

TEMPORARY HOLDING FACILITIES

POLICY & PROCEDURE NO. 5.06	ISSUE DATE: July 27, 2015
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MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:	REVISION DATE: _____

I. GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to departments that may occasionally hold a detainee **unattended** in a room or area outside the cell block, such as an interview room, for the purpose of processing, questioning, or testing. This policy applies to all departments, even those that do not book or hold detainees at their facility, unless the department has a written directive stating that at no time will the department leave detainees unattended outside the confines of the holding facility for processing. Processing includes pre-booking activities involving detainees in custody (such as interviewing, etc.).

II. POLICY

It is the policy of this department that:

- A. Detainees may be held in a temporary holding area, without continuous control or supervision of department employees, for a period not exceeding two hours. [72.9.3]

III. DEFINITIONS

- A. *Temporary Holding Area*: A room, space or area, for the processing, questioning or testing of detainees where they may not be subject to the continuous control or supervision of department personnel in the same room, space or area. The time period for which a detainee may be held under these circumstances may not exceed two hours. In rare circumstances, a detainee may be restrained to a fixed object, designed and intended only for such use, for no longer than two hours. Such areas usually include booking areas, interview rooms, processing rooms, breathalyzer rooms and other detainee waiting areas or rooms.

IV. PROCEDURES

A. Designation of Temporary Holding Areas

1. One or more rooms or areas shall be designated as temporary holding areas. These will include:
 - a. The Department lobby
 - b. Department training room
 - c. Witness Interview Room
 - d. Department Break Room

B. Use of Temporary Holding Facilities

1. No person shall be detained in a temporary holding area without the prior consent of the officer-in-charge. The officer taking custody of the detainee shall notify the officer in charge of the cell block, if applicable. [72.9.1(b)]
2. Males, females and juveniles shall not be detained in the same area. Juveniles shall be detained in accordance with the departmental policy and procedure on **Handling Juveniles**. [72.9.1(d)]
3. Detainees shall be allowed reasonable access to a restroom, drinking water, and other needs as appropriate. [72.9.2]

C. Safety and Security

1. Security

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- a. All the procedures outlined below are intend to prevent the escape of detainees. [72.9.6(d)]
 - b. Officers shall secure their weapons according to booking procedures prior to entering a temporary holding area containing a detainee. [72.9.6(a)]
 - c. Detainees shall be searched for weapons and/or contraband prior to entry into the temporary holding area. [72.9.6(e)]
 - d. The officer taking custody of the detainee shall be responsible for the supervision of the detainee. Detainees should be physically observed and/or electronically monitored continuously, but in any event, there shall be a visual observation of each detainee at least every fifteen minutes with the checks properly recorded. [72.9.1(a), 72.9.6(g)]
 - e. Detainees may not be secured to an immovable object, such as a bar or ring. [72.9.4]
 - f. Access to in-use temporary detention areas and detainees shall be limited to the arresting officer(s), supervisors, and investigating officers. [72.9.6(c)]
 - g. The officer taking custody of the detainee shall be responsible for inspecting the area for weapons, contraband, or objects that could be used as weapons before placing a detainee in a temporary holding area, and immediately after removal from the detention area. [72.9.6(f)]
 - h. The officer taking custody of the detainee is responsible for ensuring that detainees are properly restrained. [72.9.1(c)]
 - i. If the temporary detention area is not equipped with a security alarm system linked to a central control point, any officer entering the area may use any available means of communication to obtain assistance, including but not limited to a portable radio, telephone, or oral alarm. [72.9.6(b)]

2. **Fire/Emergency**

- a. Fire suppression equipment shall be located in easily accessible locations out-of-reach of a detainee.
- b. An emergency evacuation, fire prevention, and fire suppression plan shall be posted at the entrance to each temporary holding area. [72.9.5]

D. **Training**

1. Officers shall receive annual training in temporary detention procedures before assuming responsibility for detainees in temporary custody. [72.9.7]