

Temporary Detention Facility And Other SPD Facilities

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the safety and temporary custody of arrestees or detainees taken into the Sahuarita Police Department (SPD) and the SPD Temporary Detention Facility (TDF). Juveniles will not be permitted where adult arrestees or detainees are in custody within the SPD. However, a juvenile may be detained in the TDF when no adult arrestee or detainee is present. Juveniles and adult arrestees or detainees must and shall be separated by sight and sound whenever reasonably possible in a field setting, and always while at the SPD or other law enforcement facility. This policy applies to all SPD members and to other law enforcement agencies and officers who may be temporarily using the SPD facility (e.g., interview rooms) or the SPD TDF and to SPD officers who may be assisting such agencies or officers.

900.2 DEFINITIONS

Definitions related to this policy include:

Temporary Detention Facility- The area of the SPD adjacent to the sally-port that includes temporary holding cells, #1, #2, and #3, an arrestee and detainee bathroom, fingerprinting machine (Live Scan), a photographing area, blood draw area, and an interview room; henceforth, referred to in this policy as the Temporary Detention Facility (TDF). The TDF is not a jail or prison and is only utilized as a temporary holding location to allow certain investigatory or processing tasks to be completed prior to release from an arrest or detention or movement to a county jail or other appropriate facility. The general operating area of the TDF are those areas absent holding cells.

Temporary Holding Cell -Temporary holding cells #1, #2, and #3 are temporary holding cells within the SPD's TDF. A temporary holding cell is designed for the temporary custody of an adult arrestee while other SPD legal processes are taking place. Each temporary holding cell has it's own concrete bench, toilet and sink. Each sink has a built in water fountain to allow for drinking of clean potable water. Bottled potable water may also be supplied.

Interview Room - A room that allows an arrestee or detainee or other person to be interviewed, typically while sitting at or near a table. An interview room, whether or not the location is audibly or video recorded, or whether it may have lockable entry or exit points, is not a temporary holding cell as defined in this policy. All SPD interview rooms are marked by signage numerically as an interview room (Interview Room #1, Interview Room #2, etc.). Sometimes, officers may use a meeting or conference room that does not have recording technology in order to conduct an interview. In these cases, officers should use a BWC, DAR or other device to record investigative interviews.

Safety Check - Direct visual observation by a sworn officer of an arrestee or detainee performed within time frames prescribed in this policy to provide for the safety and well-being of arrestees or

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detainees in temporary custody in the TDF, a SPD interview room, police vehicle, or other SPD room or area.

Temporary TDF Custody - The time period an adult or juvenile is in custody in the SPD TDF prior to being released or transported to a county jail or other appropriate facility. This time period is limited to 4 hours for an arrest or detention starting from when the arrestee or detainee enters the TDF unless a longer period of time is approved by a lieutenant or higher ranking SPD member. This 4-hour time period also applies to those arrested or detained and temporarily placed in an interview room or other SPD facility under SPD detention or arrest authority.

900.3 POLICY

- A. The purpose for temporarily holding an arrestee in the TDF, a SPD interview room, or other SPD facility is to allow for the completion of investigative or processing tasks. These tasks may include, but are not limited to, criminal investigation, interviews, crime scene processing, completion of an investigatory warrant, and collection of evidence from involved persons or locations while physical custody of the arrestee or detainee is still needed.
- B. The SPD is committed to releasing arrestees or detainees from temporary custody as soon as reasonably practicable, and to keeping them safe while in temporary custody at the SPD.
- C. Arrestees or detainees detained in the SPD TDF or a holding cell should have all SPD processing matters completed as soon as reasonably possible for the given circumstances. No arrestee or detainee shall be in the TDF, a holding cell, or an interview room for longer than four hours without lieutenant or higher ranking approval.

900.4 INITIATING TEMPORARY CUSTODY AT THE SPD

- A. The SPD officer responsible for bringing or allowing another law enforcement agency to bring an arrestee or detainee into the SPD, the TDF, an SPD interview room, or other SPD facility is responsible for the regular monitoring of them and for the arrestee's or detainee's safety, security and wellbeing. The officer shall evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. These responsibilities remain with the officer until they are clearly and officially relieved by another officer who will in turn take over custodial safety, security and well-being responsibilities.
- B. Absent an in progress emergency requiring a uniformed or non-uniform officer to respond to a situation with a firearm, officers of any rank or assignment who enter the TDF shall remove and secure their primary police duty firearm (pistol, revolver, etc.), any impact weapons (batons, etc.), and cutting instruments (knives, etc.) they may carry or wear in a non-concealed manner prior to entry into the TDF. Detectives or other plainclothes officers who simply have a jacket or similar clothing that conceals their primary duty weapon from casual viewing must remove and secure such weapon prior to entry into the TDF. Officers may wear their O.C. spray and Taser in the TDF. Officers may retain their concealed back up firearm as long as it remains fully

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concealed, secure and unavailable to any arrestee or detainee. Backup weapons concealed around or on an officer's ankle, shall be removed and secured prior to entry into the TDF.

- C. When bringing an arrestee or detainee into the TDF, an interview room, or other secure SPD facility or location, officers shall comply with the following:
1. Prior to entry, conduct a thorough custodial search (further defined in Lexipol 901 and 302) of the person and their personal belongings for weapons, dangerous items, contraband, criminal evidence and personal property. Officers shall remove items such as but not limited to, shoes, belts, loose jewelry, watches, weapons, or items that could be used as a weapon, drugs, medications, bags, purses, wallets, and outerwear, jackets, sweaters, etc.. Outerwear clothing will not only be removed from the arrestee or detainee, but shall also be searched for weapons, dangerous items, contraband, criminal evidence, and personal property. An arrestee's personal belongings shall not be taken into the TDF or a holding cell. The same search and separation of personal property requirements apply when an officer takes an arrestee or detainee into a SPD interview room, other SPD location or the general operating area of the TDF to facilitate full or partial processing of that person (photo, fingerprints, DNA, criminal interview, etc.). An arrestee's or detainee's shoes may be returned to them after they have been inspected for weapons, dangerous items, contraband and any applicable criminal evidence.
 2. Prior to entry, all personal property taken from an arrestee or detainee, with the exception of previously inspected footwear, explained in subsection "1." above, or a cellular telephone or similar device, shall be placed in a clear plastic property bag. Clear plastic property bags are available just outside of the TDF entry door in the sally-port. Property bags shall be secured by tying a knot at the open end or using another closing device to prevent accidental spillage or loss of property. The property bag(s) shall be secured in the officer's vehicle or other location outside of the TDF, interview room, etc., so it can be returned to the person upon release or taken with the person to the county jail, or other appropriate facility.
 3. Prior to entry, if an arrestee or detainee has a cellular telephone or similar device and chooses for it to remain with them, it shall be secured in a clear plastic property bag. Once secured in the property bag, it may be brought into the TDF or other SPD area under the control and possession of the escorting officer. This is to allow access to the cellular telephone or similar device by the arrestee or detainee if it becomes necessary that they need such device or information in the device to make contact with others while detained or in custody. Officers shall search a cellular phone's or similar device's carrier or case to assure that there are no weapons, dangerous items, contraband, criminal evidence, or other property concealed in such carrier or case. This provision of this policy does not provide authority for an officer to search the contents or information stored in the cellular phone or similar device. If an arrestee or detainee does not want the cellular telephone or similar device to go into the TDF it should stay with their other property. An arrestee or detainee shall only have access to their cellular phone or similar device, or a PD phone, while in the general operating area of the

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TFD, the interview room within the TDF or another interview room. An arrestee or detainee shall not have access to their cellular phone or similar device while in a holding cell.

4. Prior to entry, officers taking property from a person and placing the property in a clear plastic property bag shall utilize their BWC, or minimally a DAR, to help record and document the property. Verbal narration recorded via the BWC/DAR describing the property should also be done to help while taking property off or from an arrestee or detainee and will help protect the property and all those involved.
5. Prior to entry, the escorting officer should ask the arrestee or detainee if they are an American/ U.S. citizen. If the answer is yes, no further inquiry is required associated with possible consular notification. If the answer is no, the officer should ask what country they are a citizen of in case their arrest or detention requires mandatory consular notification. Refer to section 900.5 of this policy.
6. Prior to entry, inquire if there is any reasonable suspicion that the individual may be suicidal or want to harm themselves. If the arrestee or detainee is suicidal or wants to harm themselves, the officer shall immediately notify a supervisor and assure the arrestee or detainee is properly monitored at all times and then transported to a county jail or other appropriate facility.
7. Whenever reasonably possible, an arrestee or detainee shall remain handcuffed and seated or cuffed to a "Secure Cuff Point" or placed in a holding cell or be placed in the TDF interview room for security purposes. Arrestees or detainees shall not be allowed to move around freely in the TDF or other parts of the SPD.
8. If an arrestee or detainee is in the TDF, whether in a holding cell or in the general operational area of the TDF, a minimum of one sworn SPD officer shall also be in the TDF with the responsibility of the regular monitoring of any and all arrestees or detainees. If an arrestee is placed in a cell, the door shall be closed and locked.
9. Much of the TDF, and other areas of the SPD, allows for regular audible and visual monitoring of an arrestee or detainee by either being present in-person or through audio video technology systems. Regular audio visual monitoring does not mean literal continuous monitoring; however, it does mean, under known conditions, reasonable monitoring of the arrestee or detainee to provide for their safety and well-being. This is accomplished by being in a position and proximity to promptly respond to audible cues that an arrestee or detainee may need assistance. Regardless of where an arrestee or detainee may be located, such as but not limited to the TDF, a room or area within the SPD, a police vehicle, or in a field setting, all officers responsible for the regular monitoring of an arrestee or detainee shall conduct a visual in-person (not by camera) safety check of all such arrestees or detainees once every 30 minutes (give or take 5 minutes) which will include checking to make sure the arrestee or detainee is awake and alert. This will include waking an arrestee or detainee if they have fallen asleep. Such safety checks will be documented via the officer's BWC or other recording device to include any TDF camera or other camera recording system (i.e., interview room cameras). Any safety check completed in the SPD facility

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will include written documentation of safety check(s) in the Detention Log for that arrestee or detainee.

10. If an arrestee or detainee attempts to harm themselves or attempts to or commits suicide or dies while in the custody of a SPD officer or member, whether or not they are in the TDF or elsewhere, the officer(s) discovering the attempt to harm themselves, or suicide attempt or death shall immediately request EMS to do an evaluation and shall cause a lieutenant and commander to be immediately notified. The lieutenant or commander shall promptly notify the chief of police.
11. If an arrestee or detainee attempts to escape or actually escapes, a sergeant shall be immediately notified. The sergeant shall take appropriate steps to relocate the escapee and immediately notify a command staff member of the circumstances. The Chief of Police shall be informed of any arrestee escape from the TDF or SPD within one (1) hour, whenever reasonably possible.
12. Ensure male and female arrestees or detainees are housed in separate cells or physical locations of the TDF. Additionally, place them out of view of each other whenever reasonably possible.
13. Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive or non-assaultive behavior, mental state, disabilities, and sexual orientation.
14. Ensure each arrestee brought into the SPD TDF is fingerprinted via the Live Scan machine as part of their SPD recordation (PD booking) process. If the Live Scan machine is not available, the arrestee shall be fingerprinted using DOJ paper fingerprint cards and fingerprint ink. This fingerprinting process will occur each time an arrestee is brought into the SPD TDF associated with a new or different criminal case for which they have not been fingerprinted. The member completing the hardcopy or Live Scan DOJ fingerprint cards shall cause them to be forwarded to the record's bureau as an attachment to the police report documenting the arrest or detention.
15. Ensure each arrestee brought into the SPD TDF is photographed in front of the arrestee height chart as part of their SPD recordation (PD booking) process and that the photograph is uploaded into Evidence.com. This photographing process will occur each time an arrestee is brought into the SPD TDF associated with a new or different criminal case for which they have not been photographed.
16. Ensure all arrestees and detainees brought into the SPD facility (TDF, any interview room, or other room, front lobby, etc.) for any detention period or processing task are promptly and fully logged into one of three available adult or juvenile detention log binders. The detention log binders are stored in a wall mounted box/case in the TDF, in the area near the detective interview rooms, and in the secure common area between the SPD main lobby and administrative hallway on the second floor. Adults, age 18 or older, are to be promptly and fully entered in an adult detention log, and those under 18 are to be promptly and fully entered into a juvenile detention log. Officers shall hand print neatly and legibly when completing a detention log entry. These requirements apply to arrestees or detainees who have been placed under arrest or who are detained (not free to

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leave) and are in the SPD facility whether handcuffed or not. The police records supervisor shall develop a collection and retention process and system for all detention logs. The police records supervisor shall assure all detention logs are collected from their binders once a month and that the logs are electronically (digitally) retained for any period as required by records retention law and shall also retain all the original hard copy log pages for at least 12 months.

900.5 CONSULAR NOTIFICATION

A. Consular notification may be mandatory when certain foreign nationals (non U.S. citizens) are arrested. The Special Services Division Commander will ensure of the following:

1. Within the TDF, there shall be a U.S. Department of State list of countries and jurisdictions that require mandatory notification of arrests or detentions of foreign nationals.
2. Within the TDF, there shall be a physical hard copy list and an electronic list of foreign embassy and consulate telephone and fax numbers available to officers to facilitate a timely consular notification.
3. Within the TDF, there shall be standardized Consular Notification Forms that can be transmitted and then shall be retained by officers for documentation as an attachment in a SPD police report.
4. Within the TDF, there shall be prominently displayed sign(s), in English, informing foreign nationals of their rights related to consular notification.

B. SPD officers who process a foreign national (non U.S. citizen) shall:

1. Inform the individual without delay that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. If foreign language skills are required, and such appropriate language resources are not readily available, members shall utilize the AT&T Language Line.
 - (a) This notification should be documented via the Consular Notification Form.
 - (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list. If the country is on the mandatory notification list, then:
 1. Document all notifications to the embassy or consulate in the SPD police report and retain any faxed/electronic notification and any fax/electronic confirmation as an attachment to the police report.
 2. Forward any communication from the individual to his/her consular officers without delay.
 3. Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 4. Notify the country's nearest embassy or consulate of the arrest or detention by telephone or fax.

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C. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then

1. Document all notifications to the embassy or consulate in the SPD police report and retain any faxed/electronic notification and any fax/electronic confirmation as an attachment to the police report.
2. Forward any communication from the individual to his/her consular officers without delay.
3. Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
4. Notify the country's nearest embassy or consulate of the arrest or detention by telephone or fax.

900.6 USE OF RESTRAINT DEVICES

- A. Individuals in custody in the TDF shall be handcuffed whenever reasonably possible in accordance with the Searching, Handcuffing, Transporting, And Processing of Arrestees/Detainees policy, Lexipol 302. Unless an individual presents a heightened risk, handcuffs should be removed when the person is in a temporary holding cell.
- B. The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody in the TDF unless the person presents a heightened risk, and then only when approved by a sergeant or higher ranking member. An officer may temporarily handcuff an individual to a SPD approved "Secure Cuff Point" if such cuffing is required to complete a task or it enhances a needed safety element while processing the arrestee or detainee. The approved "Secure Cuff Points" in the TDF allow an arrestee or detainee to stand or sit comfortably and are marked by signage stating, "Secure Cuff Point" along with permanently secured yellow handcuffs. There are no and shall be no "Secure Cuff Points" in any SPD temporary holding cell.
- C. Use of a phlebotomy chair that has restraints and is used to take evidence from a person is not considered a "Secure Cuff Point."

900.7 TEMPORARY HOLDING CELLS

- A. A thorough inspection of a holding cell shall be conducted before placing an individual into the holding cell to ensure there are no weapons or contraband and that the cell is clean and sanitary.
- B. An inspection also shall be conducted after an arrestee leaves a holding cell. Any damage or contraband discovered should be photographed, collected when applicable, and documented in a police report.
- C. The following requirements shall apply:
 1. Arrestees or detainees in a TDF holding cell, an interview room, the TDF general operational area, other part of the SPD or a SPD vehicle shall be regularly

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monitored by an officer either in person or by an audio/video system, allowing the officer to monitor them in real time throughout their custody.

2. The individual shall have regular auditory access to an SPD officer.
3. The individual's initial placement into, transferring movement within, and removal from the TDF shall be recorded by the officer's BWC, or a video camera or recording system within the TDF and retained per SPD established retention standards.
4. Regardless of where an arrestee or detainee may be located, such as but not limited to the TDF, a room or area within the SPD, a police vehicle, or in a field setting, all officers responsible for the regular monitoring of an arrestee or detainee shall conduct a visual in-person (not by camera) safety check of all such arrestees or detainees once every 30 minutes (give or take 5 minutes) which will include checking to make sure the arrestee or detainee is awake and alert. This will include waking an arrestee or detainee if they have fallen asleep. Such safety checks will be documented via the officer's BWC or other recording device to include any TDF camera or other camera recording system (i.e., interview room cameras). Any safety check completed in the SPD facility will include written documentation of safety check(s) in the Detention Log for that arrestee or detainee.
5. Requests from an arrestee or detainee, such as a medical or health issue, a need for toilet paper, a request for bottled water, wanting to know charges they are under arrest for, etc., should be addressed as reasonably possible.

900.8 RELEASE OR TRANSFER

- A. When an arrestee or detainee is released or transferred from temporary custody from within the TDF, an interview room, or other SPD location, the officer releasing the individual shall ensure the following:
 1. All proper reports, forms and recordation processes have been completed prior to release.
 2. The location the arrestee or detainee was detained at or in has been searched for weapons, dangerous items, contraband, criminal evidence and personal property.
 3. A check has been made to ensure that the individual is not reported as a missing person and does not have outstanding warrants.
 4. It has been confirmed that the correct individual is being released or transported.
 5. All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
 6. All pertinent documentation accompanies the individual being transported to another facility (copies of booking forms, medical records or releases, etc.).
 7. The individual is not permitted in any nonpublic areas of the SPD unless promptly escorted through such areas by a SPD officer.

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8. Any known threat or danger the individual may pose (escape risk, suicide potential, medical condition, etc.) is documented, and the documentation is transported with the individual if he/she is being sent to another facility. The SPD officer transporting the individual shall have or be provided such information and ensure such risks are communicated to intake personnel at the other facility.
9. If evacuation of the TDF is required due to a natural emergency, fire, flooding, or other cause, a lieutenant or commander shall be immediately notified and officers shall work quickly to safely remove all arrestees or detainees and secure them in a different and safe location (police vehicles, other safe location at the SPD, etc.). The chief of police shall be notified of such an incident as soon as reasonably possible.

900.9 ASSIGNED ADMINISTRATOR

- A. The Special Services Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues associated with the TDF and SPD interview rooms:
 1. General security
 2. Key control
 3. Sanitation and maintenance
 4. Emergency medical treatment procedures within the TDF or interview rooms
 5. Evacuation, fire, and safety plans.
 6. Building and safety code compliance
 7. Training of officers and staff who use the TDF or interview rooms

900.10 POLICY ISSUANCE OR REVIEW

03/25/2024 - Reviewed by Commander Kaleb Allred - SP009

04/10/2025 - Reviewed by Commander Manuel Amado - SP012