, emergency assistance, public information, and directions; identifying and reporting roadway and roadside hazards; checking abandoned vehicles; and locating and recovering stolen vehicles.

61.1.2

(M M M M) (LE1) Uniform Enforcement Procedures

A written directive establishes uniform procedures for taking enforcement action incidental to traffic law violations, to include:

a. physical arrest;

b. citation (notice to appear); and

c. warnings (if used).

Commentary

The directive should establish guidelines to ensure that enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Warnings, written or verbal, or other nonpunitive enforcement actions should be substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations. The directive should discourage emphasis on quantitative enforcement activities, such as ticket quotas, and acknowledge that both qualitative and quantitative emphases are integral to the agency's traffic enforcement program. (M M M M) (LE1)

61.1.3

(M M M M) (LE1) Violator Procedures

A written directive establishes procedures for handling traffic law violations committed by:

a. nonresidents of the agency's service area;

b. juveniles;

c. legislators;

d. foreign diplomats/consular officials; and

e. military personnel.

Commentary

The written directive should address all special processing requirements, e.g., diplomatic or legislative immunity, or procedures that apply to traffic law violations committed by the classes of persons enumerated above and any others that require special processing by virtue of local mandate. (M M M M) (LE1)

61.1.4

(M M M M) (LE1) Informing The Violator

At the time a motorist is charged with a violation, the agency provides information relative to the specific charge, to include:

a. *court appearance schedule;*

b. *optional or mandatory nature of court appearance by the motorist;*

c. *notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or at a traffic violations bureau; and*

d. *other information that must be provided to the motorist prior to release.*

Commentary

It is essential that officers fully explain the rights and requirements imposed on motorists upon arrest or issuance of a citation for a traffic violation. An informational pamphlet explaining the motorist's rights and responsibilities issued with the citation can augment the information provided verbally by the officer. (M M M M) (LE1)

61.1.5

(M M M M) (LE1) Uniform Enforcement Policies

A written directive establishes uniform enforcement policies for traffic law violations, to include:

a. operation of a vehicle by a driver under the influence of alcohol/drugs;

b. operation of a vehicle after driving privileges have been suspended or revoked;

c. speed violations;

d. hazardous violations;

e. off-road vehicle violations;

f. equipment violations;

g. public carrier/commercial vehicle violations;

h. non-hazardous violations;

i. multiple violations;

j. newly enacted laws and/or regulations;

k. violations resulting in traffic collisions; and

l. pedestrian and bicycle violations.

Commentary

The intent of this directive is to provide guidelines for uniform traffic law enforcement actions. Uniform enforcement supports the ultimate aim of traffic law enforcement, which is to achieve voluntary compliance with traffic laws and regulations. The policy cannot and should not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer should decide what enforcement, if any, is appropriate on the basis of a combination of training, experience, and common sense (see standard 1.2.7 regarding officer discretion). (M M M M) (LE1)

61.1.7

(M M M M) (LE1) Stopping/Approaching

A written directive establishes procedures for motorist stops, to include:

a. traffic law violators;

b. unknown risk stops; and

c. high risk stops.

Commentary

Although enforcing traffic laws is one of the more basic functions that law enforcement officers perform, all too frequently officers are injured or killed in the process. Therefore, the agency should provide detailed instructions to officers on procedures for making contact with offending motorists, methods for making effective stops that are safe for the officer and the motorist, approach procedures, and responsibilities for calling in traffic stop information. The instructions should cover all potential situations from basic motorist stops to high-risk stops. (M M M M) (LE1)

61.1.11

(M M M M) (LE1) DUI Procedures

A written directive establishes procedures for handling persons charged with driving while under the influence of alcohol or drugs.

Commentary

The arrest of a person for driving while intoxicated differs significantly from the handling of other traffic law violations. In most jurisdictions for instance, implied consent statutes and legislation that defines intoxication in terms of blood alcohol levels have been enacted. These statutes include many provisions affecting an officer's authority. Therefore, detailed guidance should be provided to officers based on the pertinent legal requirements of the jurisdiction. Procedures should address the methods to be employed for proper administration of preliminary and evidentiary breath tests, safe transportation of impaired arrestees, procurement of blood and urine testing where governing statutes give the arrestee a choice of these tests in addition or as an alternative to a breath test, incarceration or release to a responsible third party, and disposition of the arrestee's vehicle. (M M M M) (LE1)

61.3.2

(M M M M) (LE1) Direction/Control Procedures

A written directive specifies procedures for traffic direction and control to include the following, at a minimum:

a. *procedures applicable at the scenes of traffic collision;*

b. *uniform hand signals and gestures for manual traffic direction and control;*

c. *procedures applicable at the scenes of critical incidents;*

d. *procedures applicable during periods of adverse road and weather conditions;*

e. *circumstances warranting manual operation of traffic control devices;*

f. *use of temporary traffic control devices; and*

g. *a requirement that any personnel directing traffic, or in the roadway controlling traffic, wear reflective clothing at all times.*

Commentary

None. (M M M M) (LE1)

61.3.3

(M M M M) (LE1) Escorts

A written directive governs provisions for:

a. law enforcement escort services; and

b. escorts of civilian vehicles in medical emergencies.

Commentary

The directive should specify the circumstances, both routine and emergency, under which escort services should be provided; the procedures for processing routine or emergency requests for escort; and the identification of agency personnel authorized to approve such requests. The directive should include escort of public officials, dignitaries, emergency vehicles, funerals, oversize vehicles, and hazardous or unusual cargo. The agency should also establish procedures for ensuring the adequacy of private escort services for oversize vehicles and hazardous cargo carriers.

Escorting civilian vehicles under emergency circumstances is an extremely dangerous practice and should be avoided whenever possible. In medical emergencies, the patient should be transported by ambulance whenever possible. If escorts are authorized, the directive should establish guidelines to ensure the safety of the patient, the officer, and all other highway users. (M M M M) (LE1)

61.4.1

(M M M M) (LE1) Assistance, Highway Users

A written directive governs the provision of assistance to highway users, to include:

a. general assistance;

b. mechanical assistance and towing service;

c. protection to stranded persons; and

d. emergency assistance.

Commentary

The directive should set forth policies that describe the role of the agency in providing information and directions, assisting stranded or disabled motorists, providing or obtaining fuel, changing tires, making minor repairs, etc.

The highway user encountering mechanical or other difficulties necessitating assistance or towing generally must rely upon the officer to obtain needed services. The directives should establish procedures for obtaining services or other assistance in an equitable manner that satisfies the needs of the public, the law enforcement agency, and the providers of such services.

The agency has a responsibility to provide a communications link to obtain needed services for motorists and to provide protection for highway users stranded or disabled in hazardous locations or environments. The written directive should provide basic guidelines to ensure that help arrives in a timely fashion and that motorists are directed or actually transported to a place of safety.

The directive should describe the role of officers in providing first aid, obtaining medical assistance, fighting fires, obtaining fire service assistance, and transporting civilians. Agency personnel should have clear guidelines to ensure that fire suppression and emergency medical transport services are provided in a timely manner. (M M M M) (LE1)

61.4.2

(M M M M) (LE1) Hazardous Highway Conditions

A written directive specifies procedures for taking action to correct hazardous highway conditions.

Commentary

Roadway and roadside hazards are contributing factors in many traffic collisions. In order to mitigate these factors, the directive should specify procedures for reporting and correcting hazardous conditions such as debris in the roadway; defects in the roadway itself; lack of or defects in, highway safety features, e.g., impact attenuation devices, reflectors; lack of, improper, visually obstructed, or down or damaged mechanical traffic control devices and/or traffic control and informational signs; lack of or defective roadway lighting systems; and other roadside hazards, including vehicles parked or abandoned on or near the roadway. (M M M M) (LE1)

61.4.3

(M M M M) (LE1) Towing

A written directive specifies procedures for the following:

a. handling of abandoned vehicles;

b. removal and towing of vehicles from public and private property; and

c. maintaining records of all vehicles removed, stored, or towed at the direction of an officer.

Commentary

The directive should define the circumstances under which vehicles are considered abandoned and when and how they are to be removed.

Procedures are needed for removal or towing of vehicles that are illegally stopped, standing, or parked; stolen or abandoned; and/or in the agency's custody. In addition, the directive should establish procedures to notify the registered owner of the removal or tow and to afford the owner the opportunity for a hearing to determine the legality of such removal or tow.

Whenever a vehicle is removed or towed at the direction of an officer, a written record should be made of the time, date, location, requesting officer, reason for removal or tow, charges pending, towing service, location of the vehicle, and notification or attempted notification of the registered owner. (M M M M) (LE1)

Chapter 70 Introduction

Transportation by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. Standards in this chapter concern those directives that should exist pertaining to the transport function. Two general time periods are involved. The first is immediately after arrest, when the arrestee is taken by the arresting officer for booking and holding or transfer to another facility. The second concerns the movement of detainees from the detention facility, such as a county jail, to a hospital, doctor, dentist, or other medical facility; to court; to attend a funeral or visit a seriously ill relative; and for other reasons. Agencies should review their policy and procedures covering all types of detainee transportation.

As law enforcement personnel perform detainee transport, they should be prepared to provide for the safety and security of the detainee, the transporting personnel, and the public. Written directives are the key in each instance. These directives form the guidelines that must be followed when agency personnel conduct the detainee transport function.

Larger agencies may be organized to effect detainee transport with specially constructed buses and specially trained personnel; smaller agencies may perform the transport function as part of their patrol activities. In any case, there are basic requirements to ensure safety and security for detainees, transporting personnel, and the general public. The standards should be addressed in accord with the agency's responsibilities for transporting detainees.

While standards in this chapter may use the word officer, it is recognized some agencies utilize non-sworn personnel for detainee transportation.

70.1.1

(M M M M) (LE1) Pre-transport Detainee Searches

A written directive requires the transporting officer to search the detainee before being transported.

Commentary

The transporting officer is legally responsible for the safety and custody of the detainee being transported. It must be assumed that the detainee may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the detainee. Detainees should be searched each time they come into the transporting officer's custody, including transport to and from court appearances.

The directive should clearly define agency policy on the types of searches that may be conducted, describe when and where they may be conducted, and provide strict procedures on how and by whom each type of authorized search may be performed. Exceptions if allowed, should be listed. If conducted, strict guidelines on "strip" searches and/or "body-cavity" searches should be established and included in this directive (see standard 1.2.8). (M M M M) (LE1)

70.1.2

(M M M M) (LE1) Searching Transport Vehicles

A written directive requires examination at the beginning of each shift of all vehicles used for transporting detainees and the search of any transport vehicles prior to and after transporting detainees.

Commentary

The intent of this standard is to ensure that any vehicle used to transport a detainee is free of weapons and contraband before and after the detainee comes in contact with the vehicle. An examination before beginning each shift will ensure the vehicle has not been tampered with since last used, is free of weapons and contraband, is mechanically safe, is free of damage or defect, and is properly equipped for use.

Each time a detainee is to be transported, the vehicle should be examined to ensure that no weapons or contraband are present. Some latitude may be allowed where an officer has been in constant control of the vehicle following the pre-shift examination and the introduction of the detainee to the vehicle; however, most vehicles will not have been under constant observation and officers should not assume that no opportunity has existed for the introduction of weapons, contraband, or other items.

Once a detainee has been removed from the vehicle, a thorough search should be conducted as soon as practical, but, in all cases, before the vehicle is reused. This will not only ensure that the detainee has left nothing in the vehicle, but if items are found, link them in a timely manner to the detainee.

In special transport situations, it is the transporting officer's responsibility to ensure that the vehicle is safe and equipped with appropriate items; for example, spare tire, jack, lug wrench, and safety flares. The condition of the vehicle itself should be examined, including proper inflation of tires, fuel and oil levels, ignition system, and engine operation. The transporting officer should have proper forms or credit cards for procurement of gasoline, as well as all detainee-related documentation required by standard 70.5.1. (M M M M) (LE1)

70.1.6

(M M M M) (LE1) Procedures, Transport Destination

A written directive prescribes actions at the destination of employees transporting detainees to a facility to include, at a minimum:

a. *securing firearms for safekeeping;*

b. *when to remove restraints from the transported detainee;*

c. *delivering documentation to the receiving personnel;*

d. *advising receiving agency personnel of any potential medical or security risks; and*

e. *documentation confirming the transfer of custody.*

Commentary

Procedures for the release or transfer of detainee medical information should address the need to comply with controlling legislation. In lieu of a written receipt, the employee may document the transfer of the detainee in a written report to include the receiving official's name. (M M M M) (LE1)

70.1.7

(M M M M) (LE1) Procedures, Escape

Following an escape of a detainee while being transported, the transporting officer takes actions prescribed by a written directive to include, at a minimum, the following:

a. persons to be notified;

b. reports to be prepared; and

c. further actions to be taken.

Commentary

If the escape occurs in another jurisdiction, the authority of the escort officer to take action in recovering the detainee will depend upon the powers officers have in that jurisdiction. Depending upon the state, these will include peace officer powers anywhere within the state, within a mutual aid area, or only within the specific jurisdiction served by the officer. (M M M M) (LE1)

70.1.8

(M M M M) (LE1) Notify Court of Security Hazard

A written directive requires that the agency notify the appropriate agency or court when a detainee to be transported to another agency or court is considered an unusual security risk.

Commentary

In such cases, the receiving agency may take additional security steps or the judge may allow or direct the use of restraining devices in the court and may request the assignment of additional officers for security while at the court. (M M M M) (LE1)

70.2.1

(M M M M) (LE1) Detainee Restraint Requirement

A written directive describes restraining devices and methods to be used during detainee transports with exceptions noted.

Commentary

It is necessary for officers to know when and how detainees are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods (see standard 41.3.3). Agencies should be aware that some techniques have been found to contribute to serious physical injury or death, e.g., "positional asphyxia" and should be prohibited. For example, in transporting more than one detainee, should each be handcuffed with hands in front and arms intertwining or may a detainee be handcuffed to any part of the vehicle? The directive should also take into account circumstances under which the detainee is to be transported by vehicle over a period of several hours.

It should not be assumed that restraining devices are unnecessary for disabled detainees. A detainee 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 detainees, depending upon the nature of the sickness or injury. The written directive in both situations should be specific in defining circumstances when restraining devices would and would not be necessary and the extent of the officer's discretion in their application.

Mentally disabled detainees may pose a significant threat to themselves and/or the transporting officers. The selected device should restrain the detainee securely without causing injury. These devices should be required whenever practical but should not preclude the use of handcuffs in emergency situations. The types of restraints used should be indicated on the transfer document. (M M M M) (LE1)

70.4.2

(M M M M) (LE1) Rear Compartment Modifications

If detainees are routinely transported alone in the rear of agency vehicles, the rear compartments are modified to minimize opportunities for exit without the aid of the transporting officer.

Commentary

Cages, safety barriers, deactivating power to windows and/or removal of window cranks and door handles from the rear compartment are modifications that should be considered by the agency to minimize unauthorized exit from the vehicle. The agency may also have a written directive that requires a secondary officer to be seated with the detainee if and when there are no physical barriers to minimize unauthorized exit (see standard 70.1.3). (M M M M) (LE1) Compliance may be OBSERVED.

Chapter 71 Introduction

This chapter is applicable to situations when detainees are transported to a law enforcement facility, other than a holding facility, jail, or corrections facility, but under the control of the agency, for the purpose of processing, testing, or temporary detention. The length of time a detainee is held in temporary detention is measured in hours, not days and does not involve overnight housing or the provision of meals except in extenuating circumstances. Detainees should be kept in temporary detention areas no longer than necessary and should be monitored closely, particularly when they have not been through an intake and medical screening process as required in jails and holding facilities.

For the purpose of this chapter, temporary detention requires confinement within a facility and is not referring to detention of persons in public places. A contact between a law enforcement officer and a person does not become temporary detention nor does the person become a detainee until such time as the person is in the custody of agency personnel.

This chapter does not apply to the following:

- Detainees in a holding facility (see Chapter 72 Holding Facility).
- Detainees in a courthouse or courtroom (see Chapter 73 Court Security).
- Detainees in a jail.
- Detainees in rooms designed for interviews (see Chapter 42 Criminal Investigation).

Jails or other correctional institutions are not accredited as part of the Standards for Law Enforcement. The American Correctional Association (ACA) should be contacted for information concerning Standards for Adult Detention Facilities.

Once temporary detention is authorized, the agency should have clear written directives and adequate training to ensure the security and safety of agency personnel, detainees, and members of the public who may be in proximity to the temporary detention areas utilized by the agency. An apparent cooperative detainee can become combative quickly and without warning. The agency should consider contingencies for such a situation.

Agency written directives should describe the temporary detention area and authorize its use, specifying time limits, if any, for the activity or process. The agency should also consider other provisions, such as the likely proximity of the detainee to those responsible for the detainee's welfare.

Constant supervision is required for processing and testing. For example, if a detainee is restrained within a booking room, it may be permissible for the person responsible for the detainee to complete paperwork in close proximity to the detainee, but unreasonable to expect that person could leave the area of the booking room without jeopardizing safety and increasing the potential for escape.

Temporary detention usually involves being in close proximity with detainees, such as fingerprinting or administering breath tests or other procedures. Safety considerations such as securing weapons beforehand, how and when to secure weapons when in the presence of a detainee, and what alternative methods, if any, are available for processing unruly detainees should be considered when promulgating the agency's written directives.

The agency should also provide guidance for what to do if it appears the temporary detention time limit may be exceeded. The agency may require its personnel to document the reason for the delay, immediately transport the detainee to a more appropriate facility, or take other appropriate action.

71.1.1

(M M M M) (LE1) Designate Rooms or Areas

A written directive designates specific room(s) and area(s) within the law enforcement facility authorized for use for detainee processing, testing, and temporary detention.

Commentary

Agencies often need to temporarily detain persons as part of the arrest and booking process or before booking them into a holding facility or jail. Daily police operations are often unpredictable, and it may be necessary to use a room, space, or area in a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. (M M M M) (LE1)

71.2.1

(M M M M) (LE1) Training of Personnel

Personnel charged with monitoring temporarily detained individuals in the facility are provided initial training on the use of the temporary detention room(s) or area(s) and retraining at least once every three years.

Commentary

Temporary detention occurring outside the confines of a facility such as a holding facility, jail, or other more secure correctional institution can involve close contact with detainees under challenging and less than ideal conditions. To reduce complacency, officer safety issues should be a priority of the agency training for both initial and retraining sessions. A cooperative detainee can quickly turn uncooperative or combative. Agency training should address the resources that are available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. A discussion of alternative procedures, such as immediately transferring combative or uncooperative detainees to a more secure facility, or delaying necessary processing or testing until a court order can be obtained, will create a more efficient and safe environment for detainees and agency personnel. (M M M M) (LE1)

71.3.1

(M M M M) (LE1) Procedures

A written directive governs procedures for the following:

a. *documenting the reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention;*

b. *supervision and accountability for processing, searching, and temporary detention of individuals within the facility;*

c. *securing and monitoring unattended detainees within locked spaces, if authorized;*

d. *temporary restraint of detainees by securing them to fixed objects, if any; and*

e. *the separation of males, females, and juveniles.*

Commentary

Documenting aspects of the temporary detention and meeting applicable time constraints help ensure the agency's actions were necessary, defensible, and protect the agency from claims that a detainee was denied due process. Time limitations on temporary detention, if exceeded, should be documented with a reason for the delay. (M M M M) (LE1)

71.3.3

(M M M M) (LE1) Security

A written directive addresses the following security concerns in designated temporary detention room(s):

a. *firearms will be secured before entering the temporary detention room;*

b. *panic or duress alarms;*

c. *authorized access to area and detainee, if any;*

d. *escape prevention;*

e. *face-to-face visual observation of unattended detainees at least every thirty minutes; and*

f. *use of audio and/or video devices, if any, to monitor detainees between the thirty minute face-to-face visual observations.*

Commentary

Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. The use of portable radios with a designated signal and procedures for distress in the temporary detention area will suffice for panic or duress alarms.

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the temporary detention room or areas environment when formulating its directive on the exclusion of firearms. (M M M M) (LE1)