

HOLDING FACILITY

POLICY & PROCEDURE NO. 5.04	ISSUE DATE: July 27, 2015
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MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:	REVISION DATE: _____

I. GENERAL CONSIDERATIONS AND GUIDELINES

Each community containing more than five thousand inhabitants shall, and any town may, maintain a lockup facility.¹ The mayor of each city, the Police Commissioner of Boston and the selectmen of each town required to maintain a lockup shall annually, by a writing recorded with the Town Clerk, appoint a keeper of the lockup, who shall have the care and custody thereof and of persons committed thereto.²

The mayor of every city with a population over thirty thousand shall, and the mayor in any other city may, designate one or more police stations for the detention of females under arrest or held in protective custody. One or two matrons shall be appointed to each designated station.³

The proper operation of the police lockup is critically important to the safety of police personnel and the well-being of prisoners or detainees. A special relationship exists between a police department and a person occupying a cell in its holding facility. By statute, the obligation to maintain a lockup includes the provision of any prescribed medication and nutritionally adequate meals.⁴ In addition, detailed statutory requirements exist concerning suicide prevention.⁵ Department of Public Health regulations at 105 CMR 470 provide detailed requirements for the maintenance and construction of lockup facilities.

II. **POLICY**

It is the policy of this department to:

- A. Operating a safe and sanitary lockup facility in compliance with state and local codes and regulations; and
- B. Care for detainees, being attentive to their security and medical needs; and
- C. Provide special care for juveniles, separate from adults and only in approved facilities.

III. **PROCEDURES**

A. **Management and Administration**

1. The Chief of Police shall designate an officer to be responsible for the management and administration of the Lock-Up and Holding Facility.

B. **Training** [72.1.1]

1. Training shall be provided when persons are hired and periodically thereafter, consistent with each employee's duties and responsibilities, in the following areas:
 - a. Application of physical restraints;
 - b. Search of detainees;
 - c. Emergency and fire suppression procedures;
 - d. Holding facility equipment (e.g. panic alarms, booking cameras);
 - e. Departmental policies and procedures on the operation of the holding facility; and
 - f. Suicide prevention.⁶
2. Any officer assigned to the position of Desk Officer and all Jailers and Matrons, whether full-time or part-time, shall be

fully trained in accordance with the Massachusetts Criminal Justice Training Council guidelines for police officers and/or persons charged with all facets of detention of persons in a short term holding facility.

C. **Access to Cell Block**

1. Nonessential persons, including department employees, shall not be allowed access to the cell block without the permission of the officer-in-charge. This includes maintenance personnel, the press and tour groups. See departmental policy and procedure on ***Detaining Prisoners***. [72.1.2]
2. When nonessential persons are granted access to the cell block, their presence should not violate a detainee's privacy, impede facility operations, or frustrate future prosecutions.
3. After sanitation or maintenance personnel have left the cell area, the officer-in-charge will ensure that the cell block is inspected for tools or other items that may have been left behind.

D. **Safety and Sanitation**

1. ***Fire/Emergency***

- a. FIRE PREVENTION: The chief of police or his/her designee shall establish fire prevention practices and procedures for the facility. [72.3.1]
 - i. The facility shall be equipped with both an automatic fire alarm that sounds to the dispatcher and a smoke detection system approved in writing by state or local fire officials.
 - ii. The type and location of fire suppression equipment shall be approved in writing by state or local fire officials.
- b. EVACUATION: The chief of police or his/her designee shall establish an evacuation plan and procedures for the holding facility in the event of fire or other situation which presents a hazard or danger to those being held in the cell block area. This plan will be

posted, specifying the route of evacuation and subsequent disposition and housing of evacuated prisoners. *[insert reference to plan here or at end of this policy]* [72.3.2]

2. **Physical Conditions** [72.2.1]

- a. The holding facility shall provide the following minimum conditions for detainees:⁷
 - i. Adequate lighting as required by local code or ordinance;
 - ii. Circulation of fresh or purified air in accordance with applicable codes;
 - iii. Access to a toilet and drinking water;
 - iv. Access to a wash basin or shower for detainees held in excess of eight hours; and
 - v. A bed and bedding for each detainee held in excess of eight hours.
- b. CELL COVERING: Each cell in the holding facility shall be equipped with a protective covering of high-impact, transparent wall facing. This protective covering shall cover all bar structures accessible to detainees.⁸

3. **Medical**

- a. A first aid kit shall be maintained in a prominent location within the holding facility and shall contain material necessary for light emergency medical treatment. *[72.6.2]*
- b. Procedures for gaining access to medical services shall be posted in the holding facility in English and, if possible, any other languages prevalent in the community. *[72.6.4]*

4. **Inspections** [72.3.1; 72.4.6]

- a. The chief of police or his/her designee shall be responsible for ensuring:
- i. Daily inspections of the holding facility fire detection equipment, emergency exits, cell bars, doors, locks, windows, ventilation, lights, monitors, security devices, sanitation and a search for weapons or contraband and tampering or damage to facilities; and
 - ii. Documentation of the following inspections of the holding facility:

Weekly	<ul style="list-style-type: none"> • Visual inspection of fire detection and suppression equipment • Bars, doors, windows, walls, floors, locks, access plates, protective screens, ventilator covers, light fixtures, cell toilets, audio and video equipment, and beds of all cells for weapons and contraband, operational wear and detainee tampering. • Emergency medical equipment, including first aid kit, located within the holding facility (All missing items shall be replaced.)
Per Fire Code	<ul style="list-style-type: none"> • Fire detection devices and alarm system
Semi-Annually	<ul style="list-style-type: none"> • Fire suppression equipment test

- b. Holding facilities not suitable for use or not passing inspections shall not be used to hold detainees. Cells that do not pass inspections shall be kept closed and locked, so that they will not be used. The cell should be tagged with an explanation of the problem to prevent inadvertent use.

E. Security

1. KEYS: The chief of police or his/her designee shall establish procedures governing the control and use of all keys and/or access control devices to the holding facility. *[insert specific departmental procedures here]* [72.4.3]
2. DOORS: [72.4.4]
 - a. All unoccupied cells shall be left unlocked and in fully open positions so as to ease the confining of a prisoner after booking.
 - b. The outer door into the booking facility shall be kept locked at all times.
 - c. All other doors (closets, work compartments, etc) shall remain locked at all times.
3. TOOLS: No tools are allowed in the cell block area, except with the specific authorization of the officer-in-charge. [72.4.7]
4. THREATS: Any threat, indicated or perceived, against the structure of the police facility or departmental personnel, which an officer considers to be serious in intent, shall be reported immediately to the officer-in-charge. Upon being notified of the threat, the officer-in-charge shall take whatever action [s]he deems necessary to negate the effect or consequences of the threat and shall file a written report of the incident to the Chief of Police or his/her designee. [72.4.11]
5. ALERTING CONTROL POINT: The holding area shall be equipped with a system so that a detainee may alert the dispatcher and/or officer-in-charge in the event of an emergency. *[insert description of system]* [72.4.8]
6. PANIC ALARMS [72.4.9]

- a. The holding facility shall have a security alarm system for officers/employees, linked to the dispatch area or other central control point. The panic button is located on the booking desk, mounted beneath the far left side panel nearest the stairs.

F. **Juveniles and Females**

1. JUVENILES: Lockup and other detention facilities shall be such as to prevent juveniles who are detained from coming in contact with adult detainees. Juveniles shall be separated by sight and sound from adult detainees. The facility must be approved in writing by the Commissioner of Youth Services. See department policy on ***Handling Juveniles*** [72.5.4]
2. FEMALES: If males and females are required to be detained at the same time, the holding area for females shall be separated from the male holding area by sight and sound therefrom. In any city required under M.G.L. c. 147, s.18 to designate a station for the detention of females and appoint matrons, a matron shall remain constantly at the station so long as any female is detained and shall have the entire care and charge of all females.⁹ [72.5.4]

¹ M.G.L. c. 40, s. 34

² M.G.L. c. 40, s. 35

³ M.G.L. c. 147, s. 18

⁴ M.G.L. c. 40, s. 34

⁵ M.G.L. c. 40, s. 36A-C

⁶ M.G.L. c. 40, s. 36A-C

⁷ 105 CMR 470

⁸ M.G.L. c. 40, s.36B

⁹ M.G.L. c. 137, s. 19

