

## 113.00 - DETENTION PROCEDURES - CITY AND COUNTY

### 113.01 Denver Sheriff Department Procedures

- (1) The Detention Center visiting hours are 7:00 p.m. to 9:00 p.m. daily.
- (2) Detention Center personnel will not accept any person who is "semi-conscious" or "unconscious" and has to be carried into the Detention Center elevator. Officers will send these persons directly to Denver Health Medical Center for medical diagnosis.
- (3) Requesting Trusty Assistance
  - a. Any officer requesting the aid or assistance of a trusty will contact the Captain in the Detention Center
  - b. The trusty will be returned to the Detention Center at the time directed by the Captain
- (4) Bonding Procedures  
All persons inquiring about appearance bonds shall be referred to the Clerk of the Central Bonding Office, which is located in the Detention Facility. The Central Bonding Office is staffed by court personnel each day from 7:00 a.m. to 3:00 a.m. Members of the Sheriff's Department assigned to the Detention Facility will answer inquiries and write misdemeanor bonds during hours the Bonding Office is closed.
- (5) Prisoners from County Jail  
Any investigator wanting a prisoner returned from the County Jail to the City Detention Facility for any reason will call the Sheriff's Department and they will assume the responsibility for the return of the prisoner. Investigators are not to call the County Jail.
- (6) Military Prisoners  
Military prisoners being held for the Military Police only, shall be booked according to the normal booking procedures. These prisoners shall be released to Military Police personnel upon request. Visitation permits for these prisoners shall be authorized by Military Police personnel only.

### 113.02 Prisoners in Police Facilities

- (1) To ensure the health, welfare and safety of arrested persons and the police personnel who are processing them, officers will follow these guidelines regarding the use of the holding rooms and holding cells:
  - a. The officer placing an arrested person in a holding room or holding cell is responsible for the person unless relieved by another officer. The responsible officer will remain within sight of the room/cell, unless the prisoner can be monitored by video, as provided later in this OMS.
    1. No prisoner shall be allowed to supervise or have authority over any other prisoner.
  - b. Prisoners who are intoxicated, under the influence of narcotics, ill or injured shall be examined by paramedics if deemed necessary by the arresting officers, the Desk Officer (in a District), or upon request of the prisoner. The prisoner may be transported to DHMC or PADF as paramedics deem necessary
    1. No pharmaceuticals, drugs, or medication will be administered to any arrested person while they are in a holding room/cell, except by qualified medical personnel. Any requests for information regarding a prisoner's condition or medical records must be referred to the treating physician at Denver Health Medical Center.
  - c. Officers placing any arrested person in a holding room/cell will also follow all directives and warnings posted outside the room/cell.
    - a. Before a prisoner is placed in a holding room/cell, the arresting officer will search the prisoner and the room/cell for weapons and contraband. Any item that might be used to cause harm or injury, or damage to the room/cell, shall be removed, without exception. When the arrestee is departing the room/cell, the arresting officer will conduct another inspection looking for damage, as well as contraband inside the room that the arrestee may be involved with.

- b. If prior to being restrained in a holding room/cell there is no indication that a prisoner is violent or an escape risk, officers will afford the prisoner an opportunity to use the toilet. If a cooperative prisoner requests the use of the toilet while awaiting transport, provided there are a minimum of two officers available to assist, a reasonable effort will be made to accommodate the request. If possible, a female officer will be present to assist a female prisoner.
  - c. To enhance the safety of officers and prisoners and to reduce property damage and the possibility of escape, all prisoners will be restrained while detained in holding rooms/cells. This may be accomplished by handcuffing one of the prisoner's hands to an eyebolt or rail, where the room/cell is so equipped, or by handcuffing the prisoner's hands behind the back.
    - 1. Whenever possible, escort the prisoner to use the toilet to avoid contamination of the holding cell/holding room.
  - d. Officers may enter an occupied cell for the following reasons. If the prisoner is female, a female officer will be present when possible:
    - 1. To assist a prisoner
    - 2. To restrain a prisoner
    - 3. To accompany medical personnel
    - 4. To conduct official police business
  - e. Unless it is unavoidable to do so, officers will not enter a holding room/cell alone while armed or in possession of room/cell keys.
  - f. No prisoner who is considered violent or an escape risk shall be placed in a holding room. Such prisoners shall be held in holding cells.
  - g. Juvenile prisoners shall not be held in holding cells where there are not separate juvenile cells. Officers with juvenile prisoners will comply with OMS 403.14.
  - h. In the event a prisoner escapes from a holding cell, the following steps shall be accomplished:
    - 1. Attempt to recapture.
    - 2. Notify the Communications Bureau of pertinent information.
    - 3. Notify the arresting officer.
    - 4. If the prisoner is recaptured, notify the Communications Bureau.
    - 5. Prepare a report of the circumstances of the escape to be forwarded through the chain of command.
- (1) The Professional Standards Unit is responsible for auditing all holding room/cell records and operations.
- (2) The following will apply to prisoners in all holding cells:
- a. A prisoner who is violent or apparently suicidal shall be restrained with handcuffs and/or flexcuffs and shall be held alone in a holding cell, under video or direct observation, pending transport.
    - 1. Suicides and attempt suicides will be handled per OMS 301.14(3). When appropriate, notifications specified in OMS 301.15 will be made.
  - b. Holding cells shall be locked when occupied by prisoners. Cells shall be unlocked when unoccupied.
  - c. News media, family members, visitors, clergy and all other unauthorized personnel shall not be allowed in occupied holding cells except with the permission of the District commander.
  - d. Female prisoners shall not be placed in the same cell as male prisoners.
  - e. Operation and maintenance of the DUI holding cells is the responsibility of the commander of the Traffic Investigations Bureau. Operation and maintenance of Patrol Division holding cells is the responsibility of the District commander.

1. DUI holding cell inspection duties may be delegated to a supervisor of Traffic Investigations Bureau. District holding cell inspection duties may be delegated to the Administrative Command Officer or to the Desk Officer.
  2. Holding cells shall be inspected for security, damage, and/or disrepair weekly.
  3. Repairs to holding cells shall be made when they are unoccupied. Cells shall be inspected after repairs are completed.
  4. Evidence of rodents, vermin or other unsanitary conditions shall be reported to the Technology and Support Division for correction.
  5. A daily sanitation inspection of each cell shall be made.
  6. A first aid kit approved by Denver Health Medical Center Emergency Medical Director shall be available.
  7. A weekly inspection of the first aid kit shall be made. Any missing or depleted items shall be replaced.
    - a. A Traffic Investigations Bureau supervisor shall log this inspection of DUI cells. The Desk officer shall log this inspection of District cells.
  8. Safety inspections
    - a. Fire extinguishers shall be tested quarterly.
    - b. Fire extinguishers shall be inspected monthly.
    - c. Fire detection devices and alarms, if equipped, shall be tested monthly.
- (3) Prisoners being brought to the Police Administrative Building will be taken to the B- level. From the B-1 level prisoners can be taken to the detective bureaus, DUI rooms or to the Detention Center. Prisoners will not be taken in the front door of the Police Administrative Building or to the Detention Center information desk.
- (4) When transporting unruly or potentially dangerous prisoners to the Police Administrative Building, officers should request assistance from Sheriff Department personnel through the Police Dispatcher. One or more deputy sheriffs will be sent to render physical assistance to the police officers.
- (5) DUI cells (Police Administration Building)
- a. Procedures in OMS 113.02 (1), (2), and (3) of this policy also apply to DUI cells.
  - b. Emergency call/panic alarms are located throughout the DUI Room for emergency assistance.
    1. To activate an emergency call for assistance, officers need to push **both buttons simultaneously** on any of the devices. This will activate an alarm in the sally port tower and the Information Desk. Emergency assistance will respond from the City Jail and/or Information Desk.
    2. Information Desk officers will notify dispatch of an "officer calling for help" before responding to the DUI room.
  - c. A prisoner who is violent or apparently suicide-prone shall be restrained with handcuffs and/or flexcuffs and shall be held alone in a cell, under direct observation by the arresting officer or their designee, pending transport. Direct observation includes utilizing the monitoring system in the DUI work area.
    1. Each DUI room holding cell is visually recorded via digital means. Digital system failures will be indicated by a blank monitor screen. Any officer observing a blank screen on a monitor must immediately notify the on-duty Traffic Investigations Bureau supervisor or the on-duty DUI sergeant or corporal through the Communications Bureau between 2100-0500 hours. In addition to the monitors in the DUI room, there is also a monitor in the Sheriffs sally port control center.
  - d. Cells shall be latched when occupied by prisoners.

- e. Juvenile prisoners shall not be held in DUI holding cells. They will be transported to Juvenile Intake where the paperwork will be completed. When ready for processing through the DUI room, Traffic Investigations Bureau detectives will be notified and will advise the officer when to bring the juvenile to the DUI room for processing.
  - 1. After processing, juveniles will not be held in DUI holding cells but will be transported to Denver Health Medical Center. See OMS 403.14.
- f. In the event of a major incident (i.e., death or serious bodily injury) that occurs in the DUI room holding cell area the Division Chief of Special Operations will be notified by Inter-Departmental Memo, DPD 200, so the incident can be copied to CD and held as evidence.

## (6) Patrol Division holding cells

- a. Procedures in OMS 113.02 (1), (2), and (3) of this policy also apply to Patrol Division holding cells.
- b. Holding cells shall be locked when occupied by prisoners. Cells shall be unlocked when unoccupied. **Cells shall be searched by the Desk Officer before and after being occupied by a prisoner.** Desk officers may enlist the assistance of other officers in accomplishing this task.
- c. Arresting officers may obtain cell keys from the Desk Officer prior to placing a prisoner in the holding cell. Keys shall be returned to the Desk Officer after securing the prisoner. Keys are not to be left in the cell door at any time, for any reason.
- d. Juvenile prisoners are not to be detained in District station holding cells that lack separate juvenile facilities (Districts 4, 5, and 6), but are to be transported directly to the Juvenile Intake Unit. Juveniles may be detained in temporary holding cells at stations equipped with separate juvenile holding facilities (Districts 1, 2, and 3). Officers with juvenile prisoners will comply with OMS 403.14.
- e. Each district station holding cell is visually recorded via CCTV or digital means. District commanders will familiarize themselves with the type of recording equipment specific to their assignment.
  - 1. Videotape: Videotape recorders are housed in lock boxes to prevent tampering. It is the responsibility of each District commander to ensure that the videotapes are changed on a daily basis by an individual not lower in rank than sergeant. Videotapes are to be labeled with the date and time the recording started, and the date and time the recording ended. Videotapes will be maintained in a secure area within the station for a period of not less than 30 days. After the expiration of 30 days, the videotapes may be recorded over.
  - 2. Digital: Digital recording equipment does not require maintenance or upkeep by District personnel. Digital system failures, indicated by alarms, blank monitor screens, etc., will be scheduled for repairs by Desk Officers at the earliest opportunity.
- f. Duties and responsibilities of the Desk Officer
  - 1. The Desk Officer on each shift shall be responsible for the operation of the holding cell and any prisoners therein.
  - 2. The Desk Officer shall keep a log of prisoners supervised during the shift. A secure place shall be provided for prisoners' property. The Desk Officer's log will document:
    - a. Prisoner's name
    - b. Date and time
    - c. Property received
    - d. Date and time of release
    - e. To whom released

3. Potential weapons and items prisoners might use to harm themselves shall be placed in the prisoner property envelope, recording the contents appropriately. If the property cannot be handled by the transporting personnel, it will be taken by the arresting officers to the DPD Property Bureau per DPD Operations Manual. Disposition of the prisoners' property will be noted on the officer's log sheet.
  4. The Desk Officer shall be in control of the keys to the holding cells.
  5. All prisoners shall be personally observed by the Desk Officer at least once every thirty (30) minutes. The time of this observation shall be logged.
  6. A supervisory officer shall review the detention of any prisoner held in excess of one hour.
- (7) Holding cells at the Records/ID Bureau
- a. Procedures in OMS 113.02 (1), (2), and (3) of this policy also apply to the holding cells at the Records/ID Bureau.
- (8) Procedures in OMS 113.02 (1), (2), and (3) of this policy also apply to Holding Rooms at the Police Administration Building as well as the following:
- a. The holding rooms at the Police Administration Building are temporary detention and interview facilities. They are not intended to be secure.
  - b. If possible, arresting officers should limit each holding room to one occupant.
  - c. Personal property and evidence obtained from the arrestee shall be handled as prescribed in OMS 106.00.
  - d. Arresting officers will remain within visual sight of the room that their arrestee has been placed in. Should the arresting officer find it necessary to leave the immediate area of the room holding their arrestee, they will arrange, in advance, for an officer/detective to watch the room with the arrestee. At no time will the officer/detective leave the immediate area of the room without someone designated to observe the room and arrestee.
  - e. Prisoners shall be allowed to make a reasonable number of telephone calls (collect or long distance) to communicate with their attorney or family while confined in the holding room.
  - f. In the event that a prisoner escapes from the holding room, the following steps shall be taken in an attempt to recapture:
    1. Notify the Information Desk of the escape.
    2. Notify the Detention Facility to close the doors from B-1 to Delaware Street.
    3. When possible, close the doors from B-1 to Cherokee Street and cut off the electricity to the doors. The doors can be closed by using the buttons and electricity can be cut off by using the switchbox. The buttons and switchbox are to the right of the doors.
    4. Send investigators to the first floor and B-1 to screen pedestrian and vehicle traffic leaving the building.
    5. Institute a search of the entire building. Notify supervisors and personnel on each floor of the escape and physical description of the suspect. The search should include stairways, unoccupied offices, B-1, and B-2 levels.
    6. Notify the Communications Bureau of the pertinent information. Also notify the Communications Bureau if the prisoner is recaptured.
    7. Prepare a report of the circumstances of the escape to be forwarded via the chain of command to the Division Chief of Investigations.
  - g. Any situation that may affect the health, welfare, safety, and care of an arrestee while inside the holding room should be brought to the immediate attention of the commander in whose Bureau the room is located.

**113.03 Transportation of Prisoners Aboard Aircraft - (Source: F.A.A. Air Security Bulletin 70-1)**

- (1) Prior to transporting a prisoner on board an aircraft, notify a responsible representative of the air carrier, i.e., the duty supervisor in charge of the passenger counter, or the station manager or acting station manager in case of small stations.
- (2) The responsible representative should be notified as far in advance as practical, but never less than one hour prior to scheduled departure.
- (3) Officers shall have official orders, travel orders or other appropriate documents which state the general nature of the mission (escort, surveillance, travel, etc.) and the need for the officer to be armed on the particular flight.
- (4) Airlines will not accept prisoners for interline transportation unless concurrence has been obtained in advance from the other airline(s) involved. The booking airline should include in its booking message the name and identification of the prisoner and the escorting officer(s).
- (5) A dangerous prisoner will not be transported unless escorted by two or more officers. The prisoner should be adequately restrained throughout the flight; and the procedures to be followed will be set forth by the air carrier.
- (6) The escorting officer(s) shall adequately identify themselves to the pilot-in-command and appropriate flight attendants.
- (7) The escorting officer(s) and prisoner shall board the aircraft before other passengers as "pre-boards."
- (8) The escorting officer(s) and prisoner should be assigned the rearmost seats in the aircraft.
- (9) Under no circumstances will a prisoner be seated next to any normal or emergency exit. They will not be permitted to leave their seat without an escort.
- (10) At least one officer will be seated between the prisoner and the aisle.
- (11) The prisoner shall be escorted and kept under surveillance when a visit to the lavatory is necessary.
- (12) No intoxicating beverages of any kind will be served the escorting officer(s) or the prisoner while on board the aircraft.
- (13) The prisoner may be served food at the discretion of the escorting officer(s) if metal utensils are not used.
- (14) Escorting officer(s) shall be equipped with adequate restraining devices to be used in the event the prisoner becomes unruly.
- (15) Escorting officer(s) and the prisoner will deplane after the terminating passengers leave the aircraft.
- (16) Not more than one prisoner considered "Dangerous" shall be transported on any flight.
- (17) An airline may refuse to accept a prisoner any time if, in the judgment of a responsible representative of the airline, such acceptance might jeopardize the safety of other passengers.
- (18) Escorting officer(s) shall not carry mace, tear gas, or similar devices aboard aircraft.
- (19) Escorting officer(s) must ensure that prisoners are not carrying contraband, weapons, matches, or other potentially dangerous items.
- (20) When weapons are not required on the particular flight, i.e., the outgoing or return portion of a prisoner escort mission, weapons should be carried unloaded in the officer's checked baggage. The representative of the air carrier must be notified of any weapons being carried on their flight, and may refuse you.
- (21) Officers should carefully avoid inadvertent display of weapons or associated equipment.