

GENERAL ORDER XXV

SUBJECT: DETENTION

EFFECTIVE DATE 03-09-05 REVIEW DATE: 03-01-2015

NOTE: This rule or regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. PURPOSE

Officers of the West Plains Police Department take persons into custody for crimes committed, offenses against public order or for many other emergency, legal or humanitarian reasons. Employees in the facility must be aware of potential mental, emotional or physical problems and frequently must handle arrestees as patients as well as prisoners. There are two basically incompatible responsibilities, care and custody and simultaneously, detention of arrestees. They are prisoners and must be secured from possible escape; but they are in custodial care of the police department, so you must provide for their needs and protect their individual rights.

The West Plains Police Department is attentive to the proper safety, health and sustenance of arrestees in custody and care. The Department safeguards individual rights and maintains the safety of all persons.

II. DETENTION OF ARRESTEES

All arrestees placed in the detention area will be thoroughly searched prior to intake. Arrest reports, jail cards, medication logs and check sheets and all other related forms are to be filled out completely.

III. ARRESTEE INTAKE

Do not intake an arrestee under any of the following conditions:

1. Injury or illness- Do not intake arrestees before proper medical personnel treat and release them if there may be an injury or illness where a person;
 - A. Is unconscious or apparently injured
 - B. Has obvious health problems.
 - C. Mental illness- When officers bring prisoners with mental problems to detention you may temporarily secure them for a limited time while officers make necessary arrangements for commitment of transportation to a mental health facility.

NOTE: A supervisor is to be contacted if they complain of health problems or request medical aid prior to intake.

IV. ARRESTEE CLASSIFICATION

1. Serious violent and non-violent offenders: Serious violent offenders will not be held with non-violent offenders.
2. Sex of arrestee: Hold male and female arrestees in separate cells or holding areas.
3. Juveniles: Do not hold juveniles in the detention facility.
4. Arrestee under the influence: Try to find a treatment facility for arrestees who are greatly impaired due to the influence of drugs or alcohol. If possible arrestee may be released to an immediate family member, with a supervisor's approval. If such arrestees must be detained in this facility, keep them under close observation to prevent injury to themselves and others.

V. PROPERTY

1. Property Security: Never leave an arrestee's property unsecured. Immediately report any discrepancy about arrestee's property to your immediate supervisor.
2. Logging Arrestee's Property: Place arrestee's property in property envelope. Larger items must be tagged with property tags. Completely fill out property form on back of jail card. Have arrestee acknowledge property taken by signature. A signature is needed on return of property also. Note any refusal to sign or acknowledge property.
3. Contraband Property: List contraband items taken from arrestee during booking process with personal property, although officers will confiscate the items and enter it into property/evidence room.

VI. CONTROL

1. Inspecting Cells: Make a thorough search for contraband and weapons before placing arrestees in a cell and then again after the cell is vacated.
2. Forbidden Items: Do not allow arrestees to have obscene material, tools, culinary equipment or any electrical devices in their cell. Upon receiving approval from a supervisor, arrestees may be allowed writing instruments.

NOTE: Knives, forks and spoons should be counted every meal.

3. Inmate rules and regulations:

SEE ADDENDUM "A"

VII. KEYS AND DOORS

1. Keys: Keep keys and copies under strict control. If a key is lost or misplaced, notify a supervisor as soon as possible.
2. Doors: Check doors frequently to ensure they are locked.

VIII. SUPERVISING ARRESTEES

1. Employees of the West Plains Police Department will supervise arrestees around the clock.

2. Visual Observation: Make a visual check of occupied cells every thirty (30) minutes. Problem or risk prisoners will be placed in the front cell and monitored every fifteen (15) minutes

A. Make occasional unexpected checks

B. Observe security risk prisoners more frequently

Note: Security risk prisoners are those classified as violent, suicidal, mentally ill or those demonstrating unusual or bizarre behavior.

3. Opposite Sex: Place visual equipment so it does not intentionally violate the prisoners rights to expected privacy during personal cleanliness activities when monitored by employees of the sex opposite that of the prisoners.

4. RESTRAINT CHAIR GUIDELINES:

“See Addendum B”

IX. TELEPHONE

1. Using the Telephone: When requested, allow arrestees to make calls to attorneys or other legal representatives as soon as reasonably possible.

2. Incoming Emergency Calls: Get the emergency nature, name of calling party and telephone number and verify the situation. Allow the prisoner to call back for legitimate emergencies.

3. Prisoners shall make long distance calls at their own expense.

X. MAIL OR DELIVERIES

1. Incoming Mail or Deliveries: Open incoming mail or packages and examine them for money or contraband. It's best to have another employee present during this examination process.

2. Removing Items from Deliveries: Make a written report whenever any item is removed from incoming mail or deliveries. This report is to be sent to the Chief of Police. Included shall be prisoner's name, description of items, disposition of items and officer's signature.

XI. VISITATION

1. Allowed Visitation: Allow each prisoner two (2) visits per week. Do not allow any more than four (4) visitors at any given time.

2. Stopping and Suspending Visits: You may end a visit or suspend a visitor from returning if you learn a visitor:

A. Is under the influence of drug or alcohol

B. Refuses to obey directions

C. Violates visiting rules

XII. ARRESTEES RIGHTS

1. Access to the Court: Arrestees shall have every access to the court as provided by law.

2. Access to Attorneys: Allow arrestees to consult with attorneys in private if they request such services.

Do not:

- A. Act as an attorney
- B. Recommend an attorney
- C. Aid in solicitation of an attorney
- D. Allow advertising of an attorney in the detention area

3. Time Limits: Be aware of the charge and the status of each arrestee in custody and do not hold any person longer than time limits prescribed by law.

XIII. BAIL BONDSMAN

1. Allow arrestee to consult with a bail bondsman if they request such services. Do not hinder or unnecessarily delay this requested right. Do not:

- A. Act as a bail bondsman
- B. Recommend a bail bondsman
- C. Aid in solicitation of a bail bondsman

XIV EVACUATION

1. Should the need arise for prisoners to be evacuated, they will be escorted from the holding area to the North fenced area furthest point.

XV DISCIPLINE AND GRIEVANCE PROCEDURES

See General Order XXVI (External Complaints)

AUTHORITY

A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

Jeffrey S. Head, Chief of Police

West Plains Police Department

1912 Holiday Lane, West Plains, MO 65775

(417) 256-2244

ADDENDUM A

“Jail Rules and Regulations”

The West Plains Police Department does not have full time jail staff. Officers working patrol duties tend to the jail during breakfast, lunch, dinner and emergencies as needed. If an emergency arises, attempt to get the dispatchers attention by motioning the camera in the upper corner of the jail cell. The dispatcher can inquire what is needed and have an officer come to the station if needed. **Do not beat on doors or walls.** The following are rules and guidelines that will be followed while in the facility. They will be strictly enforced.

The West Plains Police Department Jail is a tobacco free facility. Any tobacco products or lighters, matches, etc... secreted and taken into the jail facility is a violation of State Law. If you introduce any listed items or unlisted items considered by jail staff to be contraband into the jail, you can be charged criminally under 221.111 RSMo.

Do not destroy, write, draw, or otherwise damage any part of this facility.

-IF ANY PROPERTY IS DAMAGED YOU WILL BE CRIMINALLY CHARGED

Do not cover jail cameras or tamper with them in any way.

Prisoners are allowed one phone call per day. Any charges occurring from the use of Police Department phone will be the responsibility of the person making the call. Calling cards may be brought in and used.

All phone calls may be limited to ten minutes. Any more time or calls will be a privilege.

Showers should be given every other day. Prisoners will be given a towel, soap, shampoo and razors on request.

Prisoners are allowed two visitations each week, Saturday from 1:30-2:00 and Tuesday from 1:30-2:00. No more than four visitors at a time. If more people wish to visit then the 30 minutes will be divided.

Medical attention will be provided if needed at the cost of the prisoner.

Obey all orders given by any staff member.

Show respect for all staff members and other prisoners.

Keep yourself and cell area clean at all times.

Only items issued to you when entering this facility will be allowed in the jail.

Items such as socks/undergarments may be brought in.

Tee shirts may be brought in but must be white regular tee shirts.

Bras must not have under wire.

Prisoners will wear jail issued pants at all times.

Jail issued pants, shirt and sandals will be worn when going to court, doctor, hospital etc.

Prisoners may have loose leaf notebook paper, envelopes, stamps and wooden #2 pencils.

Prisoners may have books brought in to read but may not contain metal binding.

Do not scream or shout at any staff or other prisoner.

No profanity or foul language.

Do not paste or stick anything to the walls.

Do not fight or otherwise cause a disturbance with any other individual.

Do not pass notes to other inmates.

Do not attempt to possess or introduce contraband into this facility.

Do not attempt to possess or introduce any tobacco products into this facility.

Do not attempt to possess or introduce any smoking device (pipe, etc.) into this facility.

Do not boss or attempt to gain control over other prisoners.

Do not steal from other prisoners or from this facility.

Respect the rights of other inmate's property and space.

Do not ask staff members for legal advice.

Do not attempt to escape or assist others in any form of escape.

Do not throw food or trash.

NOTE: Items for prisoners should be brought in between 7am and 3pm daily.

I HAVE READ AND UNDERSTAND THE ABOVE RULES AND REGULATIONS AND AGREE TO ABIDE BY THEM.

PRISONER SIGNATURE DATE

OFFICER SIGNATURE DATE

ADDENDUM B

RESTRAINT CHAIR GUIDELINES

WEST PLAINS POLICE DEPARTMENT

RESTRAINT CHAIR GUIDELINES

- I. The purpose of the restraint is for prisoners who demonstrate bizarre or violent behavior and whose actions demonstrate intent to cause physical harm to staff, themselves, other prisoners, or may result in the destruction of cell furnishings or facility equipment, may require a period of time in the restraint chair. The restraint chair is used to adequately control the prisoner's behavior without unnecessarily causing injury to the prisoner, staff or to the facility.
 1. The restraint chair is designed to limit prisoner movement by applying restraints to all four limbs and providing protection via a helmet for the prisoner's head.
 2. Prisoners should be released from the restraint chair as soon as possible and under normal circumstances once the prisoner has remained calm for a period of 10 minutes. The prisoner should not be confined to the chair longer than 2 hours after the initial placement. If the disruptive behavior has not ceased after 2 hours, the Shift Supervisor will notify the Chief of Police or his / her designee to discuss transportation to a local medical facility to have the prisoner assessed for altered medical or mental conditions.
- II. RESTRICTIONS FOR USE
 - (a) This device is not an instrument of punishment and shall never be used as such.
 - (b) This device shall not be used for person(s) 16 years of age or younger (Juveniles) or for women who are pregnant.
 - (c) Prisoners will not be placed in the chair for more than two hours at a time and for more than two times within an 8 hour period.
 - (d) If the chair is unsafe or in need of repair.

- (e) If the prisoner has a known mental health issue they will not be placed in the restraint chair. Any prisoner showing indications of mental health issues, the officer shall follow the mental illness guidelines in the Detention Guidelines.

III. PROCEDURE FOR USE OF CHAIR

- (a) The use of the restraint chair shall be authorized only by the Chief of Police or his / her designee.
- (b) Only commissioned officers who have received restraint chair training shall be allowed to

Place a prisoner in the chair. Restraint chair training shall be conducted on an annual basis.

- (c) A minimum of two trained officers must be present to place a prisoner in the restraint chair.
- (d) The restraint chair shall be kept in a secure location. When use is required it shall be placed in the booking room. While the restraint chair is in use it will not be removed from the booking room. If use of the booking room is required for other reasons, use of the restraint chair shall take priority.
- (e) While the chair is in use, no one other than department or emergency personnel will be allowed in the booking room.
- (f) The prisoner will be placed in handcuffs and leg restraints before being placed in the chair.
- (g) All the prisoners' personal property will be removed from them, to include jewelry, glasses, shoes, boots, socks, coat, hat and belt. They should be only clothed in their shirt, pants or dress.
- (h) Prior to placing the prisoner into the restraint chair. The prisoner shall be verbally warned that if their actions or conduct does not stop, they will be placed into the restraint chair. The warning shall be given in the booking room, with the officer using his/her body camera to record, or on the patrol vehicle car camera.
- (i) The prisoner shall be escorted to the booking room. Each officer shall be assigned points of control and use the following procedure used to place the prisoner in the chair.
 1. Have the prisoner sit in the chair facing forward in the seat. They will be secured by placing the lap belt around their waist. The lap belt shall be placed around the waist only and not around the arms of the chair. The lap belt free end will be placed in the lap belt clevis, and pull the handle until snug. To loosen the lap belt insert a standard handcuff key in the lap belt buckle, and "push in" while pulling slack on the belt.
 2. Place the chain of the leg irons behind the chair retainer.
 3. Attach the handcuff tether to the handcuffs

4. Release the right wrist from the handcuffs and secure it to the arm of the restraint chair with the right wrist strap and pull the belt snug. Once attached the right wrist will be checked to make sure circulation to the hand is not cut off. To loosen the wrist strap insert a standard handcuff key in the lap belt buckle, and “push in” while pulling slack on the belt.
5. Release the left wrist from the handcuffs and secure it to the arm of the restraint chair with the left wrist strap and pull the belt snug. Once attached, the left wrist will be checked to make sure circulation to the hand is not cut off. To loosen the wrist strap, insert a standard handcuff key in the lap belt buckle, and “push in” while pulling slack

On the belt.

6. It should be noted that either wrist can be done first but only one wrist at a time.
7. Retighten the lap belt if necessary.
8. Fasten the shoulder strap by passing the free ends over the shoulders, under the armpits and secure them to the shoulder strap clevises located on the back of the chair. The V or the Y of the strap must go at the back of the neck. Then tighten by pulling down on the shoulder strap handle past the friction buckle. **DO NOT WRAP THE STRAPS AROUND THE CHEST, HEAD OR NECK AT ANY TIME.**
9. Secure the ankle strap by passing the free end around the front of the left ankle and securing it to the ankle strap clevis. Then pull the ankle strap handle until snug. Then secure the other ankle strap using the same process. After this is completed remove the leg irons.
10. Handcuffs and leg irons must be removed as soon as possible to prevent injury. Belts and straps may need to be loosened to insure adequate blood flow.
11. The safety helmet and a spit hood shall be placed on all prisoner placed in the chair, no exceptions.
12. The restraint chair shall always be used in the upright position.
13. There will be no deviation from the above procedures when placing a subject in the chair or when the chair is in use.

IV. DOCUMENTATION OF USE ([Click to Download Restraint Chair Monitoring Log](#))

- (a) Once a prisoner has been placed in the chair and is secure, the officer placing the prisoner in the chair shall notify communications to make a log entry in the CAD system of the time the person was placed in the chair.

- (b) The officer placing the prisoner in the chair shall not leave the building under any circumstances, while prisoner is secured in the chair.
- (c) The officer placing the prisoner in the chair shall be responsible for filling out the Restraint Chair Monitoring Log.
- (d) The officer placing the prisoner in the chair shall be responsible for completing a detailed report prior to the end of shift.

V. MONITORING OF PRISONER

- (a) When a prisoner is placed in the restraint chair the officer placing the subject in the chair shall:
 - 1) Ensure a prisoner does not incur any further injury while he/she is restrained in the chair. It is very important that we monitor their airway, breathing and circulation (ABC's). These checks will be noted on the Restraint Chair Monitoring Log, and will be completed every 10 minutes. These 10 minute checks will continue while the prisoner is in the restraint chair.
 - 2) The officer may loosen or tighten restraints as needed.
 - 3) The officer will notify communications of the check and have a log entry made into the CAD system as of the check being performed.
 - 4) Communications officers will monitor prisoners that have been placed in the chair via the department surveillance system. If they observe prisoner in need of assistance, they will notify the officer who placed the detainee in the chair immediately.
- (b) If the prisoner is found in need of medical treatment, South Howell County Ambulance shall be notified to respond. The Chief of Police or his designee shall be notified immediately.
- (c) If a prisoner has been placed in the chair and is secured and use of the chair is needed into an on-coming shift, the following shall occur.
 - 1) The oncoming supervisor shall be notified of the restraint chair in use and all circumstances as to why the chair is being used.
 - 2) The oncoming supervisor shall assign an officer from his/her shift to be responsible for the use of chair and monitoring of the prisoner.
 - 3) The officer being relieved and the oncoming person in charge will review the Restraint Monitoring Log.
 - 4) The oncoming officer shall know what times the person was placed in the chair and any issues.

VI. REMOVING PRISONER FROM CHAIR

- (a) Minimum of two trained officers shall be present to remove a prisoner from the restraint chair with each officer assigned points of control.
- (b) The officers shall remove the straps from the prisoner in the opposite order of placing the straps on the prisoner. Leg Restraints and Handcuffs may be reapplied to the detainee if needed. To loosen the straps insert a standard handcuff key in the belt buckle, and “push in” while pulling slack on the belt.
 - 1) The officer removing shall also notify communications to have an entry made in the CAD system of the time the subject was removed from the chair.
 - 2) The officer shall make sure the Restraint Chair Monitoring Log had been completely filled out.

VII. AFTER USE AND CARE OF CHAIR

- (a) After the use of the chair it shall be the responsibility of the officer who placed the prisoner in the chair or relieved officer assigned to clean and decontaminate the chair and to return all straps to the storage location and ready for next use. The chair will be cleaned by wiping down all surfaces, pads and helmet with approved disinfectant.
- (b) The chair and safety helmet will be cleaned after each use before being returned to storage.
- (c) Any items being found broke or in need of repair will be reported to the Chief of Police or his / her designee when located.
- (d) The officer who placed the prisoner in the chair shall request a copy of this booking room video, body cam video, and / or patrol vehicle camera. Two copies of the video shall be made. One copy will be entered into evidence by said officer and the video shall be kept for a minimum of five (5) years. The second copy of the video will be given to the Chief of Police. If verbal warning of use of chair is recorded, the officer will download the recording and make 2 copies. One copy of the audio will be entered into evidence and kept for a minimum of five (5) years. The other copy will be given to the Chief of Police.

VIII. REVIEW AND EVALUATION

- (a) After each use of the restraint chair review shall be conducted by the Chief of Police, Assistant Chief of Police and the Lieutenant. This review will evaluate all aspects of the use of the chair. After the review, a documented report of the review will be completed. The report and all recordings shall be kept by the Chief of Police for a minimum of five (5) years.

