CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-02

EFFECTIVE: OCTOBER 20, 2014 UPDATED: JANUARY 5, 2018

TO: ALL PERSONNEL INDEX AS: HANDCUFFING PRISONERS
PRISONER ESCAPE
PRISONER HANDLING
TRANSPORTING PRISONERS

SUBJECT: SAFE HANDLING OF PRISONERS

I. PURPOSE

The purpose of this General Order is to establish procedures for officers during the arrest, search and transporting of prisoners.

II. GENERAL

A. Whenever an arrest is made, a police officer is placed in a potentially dangerous situation. Therefore, all prisoners shall be treated with the same degree of caution.

B. When handling prisoners, the most obvious and perhaps most frequent hazards faced by police officers are:

1. Weapons concealed by a prisoner.
2. Attack or escape of prisoner before or after handcuffing.
3. A prisoner freeing himself from handcuffs.
4. An officer's pistol or the patrol car's shotgun.
5. An unsearched prisoner or unattended prisoner.
6. Keys in the ignition of an unattended police vehicle.

C. Guidelines for handling prisoners suspected of having any type of contagious disease are found in General Order 18-01.

D. Procedures for handling prisoners requiring medical attention are found in Departmental General Order 34-03.

E. Restraint Chair – A chair that is designed to control the movement of a prisoner that is placed in it.

F. Restraint Team – A minimum of three officers assigned to place a prisoner in the restraint chair. A supervisor shall authorize the placement of the prisoner in the chair and shall, if possible, be in attendance while, or as soon as practical afterwards, the team is performing this function.

III. PROCEDURE

A. Securing Prisoners

1. All persons to be transported by employees of this Department will be properly

handcuffed with their hands behind their backs and the handcuffs double locked. If practical, prisoners shall be handcuffed before conducting a search. All prisoners will be searched prior to being transported. This search shall also include the use of a hand-held metal detector. Exceptions may be made due to injuries, age, or other factors, but in any case, the person will be secured as much as reasonable given the circumstances.

2. A person who continues to resist or struggle after being arrested and handcuffed may be physically restrained to a greater extent. This may include the use of:
    a. Leg irons.
    b. Additional handcuffs.
    c. Flex-cuffs.

3. Anyone who is physically restrained beyond the use of handcuffs will not be left unattended at the scene or in a Department vehicle. Detainees who are physically restrained beyond the use of handcuffs will not be placed in a position that will restrict his ability to breathe.

4. Proper Care and Application of Handcuffs.
    a. Frequent cleaning and lubricating of handcuffs is important to ensure that the single bar moves freely and smoothly during application.
    b. While on duty handcuffs shall be carried in the "ready position" (single bar placed on the last tooth of the latch). This allows for speedy application of the handcuffs.
    c. When applying handcuffs every effort should be made to approach the prisoner from the side. This allows the officer to maintain control.
    d. Handcuffs shall be applied so that the prisoner's palms are facing outward with the thumbs on the side farthest from the prisoner's body. Once applied, the handcuffs should be double locked, then checked to ensure that they are secure by pulling or pushing on the jaws of the handcuffs.

B. Transporting Prisoners

1. Officers will search their assigned vehicles at the beginning of their tour of duty. In addition, officers will search their vehicles prior to placing prisoners inside, as well as when prisoners are removed to insure no weapons or contraband are left behind.

2. When a prisoner is being transported in a one officer vehicle, the prisoner shall be placed in the right front seat, handcuffed from behind (when applicable) with the seat belt secured. Leg restraints shall be used when the prisoner's attitude indicates a potential for violent behavior or the prisoner is being arrested for or has been previously arrested for a felony assault, weapons or escaping custody charge.

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3. When a prisoner is being transported in a two officer vehicle, the prisoner shall be placed in the right rear seat, handcuffed from behind (when applicable) with seat belt secured. The second officer sits in the left rear seat behind the driver.

4. One officer shall not transport more than one prisoner in a vehicle without a supervisor's approval.

5. When a cage equipped vehicle (passenger type) is being used, prisoners shall be placed in the rear passenger area of the vehicle. Prisoners shall be handcuffed from behind (when applicable) with the seat belt secured. The factory installed "child safety locks" will be set and not altered without approval of a supervisor.

6. One officer shall not transport more than two prisoners in a cage equipped vehicle (passenger type) without a supervisor's approval.

7. Under normal circumstances to minimize communication and corroboration, especially during major crime investigations, suspects will not be transported together.

8. When prisoners request to speak to an attorney or make phone calls, they will be instructed to wait until arrival at the detention facility, unless the officer can articulate specific reasons to deviate from this procedure.

9. When an officer is transporting a prisoner of the opposite sex, the dispatcher shall be advised of the location of departure, destination and the beginning and arriving odometer readings.

10. Prior to a prisoner being placed in a patrol vehicle, the shotgun rack (if provided) shall be locked and the area surrounding the prisoner shall be clear of all items of potential danger to the officer or the prisoner.

11. While transporting a prisoner, officers:
    a. will not engage in any type of pursuit or emergency driving;
    b. will not respond to other calls for service unless there is a clear risk of grave injury to another person;
    c. will make every attempt not to lose sight of prisoners in order to decrease the chance of escape.

12. Even when handcuffed and secured inside the patrol vehicle, a prisoner should never be left unattended. Some individuals have been known to hide handcuff keys or picks on their bodies.

13. Upon entering police headquarters or intake service center, the police officer shall continue to exercise the highest degree of caution in handling prisoners. Even though the officer's pistol has been secured and a security area has been entered, a prisoner may still fight or attempt to escape. The police officer should not assume

that the prisoner has been rendered incapable of escape or inflicting injury until the prisoner has been placed in the holding area.

14. While moving prisoners within police headquarters, outside of the secured detention area, all felony and other potential dangerous suspects shall be secured with handcuffs and/or leg irons. This includes suspects being interviewed or interrogated.

C. Special Circumstance Transports

1. Officers will not stop for routine matters while transporting a detainee. Officers will not lose sight of prisoners in transport. Officers needing to take immediate emergency enforcement action, and no other alternative exists, will ask communications for assistance from another unit and take whatever action is necessary. Officers stopping for any reason will attempt to do so off the roadway to lessen the likelihood of an accident.

   During long distance transports care should be taken when stopping for fuel and meals or for allowing the prisoners reasonable opportunities to use toilet facilities. Locations should be alternated and randomly selected. Normally no stops will be made while transporting from the point of arrest to the booking/processing location. Long distance transports of prisoners will be handled by two (2) officers.

2. In cases where a prisoner is to be transferred to another agency or court, and the prisoner is deemed "high risk", the receiving agency shall be notified of the transfer in advance. The officer responsible for the transport shall inform the receiving agency of all conditions causing the prisoner to be deemed high risk. At the discretion of the on-duty supervisor, "high-risk" prisoner transports may be handled by two (2) officers.

3. A "high risk" detainee is a person who is in custody and poses a greater than usual threat of escape or assault while in custody. This may include those impaired by drugs and/or alcohol, those with previous escape attempts or assaults on police, those who have made statements or comments about security or escaping, and/or those who have unusually serious charges pending.

4. If a prisoner in transport escapes from custody inside the City of Ballwin city limits, the officer will:
   a. Immediately notify Communications with a description, direction of travel and any weapons the escapee may possess.
   b. Verify the security of any remaining detainees.
   c. Notify his supervisor to coordinate a search of the area.
   d. Document the details of the escape in a CARE report.

5. If a prisoner escapes from custody outside the City of Ballwin city limits, the officer will:
   a. Notify Communications who will immediately notify the appropriate jurisdiction of all pertinent information.
   b. Verify the security of any remaining detainees.

c. Notify his supervisor and assist in the search with the agency where the escape occurred when permitted.

d. Document in a CARE report all details pertaining to the escape.

6. Ordinarily prisoners will not be released from custody to attend to personal business. However, under certain extreme circumstances, the Chief of Police may authorize that a prisoner be transported by officers of this command to a funeral, to visit a critically ill family member or other event that is deemed to be of an extremely urgent nature.

If such authorization is given, officers are directed to be attentive to the potential for unauthorized personal contact, prisoner escape, and the infliction of injury by the prisoner to himself/herself or others. The prisoner shall remain in the transporting officer's sight at all times and shall not be released from restraints until the prisoner is returned to the detention facility.

D. Booking of Prisoners at Police Headquarters

1. Officers shall lock up their firearms, Tasers and any knives in one of the firearm lockers located outside the holdover area door prior to entering the holdover area. Officers shall place their car keys in the same firearms locker so that the officer does not fail to retrieve their weapon prior to returning to regular duty assignment.

2. All prisoners presented for booking at police headquarters shall be thoroughly searched by the arresting officer or the officer who had custody of the prisoner. Once searched the prisoner's handcuffs may be removed and the prisoner placed in the holding cage, to complete the booking process unless doing so will compromise safety. For specific guidelines on the searching of prisoners, see General Order 34-04.

3. Upon completion of the booking sheet, the prisoner's property shall be inventoried and secured in a numbered prisoner's security locker. Prisoner property keys and jail cell keys will be kept in the pass through area between booking and communications.

4. If the prisoner is to be transferred to another detention facility, the officer will notify the detention staff of any unusual circumstances to include any potential medical or security hazards. The officer will deliver all prisoner documentation to the receiving officer. The delivering officer will complete all necessary paperwork to include the signature of the receiving officer and/or complete a CARE report detailing the prisoner transaction including the receiving officer's name. Information relating to the prisoner's escape risk, suicide potential, and/or potential for violence shall be documented in the miscellaneous comments box of the prisoner's booking sheet. This information must accompany the prisoner during transport.

5. When prisoners are transferred to other facilities (County Jail or other municipalities) the prisoner's booking sheet and property shall accompany them.

Upon arrival at the receiving facility, the receiving officer will sign for the prisoner; subsequently the delivering officer will retain and turn in the completed booking sheet with their daily paperwork. When a prisoner is released directly from this facility to another agency, the releasing officer will turn in the completed booking sheet with their daily paperwork.

6. Officers shall verify the prisoner's identity by comparing the prisoner's mug shot photo on the booking sheet with the prisoner at the time of the prisoner's transfer or release.

7. The on duty watch commander is responsible for all prisoners in the holdover. Reminder: twenty-four (24) hour rule begins when the suspect arrested.

E. Restraint Chair Use

1. Examples of circumstances in which Restraint Chair may be utilized include, but are not limited to the following, as exigent circumstances may present further requirement for Restraint Chair:
   a. A prisoner who resists and/or assaults Department personnel before, during or following the booking process or at any time during confinement.
   b. A prisoner who threatens or attempts to injure himself/herself or others.
   c. A prisoner who has attempted suicide, who is threatening suicide, or who is assessed through a screening process during booking and deemed to present a risk of suicide or self-injury. NOTE: A prisoner who has attempted suicide will normally be committed to a mental facility as soon as possible. He/she may be secured in the Restraint Chair until transportation.
   d. A prisoner who has assaulted another prisoner or is deemed a threat to other prisoners and there is no alternative to prevent further assaults.
   e. A prisoner who has maliciously destroyed any Department property, equipment or utilities.
   f. A prisoner who attempts to damage or destroy, or is deemed to present a threat to damage or destroy, any Department property, equipment or utilities.
   g. Restraint Chair may be used if one or more of the following elements are present and the On-Duty Supervisor authorizes that use:

      1) Department personnel have witnessed the behavior;

      2) Department personnel have reasonable cause to believe such behavior occurred; or

      3) Department personnel have reasonable cause to believe such behavior will occur.

2. General Rules

   a. The On-Duty Watch Commander must authorize the placement of a prisoner in the chair. The Watch Commander authorizing the Restraint Chair may at any time order discontinuing use of the chair.

   b. Once a prisoner is placed in the Restraint Chair, he/she shall be physically monitored. This shall be performed every 30 minutes and is in addition to video camera monitoring. Checks of the restraint straps shall be conducted to determine that they are secure and are not causing injury to the prisoner.

   c. Tasers and/or OC Spray will not be utilized while the prisoner is restrained in the Restraint Chair.

   d. A prisoner in the Restraint Chair shall not be in a cell with other prisoners, nor are they to be left alone with other prisoners.

   e. Prisoners shall be constantly re-evaluated to determine their suitability for release from the Restraint Chair.

   f. Prisoners in the Restraint Chair shall be positioned to be visible on the video monitor.

   g. The Restraint Chair is NOT to be used as a punishment under any circumstances.

   h. A prisoner confined in a Restraint Chair will be afforded food services at regular meal times and an opportunity to use toilet facilities at least every TWO HOURS.

3. Time Limitations

   a. A prisoner is not to remain in the Restraint Chair for longer than TWO HOURS at a time. Should the prisoner still present a threat to themselves or others, they may be returned to the Restraint Chair at the authorization of a Bureau Commander for another period not to exceed TWO HOURS.

   b. On-Coming Supervisors shall be informed that a prisoner is restrained or had been restrained.

   c. The Bureau Commander authorizing an extension beyond the two hour restraint will notify the Chief of Police by memorandum.

   d. The Restraint Chair will be stored in the Booking Room in the corner adjacent to Cell #5 in the ready to use position.

4. Cleaning and Preparation

   a. When the Restraint Chair is contaminated with body fluids or other potentially infectious materials, it will be immediately disinfected to control the spread of communicable diseases.

   b. The Restraint Chair will be thoroughly cleaned and disinfected after each use. All buckles and straps will be returned to the ready position in accordance with training. It is the responsibility of the Watch Commander at the time the prisoner is released from the Restraint Chair to see that the equipment is returned to the ready position.

   c. When not in use, the Restraint Chair will be stored in a designated area.

5. Documentation

a. After any use of the Restraint Chair, a supplemental report shall be generated and added to the original report which documents the initial arrest of the prisoner. The supplemental report will document the following:

1) The approving supervisor's name.

2) Circumstances why the subject was placed in the restraint chair.

3) Length of time restrained.

4) The time the subject was released from the chair.

5) Time logs of all checks of the restrained subject.

6) Indicate whether soft restraints or handcuffs were used.

7) Any other relevant information.

8) When the inmate is released the written log shall be attached to the booking sheet and forwarded in accordance with departmental procedures.

b. In any incident in which the Restraint Chair is deployed a Defensive Action (Form BPD#16) will be completed and forwarded through the chain of command.

6. Training

Training on the proper use of the Restraint Chair, per manufacturer guidelines and review of this policy shall be conducted yearly to assure the proper and safe use of this instrument.

F. CONCLUSION

Only police officers can protect themselves from the hazards involved in handling prisoners. By exercising good judgment and reasonable care, officers can maintain a margin of safety which will allow the handling of prisoners in a successful manner.

BY ORDER OF: Kevin B. Scott 1-5-18

Kevin B. Scott, Chief of Police — Date

MPCCF REFERENCE

34.1, 34.2, 34.3, 34.4, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-07

EFFECTIVE:	MARCH 20, 2014	CANCELS:	20-07
TO:	ALL PERSONNEL	INDEX AS:	JAIL MEDICAL BILLS
SUBJECT:	MEDICAL BILLS FOR INDIVIDUALS IN POLICE CUSTODY		PRISONERS

The purpose of this General Order is to establish procedure for the medical cost of individuals in police custody.

I. GENERAL

In order to meet its constitutional obligations, the City of Ballwin Police Department will guarantee payment of medical bills of individuals in police custody when such guarantees are necessary to obtain needed medical treatment.

II. PROCEDURE

Individuals in police custody will be transported for medical treatment, as necessary, by department vehicle or ambulance. Arrested individuals in need of medical treatment are not to be released from police custody without providing the necessary transportation or transportation arrangements to secure medical care. In order to minimize cost, the following procedure will be followed when the individuals in police custody require medical treatment.

A. Protective Custody

Individuals on protective holds will be released from custody to a family member or other responsible individual and transported for medical treatment.

B. Ordinance Violations

Unless extenuating circumstances exist, individuals under arrest for ordinance violations will be issued a summons, released from custody and transportation to a medical facility will be arranged.

C. Municipal Court Sentence

Arrangements may be made with the Municipal Court Judge to secure the release of an individual serving a Municipal Court sentence when necessitated by the medical needs of the individual. The Chief of Police or Bureau Commanding Officer will determine whether to petition the Judge for such release. In the event the Municipal Judge is not available, the Chief of Police will determine whether the prisoner is to be released and transported for necessary medical treatment.

D. State Offenses

1. Individuals under arrest for state offenses, prior to issuance of a warrant, may be issued a summons (in the case of state traffic offenses) and released from custody or released from custody pending warrant application, and transported for medical treatment. The Chief of Police or a Bureau Commanding Officer will, based on the circumstances, determine whether or not the individual is to be released. If it is determined to hold a prisoner on state charges, warrant application will be made as soon as possible

2. Individuals being held on the authority of a state warrant are the responsibility of the issuing authority. The issuing authority is to be contacted, and such prisoners transported for necessary medical treatment. The City of Ballwin Police Department will not assume the responsibility for the payment of the medical bills.

E. Holds For Other Authorities

Individuals being held in the City of Ballwin holdover for other law enforcement agencies will receive medical treatment upon the authority of the arresting agency. Authorization should be confirmed by teletype and verification the Agency desires to retain their hold order/want. The City of Ballwin Police Department will not assume the responsibility for the payment of their medical bills.

F. Endangerment To Health

Emergency medical treatment, as necessary, will be sought for every individual in custody of the Ballwin Police Department regardless of their prisoner status. When delay in securing an individual's release could jeopardize that individual's medical condition, medical treatment shall be obtained and the medical bills will be guaranteed by the City of Ballwin.

G. Upon obtaining a Fit for Confinement, the officer obtaining the fit will complete a Request for Restitution of Medical Payment (BPD # 77). The Request for Restitution shall be attached to the police report and the narrative section should include detailed information relating to the fit.

The Request for Restitution shall be forwarded to the Bureau of Administration and logged into a Restitution computer file for tracking. Request for Restitution of Medical Payment forms are then forwarded to the Municipal Court Clerk.

As medical bills for Fit for Confinements are received, those bills are to be documented in the computer restitution file, and a copy of the bill should be forwarded to the Municipal Court Clerk.

BY ORDER OF: Chief Steven Schicker 3/26/14
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 4/8/14
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

35.7

BALLWIN POLICE DEPARTMENT

REQUEST FOR RESTITUTION OF MEDICAL PAYMENTS

Date	
Case Number	
Subject Name	
Date of Birth	
Social Security Number	
Officer Handling	
Previous FIT obtained	☐ Yes ☐ No (this section to be completed by Command Staff)
Nature of Illness/Complaint	
Fit Obtained	☐ Yes ☐ No
Subject admitted to hospital	☐ Yes ☐ No
Subject transported by	☐ Ambulance ☐ Police

Signature of Supervisor preparing this report

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-08

EFFECTIVE:	JANUARY 9, 2015	CANCELS:	GENERAL ORDER 10-07
TO:	ALL PERSONNEL	INDEX AS:	INCARCERATION OF PRISONERS PRISONERS
SUBJECT:	INCARCERATION OF MUNICIPAL PRISONERS		

I GENERAL

On occasion, the Municipal Judge of the City of Ballwin will sentence defendants to short term periods in the detention facility located in police headquarters. The purpose of this General Order is to provide uniform guidelines for the processing, incarceration, and releasing of the sentenced prisoner, and to accurately document activities pertaining to their care. Under no circumstances shall a court ordered municipal prisoner be held in our facility for a time period exceeding 48 consecutive hours. In cases where the overall sentence exceeds 48 hours, there must be at least a 48 hour block between periods of incarceration.

II PROCEDURE

A. Upon sentencing, the Municipal Judge or his designee shall complete a "Municipal Court Commitment Order". This form must state the defendant's name, charge, and times the defendant is to serve his/her sentence. The form must be signed by the Municipal Judge or his designee.

B. This form should be forwarded to the Commander of the Bureau of Field Operations whose responsibility is to:

1. Notify the applicable on-duty supervisor of the sentencing.

2. Provide the "Municipal Court Confinement Order" to the applicable on-duty supervisor, which reflects the prisoner's name, charges, dates and times of sentencing, and length of stay.

3. Maintain a record of prisoners who are incarcerated through the utilization of the Ballwin Police Department Court Ordered Confinement Report (BPD #87), which is completed by the on-duty supervisor at admission, and updated by the on-duty supervisor upon release.

4. Insure original "Municipal Court Confinement Order" is updated to reflect the prisoner's admission and release dates and times and is returned to the Municipal Court upon completion.

C. The on duty supervisor's responsibility is as follows:

1. Complete a Ballwin Police Department Court Ordered Confinement Report (BPD #87) – No REJIS Record of Arrest is required, and the Holdover Prisoner Log. The on-duty supervisor will document the admission and release dates and times on the "Municipal Court Confinement Order," which will be retained with the Ballwin Police Department Confinement Report (BPD #87), during the incarceration period, and submitted together through the chain of command at the time of release.

2. Safeguard the prisoner's personal belongings during the incarceration period.

3. Assure that the prisoner is fed and cared for in the manner afforded all persons in custody of this department, i.e., meals at prescribed times, phone calls, access to medical care, monitoring and physical checks on well-being, and appropriate attendance to other legitimate needs expressed.

4. Assure the prisoner is released at the appropriate times and upon release of the prisoner, all documentation regarding the stay should be forwarded through the chain of command to the Commander of the Bureau of Field Operations.

5. If the prisoner does not report for his/her incarceration period, a memorandum should be prepared by the on-duty supervisor documenting the circumstances of the absence. This memorandum should be forwarded through the chain of command to Commander of the Bureau of Field Operations. The Commanding Officer shall then notify the Court of the absence.

6. If the prisoner complains of sickness which would require medical treatment, the subject should be released and, if necessary, emergency care sought. Authorization for Release should be attempted in the following order:

   a. Municipal Judge

   b. Municipal Court Clerk

   c. Commander of the Bureau of Field Operations

   d. Commander of the Bureau of Administration and Operational Support

   If none of these individuals can be contacted or in life threatening situations, the on-duty watch commander has the authority to release the incarcerated subject.

II CONCLUSION

Utilizing a uniform procedure in the handling and care of sentenced prisoners provides the Police Department and its employees a plan of action that addresses the safety and security of the prisoner, and minimizes the risk of civil liability to the Police Department.

BY ORDER OF: Chief Steven Schicker 1/9/15
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 1/26/15
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

35.8

BALLWIN POLICE DEPARTMENT

COURT ORDERED CONFINEMENT REPORT

Location of Confinement	Length of Sentence
Confinement Date and Time	Release Date and Time

COURT ORDER MUST BE ATTACHED TO THIS REPORT.

MEDICAL LOG MUST BE COMPLETED.

SUBJECT CONFINED

Name:	Address:	City:	State:	Zip:	Phone:
SSN:	DOB:	Age:	Race/Sex:	Height:	Weight:
Emergency Contact:		Address:			Phone:

Medical Information:

Records Check performed by:_____

_____ **No Warrants/Wants found** _____ **Warrants/Wants found**

Notes:

Signature/Officer & DSN	Approved/Immediate Supervisor	Final Approval/Commanding Officer

BPD# 87

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-09

EFFECTIVE:	FEBRUARY 16, 2018	UPDATED:	ORIGINAL
TO:	ALL PERSONNEL	INDEX AS:	PRISONER DEATHS UNCONSCIOUS PRISONERS
SUBJECT:	IN-CUSTODY DEATHS		

The purpose of this General Order is to establish procedure in the event of an in-custody prisoner death or the discovery of an unconscious prisoner.

I. GENERAL

It is the policy of this Department to insure that all in-custody prisoner deaths are properly investigated. To insure the integrity of the investigation, in-custody prisoner deaths will be investigated by an outside law enforcement agency.

II. DEFINITIONS

For the purpose of this policy, "in-custody" refers to any person(s) who is in Department custody, from the point of apprehension until such time as they are released from custody.

III. PROCEDURE

A. All prisoners are monitored electronically by surveillance cameras while being held in a Department holding cell, by members of the Communications Unit. Should a communications officer or police officer discover an unconscious prisoner, the Communications Unit will immediately summon emergency medical assistance. The discovering or responding officer will begin first aid/lifesaving efforts until emergency medical assistance arrives on scene. When an in-custody death has occurred, the scene will be secured and the on-duty supervisor will be notified immediately.

B. The on-duty supervisor will make notification to the Administrative Team.

C. Upon arrival to the scene of an in-custody death, the Chief of Police (or a designee) may contact an outside law enforcement agency and request their assistance in investigating the matter.

D. An administrative investigation may be initiated by the Commander of the Bureau of Operational Support (Internal Affairs) AND a separate investigation may also be initiated by the designated outside law enforcement agency.

BY ORDER OF: Kevin B. Scott 2-16-18

Kevin B. Scott, Chief of Police — Date

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-01

EFFECTIVE: MARCH 18, 2014 UPDATED: NOVEMBER 22, 2017

TO: ALL PERSONNEL INDEX AS: HOLDOVER ENTRY
SALLYPORT OPERATION
BOOKING PROCEDURES
PRISONER PROCESSING
WEAPONS IN HOLDOVER

SUBJECT: HOLDOVER ENTRY AND PRISONER PROCESSING PROCEDURES

I. PURPOSE

The purpose of this General Order is to specify the policies and procedures that will assure that detained individuals brought into the Ballwin Police Department holdover facility are well cared for. In addition, this order shall require that all issues relative to officer/prisoner safety will be followed.

II. DEFINITIONS

A. **Prisoner**: A person who is lawfully held in the facility. This includes persons under arrest, held under a court order, held for investigative detention, and those persons in custody while obtaining physical evidence.

B. **Holdover Facility or Area:** That portion of police department facility specifically designed for the temporary detention of persons in custody. The holdover facility shall not be used for overnight lodging of homeless persons or temporary detention of juveniles. No other portion of this facility or other department facilities may be used as a holdover area.

C. **Holding Area or Cell:** A single designated cell within the holdover facility used for the temporary detention of persons in custody prior to and after booking. No other area, including interview rooms, may be used as a holding or detention area.

D. **Booking Room:** The secure area adjacent to the sallyport and the holdover cells that provides for the safe processing of prisoners prior to their placement in the department's holdover facility.

E. **Sallyport:** The secure vehicular, drive-through garage area immediately adjacent to the Booking Room. The sallyport is to be utilized for use by police vehicles when transporting prisoners to and from the holdover facility.

III. HOLDOVER FACILITY ENTRY

A. Entry To Holdover Facility

1. It should be noted that it is the responsibility of all department personnel to exercise the highest degree of caution when dealing with prisoners, no matter what the offense. Officers shall always secure all firearms, knives (including officer's personal pocket knives), tasers and other unauthorized weapons in one of the gun lockers located at the two entry points into the holdover facility. Officers are authorized to take their department issued ASP baton and pepper spray with them into the holdover facility. Those weapons that are generally prohibited in the holdover area under normal circumstances may be utilized under exigent circumstances to prevent injury to an officer or other persons in the cell area. In the event that this should occur, a supervisor shall be notified as soon as practical.

2. Prisoners shall be brought into the facility via the sally port entrance or escorted directly from the lobby or parking lot through the rear door by the detective office.

   a. When prisoners enter the facility via the sally port the following procedures are to be followed:

      1) Officers shall enter the sally port via the garage entrance and park their vehicle as far forward as possible.

      2) Officers shall exit their vehicle, and secure their firearms, tasers and knifes along with their vehicle keys in one of the gun lockers located outside the holdover entrance while the sally port garage door is in the process of closing.

      3) Officers shall retrieve their prisoner from the vehicle only after the sally port garage door is closed and their weapon(s) is secured.

      4) Officers shall escort the prisoner from their vehicle into the booking room through the holdover door being careful that the prisoner does not trip or fall.

      5) Upon gaining access to the booking room officers will direct their prisoner to stand in front of the booking room counter. The prisoner shall remain handcuffed until the officer has the opportunity to thoroughly search the prisoner, removing all property in the process and placing it on the booking counter. Once the prisoner has been searched, the officer may remove the handcuffs if he deems the prisoner cooperative. The prisoner will then pass through the walk-through metal detector prior to being placed in the "caged" booking area. In the event other prisoners are present in the caged area, the prisoner shall be directed to sit on the metal stool located in front of the cells in the booking room. In such cases, the prisoner will remain handcuffed or secured (by handcuffs) to the "I" bolt attached to the exterior cell wall. The most recent prisoner will remain there until he can be searched and placed in the "caged" booking area.

b. Walk-in, Lobby and Court arrests

1) Officers assigned to make walk-in or Court arrests should contact Communications personnel and ensure that the warrant/wanted has been verified as active and the suspect has been run for a record check to determine their arrest history/caution code status.

2) Officers shall next contact the suspect in the lobby or escort them from the Court to the lobby. The officer shall place the suspect in handcuffs and conduct a "pat down" search of their person. The officer will then escort the suspect from the lobby into the Police Department by way of the sally port or rear door by the detective office. The suspect shall not be escorted through the administrative area of the Station.

3) The officer shall secure their weapons in a gun locker located at either entrance to the holdover facility prior to entering.

4) Upon securing their weapon(s), the officer shall escort the arrestee into the booking area. Once in the booking area, officers should follow the procedures outlined above.

3. Prisoners received from another agency shall be positively identified by the receiving officer. It may also be necessary to request identification of the officer presenting the prisoner and verify his/her authority to make the commitment. Officers shall call the agency of the person presenting the detainee, if there is any question or concern regarding the person's authority.

a. Prisoners held under contract will be checked in by a Ballwin supervisor with the approval of the Ballwin Watch Commander. The Prisoner Activity Log will be completed and signed by the officer requesting the prisoner to be held.

4. Doors from the interior hallway and sallyport should be locked at all times in which a prisoner is in a holding cell, during processing, or removed from the cell for any reason.

B. All persons in the custody of department personnel will be controlled and secured in a manner that will protect the safety of the arrestee and others. All arrestees will be considered potentially dangerous, regardless of the charges against them.

C. Any items discovered during a search by the officer will be removed and either placed with the arrestee's property or impounded. Any contraband or weapons discovered during the search will be seized and placed into evidence. A report documenting the incident must be completed and if necessary the arrestee shall be charged with the appropriate offense.

D. Whenever an arrestee is removed from the holdover area, the officer returning the arrestee to the holding cell is responsible for searching the arrestee prior to the arrestee re-entering the holding the cell.

E. The types of searches authorized are outlined in General Order 34-04.

IV. BOOKING PROCEDURES OVERVIEW:

A. The arrestee's name, race, sex, and date of birth will be listed on the prisoner DCN card located in the communications office.

B. The officer will conduct a thorough search of the arrestee and all personal property will be removed and documented.

C. An arrest/booking record form (booking sheet) will be completed for every adult arrestee.

1. The arresting officer will complete the arrestee's personal identification, arrest information, and charge information areas.

2. The officer will evaluate the person's charges and determine if he is eligible to post bond. All eligible arrestee's will be offered the bond option at the time of booking. The officer will record this by indicating the bond amount on the booking sheet.

D. The officer shall inquire and note the following using a Department Prisoner Activity Log before placing the prisoner in a cell or transferring him to another detention facility:

1. Current health problems and medications, if any. See General Order 34-03 concerning Fit for Confinement procedures.

2. Make note of behavior, threats made, mental status, consciousness level, deformities, signs of trauma etc.

E. The officer will photograph the arrestee and fingerprint them based on guidelines of the Missouri State Highway Patrol and Federal Bureau of Investigations concerning criminal history records.

F. The officer will supervise and document arrestee telephone calls made during the intake process and place the arrestee in a cell.

G. The officer will complete all paperwork specific to the incident such as summonses, and the booking sheet. The officer will also complete the remaining paperwork to include the prisoner log and fingerprint cards.

V. Prisoner Property Intake:

A. Personnel booking the prisoner will inventory and itemize all of the prisoner's property on the Arrest/booking record form as soon as possible. All open and closed containers will be inventoried.

B. If the prisoner's property includes money, the officer will count the money aloud in front of the prisoner. The officer will then write the itemized amount on the booking sheet, then place the money in the property envelope and seal the envelope.

C. The prisoner will be required to sign the arrest/booking record form property list after the officer reads it aloud to him. If the prisoner refuses to sign, the officer will write, "REFUSED" in the signature block.

D. If the prisoner is to be transported to another detention facility, the officer will complete and sign the booking sheet in the property section. The prisoner will also sign the booking sheet acknowledging the transfer of property.

E. The prisoner's property will be secured in a numbered prisoner's security locker inside the holdover facility. The key to the locker will be placed inside the key box, located in the pass-through area between booking and communications. The number of the locker shall be noted on the booking sheet and the Prisoner Log.

VI. PRISONER RECORDS:

Officers will ensure that prisoner's records are maintained in a secure manner and are not disclosed to unauthorized persons.

A. Report Forms

1. The arresting officer shall ensure that a CARE or other appropriate report is completed outlining the facts and circumstances surrounding the arrest.

2. The booking sheet, fingerprint cards, and supporting documents for each subject in custody will be placed on the door of the cell the prisoner is housed in.

3. Upon release of the prisoner, all related records will be forwarded to the Records Unit via the chain of command.

4. Persons who are not authorized to view the information must be escorted at all times while in the holdover facility.

VII. FINGERPRINTING:

A. Adults-All adult arrests will be fingerprinted according to standards on criminal history records as established by the Missouri State Highway Patrol and the Federal Bureau of Investigations

1. If a prisoner refuses to give prints, he will be held for an initial court appearance or until he completes the fingerprint process. A memo explaining the circumstances shall be forwarded to the Commander, Bureau of Field Operations. Subjects will not be released from custody until the prints are completed, unless at the direction of the Chief of Police.

B. Juveniles- See General Order 25-01 for juvenile processing.

VIII. PHOTOGRAPHS:

A. Adults

1. All adult prisoners shall be photographed.

2. To ensure proper alignment, the prisoner will be seated in the booking cage. The subject must look straight ahead with his eyes open.

3. Using the toggle switch for the camera, center the cross hairs on the prisoner's head. Select "Freeze" to take the picture, then save the picture.

4. The process shall be repeated for the right profile, having the prisoner turn his head and face appropriate direction.

B. If a prisoner refuses to be photographed, he will be held for an initial court appearance or until he completes the photographic process. A memo explaining the circumstances shall be forwarded to the Commander, Bureau of Field Operations. Subjects will not be released from custody until the photographs are completed, unless at the direction of the Chief of Police.

C. Juveniles- See General Order 25-01 for juvenile processing.

IX. TELEPHONE CALLS:

A. Arrestees will have the opportunity to communicate with an attorney of their choice and/or a member of their family by making a reasonable number of telephone calls.

1. Prior to being placed in the cell, all telephone calls will be documented on the prisoner activity log.

2. Long distance telephone calls shall be collect calls.

3. During the booking process, officers shall record the time each call was made, the name of the person called, and if the call was completed on the prisoner activity log at the time the call is placed.

4. At least one call will be allowed as soon as possible during the booking process.

5. Officers shall notify prisoner of monitored or recorded calls.

6. If the call is not completed, circle "no" on the prisoner activity log. This will document the fact that the officer attempted to allow the arrestee to contact someone at the time of the arrest/booking.

7. Telephone calls will only be allowed to make bond arrangements, contact an attorney, contact a family member, or to arrange a ride.

8. Persons making incoming calls to arrestees will be notified that the message of their call will be forwarded to the arrestee.

9. There may be occasions when an arrestee is not immediately allowed a telephone call. Delaying calls is permitted only with the approval of the watch commander.

10. Delays may be authorized for cause, including related arrests that are pending or a search warrant that is in the process of being served and when a telephone call could jeopardize the on-going investigation.

11. Violent arrestees may be denied a telephone call until such time as it is safe to allow them to use the telephone.

12. Officers shall place the following information concerning the denial of telephone calls on the arrestee's cell door:

    a. The watch commander authorizing the restriction.

    b. The length of time calls will be restricted.

    c. The name of the officer requesting the restriction.

X. CONFINEMENT PROCEDURES

1. Prior to being placed in a cell, all prisoners will be searched. This is in addition to the search conducted when a prisoner initially enters the detention area. In addition the cell shall be searched prior to use and after it is emptied. These tasks shall be the responsibility of the officer placing the prisoner in the cell as well as the officer who eventually releases a prisoner. A handheld metal detector is available to assist in these searches.

2. Female prisoners will be processed in a manner that maintains sight and sound separation from male prisoners. Male prisoners awaiting processing shall be placed in a holdover cell while a female is processed.

3. Prisoners who are expected to be held over one (1) hour will remove their outer clothing, including t-shirts and socks, and will wear a "paper suit". Female prisoners will remove their brassiere. While changing into the "paper suit" prisoners will step into the shower/rest room area of the holdover facility. The arresting officer will stand out of view of the prisoner and direct them to toss their removed clothing items out into the hallway as they change into the suit. If the prisoner is a different gender than the arresting officer, an officer of the same gender should be used for this portion of the process. The prisoner's clothing will be searched for contraband before being placed into the property locker.

4. The prisoner's name, sex, offense, twenty-four (24) hours time and property locker number will be listed on the DCN card kept in the communications office.

5. The prisoner's shoes, belt, glasses and any other articles of clothing that the subject could use to injure himself or others will be removed and placed in a property locker.

6. Prisoners will not be given a blanket if they seem depressed or despondent. The arresting officer shall notify the communications officer so that the prisoner may be closely monitored. The arresting officer shall not place a prisoner in a holding cell that has talked about committing suicide or shown signs of being a suicide risk.

7. Keys to the property lockers and to the cells are secured in a drawer of the booking counter in the holdover facility. The keys shall be kept there except when they are in use. A backup set of keys will be maintained in gun locker #6 located in the interior hallway leading into the holdover.

XI. PROCESSING DWI PRISONERS:

1. Persons arrested for DWI will be transported to the station and shall be brought into the facility following the procedures outlined previously in this order.

2. Once the prisoner has entered the facility and has been searched the officer shall advise the prisoner of his rights per the Miranda decision and of the Missouri Implied Consent Law utilizing the AIR form for guidance.

3. The officer shall observe the prisoner for 15 minutes prior to administering the chemical breath test.

4. In the event the prisoner requests the opportunity to contact someone for advice the officer shall make available the telephone and phone book following the "20 minute rule." The officer shall document all calls following procedures outlined previously in this order.

5. During the 15-minute observation period, officers may complete booking tasks including booking sheet, photographing, fingerprinting, and the inventory/securing of property.

6. It is important for officers to remember that prisoners will not be allowed to utilize the restroom or introduce any substance into their mouth (example water, gum, etc.). The prisoner should remain in the caged portion of the booking area and should be under constant supervision of the officer.

7. After the 15-minute observation period has expired, officers will escort the prisoner into the breathalyzer room and administer the chemical breath test following procedures outlined on the AIR form. It should be noted, officers who are certified intoxilyzer operators shall run their own tests. Officers who are not certified shall contact the watch commander and request that a certified officer be dispatched to the station to conduct the test.

8. Upon completion of the chemical breath test, officers shall complete necessary paperwork and booking procedures. The prisoner will then be released or held pending the posting of bond.

BY ORDER OF: Kevin B. Scott 11-22-2017

Kevin B. Scott, Chief of Police — Date

MPCCF REFERENCE

32.4, 34.4, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 35-01A

EFFECTIVE:	MARCH 21, 2014	REVISED:	AUGUST 1, 2017
TO:	ALL PERSONNEL	INDEX AS:	HOLDOVER OPERATIONS PRISONER ESCAPE PRISONER RELEASE
SUBJECT:	HOLDOVER OPERATIONS		

I. PURPOSE

The purpose of this General Order is to specify the policies and procedures that will assure that individuals detained by the Ballwin Police Department are well cared for. In addition, this order shall require that all issues relative to officer/prisoner safety will be followed.

II. DEFINITIONS

A. **Prisoner:** A person who is lawfully held in the facility. This includes persons under arrest, held under a court order, held for investigative detention, and those persons in custody while obtaining physical evidence.

B. **Holdover Facility or Area:** That portion of police department facility specifically designed for the temporary detention of persons in custody. The holdover facility shall not be used for overnight lodging of homeless persons or temporary detention of juveniles. No other portion of this facility or other department facilities may be used as a holdover area.

C. **Holding Area or Cell:** A single designated cell within the holdover facility used for the temporary detention of persons in custody prior to and after booking. No other area, including interview rooms, may be used as a holding or detention area.

D. **High Risk Detainee:** A person who is in custody and poses a greater than usual threat of escape, assault, or suicide while in custody. This may include those impaired by drugs and/or alcohol, those with previous escape attempts or assaults on police, those who have made statements or comments about security, escaping or suicide, and/or those who have unusually serious charges pending.

III. HOLDOVER OPERATIONS ACCOUNTABILITY/RESPONSIBILITY

A. The overall security of the detention facility, the prisoners, police officers and authorized visitors is the responsibility of the on-duty watch commander. He will:

1. Ensure required security checks are performed.

2. Limit access to the holdover area to essential personnel only. Supervised access may be given on a limited basis when approved by a supervisor.

3. Ensure that prisoners are fed in a timely manner.

4. Ensure that communications personnel regularly monitor prisoners via closed circuit cameras.

5. Ensure that all employees follow established security policies in the holdover areas.

B. Prisoners shall not be detained in the holdover facility in excess of twenty-four hours without a warrant. Prisoners shall not be detained in the holdover facility in excess of forty-eight (48) hours without the permission of a Bureau Commanding Officer or the Chief of Police. Under no circumstances shall anyone be detained in the holdover facility in excess of seventy-two (72) hours.

C. All persons in the custody of department personnel will be controlled and secured in a manner that will protect the safety of the arrestee and others. All arrestees will be considered potentially dangerous, regardless of the charges against them.

D. Any items discovered during a search by the officer will be removed and either placed with the arrestee's property or impounded. Any contraband or weapons discovered during the search will be seized and placed into evidence. A report documenting the incident must be completed and if appropriate the arrestee shall be charged with the appropriate offense.

E. Whenever an arrestee is removed from the holdover area, the officer returning the arrestee to the holding area or cell is responsible for searching the arrestee prior to the arrestee re-entering the holding area or cell.

F. The types of searches authorized are outlined in General Order 34-04.

IV. TRAINING FOR OFFICERS WITH ACCESS TO THE HOLDOVER FACILITY

All commissioned personnel have received "First Responder" medical training during their initial police academy training. All employees who use or frequent the detention facility will review detention policies and security procedures at the time of hire and as needed during their employment. Training will be provided to all commissioned personnel to include the proper use of available fire suppression equipment, approved emergency evacuation procedures, and biennial CPR/AED training. These topics shall be addressed, periodically, as part of the department's annual in-service training program.

V. PRISONER CELL ASSIGNMENTS

A. Procedures

1. Prior to being placed in a cell, all prisoners will be searched. This is in addition to the search conducted when a prisoner initially enters the holdover area. In addition the cell shall be searched prior to use and after it is emptied. These tasks shall be the responsibility of the officer placing the prisoner in the cell as well as the officer who eventually releases a prisoner.

2. Whenever possible, prisoners should be placed in cells separately; in order to protect them from other prisoners and to, as much as possible, allow for privacy. Female prisoners shall never be housed in the same cell or detention area with male prisoners, including temporary detention in the booking area, even if separated by security caging.

3. Juveniles shall not be placed in a cell under any circumstances. See General Order 25-01 for further on housing Juveniles.

4. In order to provide sight and sound separation between male and female prisoners, female prisoners shall be placed in Cell 2. If sight and sound separation cannot be adequately achieved, the on-duty watch commander shall either release certain prisoners or temporarily house them with St. Louis County Justice Services.

5. Keys to the property lockers and to the cells are secured in a designated drawer in the booking area. The keys to cells shall be kept there except when they are in use. A backup set of keys will be stored in gun locker #6 adjacent to "A" door. Access to the Holdover area is obtained through the use of an intercom system operated by communications personnel.

6. Bedding and shower facilities shall be provided upon the request of a prisoner held in excess of eight hours. Prisoners that are exceptionally soiled will also be allowed to shower. Such a request should be denied when a detainee is determined to be a suicide risk.

7. To prevent violations of a detainee's constitutional rights, all records pertaining to an individuals arrest shall be safeguarded from unauthorized view by the general public. The practice of posting Booking Sheets on the cell door and the Prisoner DCN card in communications for easy supervisory access is acceptable; however, all names, addresses and photos of the suspect must remain concealed from view by the general public.

VI. EXCEEDING CAPACITY OF HOLDING FACILITY

When the number of prisoners to be housed exceeds the normal capacity of the holdover facility, the following steps will be taken as necessary:

A. Notify the watch commander.

B. Place nonviolent prisoners in the caged area in booking

   1. Subjects will remain handcuffed while in the caged area

   2. Request additional patrol officers to supervise the prisoners, as may be required

C. A request may be made of St. Louis County Justice Services to temporarily hold prisoners.

D. The watch commander may evaluate prisoner status for possible candidate's early release or release on summons or citation.

VII. WARRANT APPLICATION & MUNICIPAL BOND

A. Prisoners shall be given the opportunity to post bond on all municipal charges. If the Prisoner is unable to post bond, they will be held for 24-hours. At the end of the 24-hour period, it will be the responsibility of the on-duty watch commander to determine whether or not warrants should be obtained from the municipal judge or the prisoner may be released pending warrant application.

B. In the event warrants are sought and obtained the prisoner will be held for no more than seventy-two (72) hours in the department holdover, they will then be conveyed to St. Louis County Justice Services and held until the first available municipal court date by order of the Municipal Court .

C. In some instances, with supervisory approval, it may be appropriate to release prisoners charged with State violations pending application of warrants at a later date.

D. If the prisoner is held for warrant application the prisoner should be booked at the police department and then placed into a cell while the officer completes the pertinent reports/paperwork.

E. Upon completion of the appropriate paperwork the officer shall convey the prisoner to the St. Louis County Justice Services Intake and remand the prisoner to the intake staff. The officer shall inform the County Intake staff that warrant application is being made and that they will contact the staff with a disposition as soon as possible.

F. The officer shall make warrant application.

G. If the warrant is issued the officer shall serve the warrant to the in-custody prisoner following the guidelines established by the warrant office and St. Louis County Intake facility.

H. In the event warrants are not issued the officer shall notify the holdover staff to release the prisoner.

I. Officers are responsible for ensuring that prisoners sign all court documents and court orders following issue. The officers are also responsible for returning all documents to the court clerk.

J. All persons who are arrested and booked into the Ballwin Police Department detention facility on municipal charges will be offered the opportunity to post bond using the Municipal Court Bond Schedule.

K. The bond-out may occur at any time in the detention process. However, at no time will the person be released prior to the completion of the booking process.

L. The booking officer will evaluate the arrestee's charge(s) to determine if he is eligible for a bond posting at the time of intake. If the prisoner is eligible, the booking officer will offer the process to the prisoner and will document this by recording the bond amount on the booking sheet.

M. The procedure for processing municipal bonds is detailed in General Order 37-01.

VIII. PRISONER RELEASES

A. Adult prisoner

1. Prior to the release of any prisoner, the releasing officer will positively verify the subject's identity using all of the following steps:

    a. Have the prisoner verbally identify himself.

    b. Match the physical appearance of the prisoner to the description and photograph on the booking sheet.

    c. Make sure the cell assignment listed in communications is the same as the prisoner's actual location.

    d. Make sure the identification in the prisoner's property matches the subject being released.

2. The prisoner's property will be returned in the following manner:

    a. After obtaining the correct key, the releasing officer shall remove the property packet from the locker and place it on the booking counter.

    b. The contents of the packet shall be compared with the itemized list on the Arrest/Booking Report form.

    c. The releasing officer shall count any money aloud to the prisoner and then request that the prisoner verify the amount.

    d. The prisoner will be requested to acknowledge receipt of his property by signing the booking sheet. If he refuses to sign, the releasing officer will write "Refused" in the signature block.

3. The officer releasing the suspect shall be responsible for issuing any completed citations or other forms contained in the prisoner's detention packet.

4. The released prisoner should be escorted from the Booking area to the rear door of the station next to the Division of Criminal Investigations office. In the event of inclement weather the released prisoner may be escorted to the lobby area of the department. Prisoners released to other agencies will be released through the sally-port. After the prisoner is released the releasing officer will retrieve his firearm.

5. The releasing officer shall complete the bottom section of the booking sheet indicating the date and time of release and other required information.

6. Upon successful release of the prisoner an inspection of the cell will be conducted by the releasing officer for weapons and contraband.

B. Juveniles in custody:

Prior to the release of any juvenile detained at the Ballwin Police Department, every effort should be made to positively verify the subject's identity. In most cases, a juvenile will be held for a short period of time awaiting the arrival of a parent or guardian to whom they will be released. In such cases, the parent or guardian may assist in the identification process when the juvenile's identity cannot otherwise be positively verified. In cases where a juvenile is in custody for traffic related misdemeanor charges, such as DWI or Leaving the Scene of an Accident, Officers shall follow the same identification verification process as outlined for adults in Section VIII, A, 1, above. Refer to General Order 25-01 for additional information on juvenile procedures.

C. Releasing Significantly Impaired Prisoners

If a prisoner is significantly impaired, such as by intoxication, and is clearly a danger to himself or the public, he shall not be released until such time as that danger no longer exists.

D. Temporary Release under Unusual Circumstances

The department operates a temporary facility and does not allow any form of temporary release such as for a death in the family or reading of a will, unless court approval for such activities is obtained. Prisoners in such circumstances may only be released following the criteria established in this policy, unless specified otherwise by the Chief of Police.

IX. OTHER AGENCY DETAINEES

Prisoner held for other agencies will be held under the same regulations as those applied to Ballwin prisoners.

X. SUPERVISION OF PRISONERS

A. Procedures

1. The department will provide 24-hour a day supervision of all prisoners via the camera surveillance system located in communications.

2. Communications personnel will visually observe all prisoners at intervals no greater than 30 minutes. Physical checks will be made at the discretion of the watch commander and will take into consideration the risk potential of the prisoner(s). Prisoners will not be notified in advance of a physical inspection.

3. High-risk prisoners, such as escape risks, suicidal prisoners or those impaired by drugs or alcohol, will be personally observed no less than once every 15 minutes. This may be accomplished by the use of the camera surveillance system.

4. Checks/counts of prisoners will be conducted at the beginning of every twelve-hour shift. The officer responsible for making the check shall document the check on the Holdover Inspection Log (BPD #3).

5. When occupied by a prisoner, all cell doors and holdover facility doors shall remain closed and locked except during movement through the doors or maintenance of the doors or facility.

6. Unoccupied cells shall be left unlocked with their doors opened. The doors to all other rooms within the holdover facility shall be kept closed when not in use.

7. An officer shall not enter an occupied cell alone. If an emergency situation arises where an officer must do so in order to ensure health or safety concerns, they shall first notify the communications personnel, allowing them to monitor the officer's interaction with the prisoner(s) via video camera surveillance.

B. Surveillance Equipment

1. The police department has video cameras and audio monitors strategically located throughout the facility to allow surveillance of cells and other areas in the station.

2. Video monitors for the cells are located in the communications office on the main floor of the police department.

   a. Communications Officers are responsible for monitoring the cameras to ensure the security of the facility.

   b. If a situation requires constant monitoring such as a combative or suicidal prisoner, the communications officer will inform the watch commander of the situation immediately. The communications officer will lock the camera monitor on and closely observe the cell in question. In some cases, the on-duty watch commander may choose to assign an additional person to communications to adequately monitor certain high-risk detainees.

C. Supervision of Opposite Gender Prisoners

1. When close supervision is required for prisoners of the opposite gender who are engaged in any activity which, under normal standards of decency, requires personal privacy, the Department will provide an employee of the same gender, or provide the amount of privacy as required. These circumstances shall include changing of the prisoners clothing, attending to bodily functions, or receiving medical treatment that requires the prisoner to disrobe. The view of the toilet area of each cell shall be blocked on the video monitors so as to provide appropriate privacy.

2. Officers will not intentionally make prisoner welfare checks that conflict with the prisoners right to privacy. Officers will announce their presence prior to entering cells occupied by prisoners to avoid unduly embarrassing the prisoner.

XI. SPECIAL POPULATIONS

A. Pregnant Women

Officers will notify the watch commander whenever a pregnant woman is arrested/booked. Every attempt shall be made to place pregnant prisoners into cell 2. Paramedics will be summoned to the holdover immediately to examine any pregnant prisoner complaining of medical problems. The watch commander will be notified immediately of any problems involving a pregnant prisoner.

B. Mentally Handicapped Detainees

Mentally handicapped subjects will not be placed in a cell unless it is necessary to ensure their safety or the safety of others. Officers will provide close supervision of mentally handicapped prisoners. Visual checks will be performed at regular intervals. If a violence potential exists, the prisoner will be treated as high risk and attempts will be made to secure the individual in the appropriate facility.

C. Physically Challenged Detainees

Physically challenged prisoners who are neither violent nor combative will be allowed to retain medical equipment including crutches, walkers, and wheel chairs in their cell. Such prisoners will be isolated from other prisoners as space allows.

D. Violent Detainees

1. Prisoners who demonstrate combative or violent behavior, or who are unable to be controlled by officers will be housed separately from other prisoners. Arrangements may be made with the watch commander to transport the prisoner to the St Louis County Justice Services.

2. No prisoner will be placed in a cell with a subject who is known to be violent or combative.

3. If an assault or threat occurs against the facility, an officer or another prisoner, the aggressor will be isolated and an officer will complete a new CARE report documenting the incident. Should any threat come against a prisoner, an officer, or the facility itself, the appropriate counter measures will be taken at the direction of the watch commander.

4. In selected cases involving violent prisoners, a prisoner may be restrained to the bunk frame. All such cases shall require the approval of the on-duty watch commander.

XII. PRISONER ESCAPE PROCEDURES

A. Policy

In the event of an escape by a prisoner, immediate efforts will be made to return him to custody.

B. Procedure

The following steps will be taken at the discretion of the watch commander, though not necessarily in the given order.

1. The officer who discovers or witnesses the escape will immediately notify communications, and the watch commander.

2. Department personnel will determine if anyone was injured during the escape and obtain medical assistance if needed.

3. Department personnel will determine the number of escapees and whether or not there is a risk of additional prisoners escaping. Further assistance will be requested as needed.

4. Identities, descriptions, and offenses for which the escapees were incarcerated will be provided to the Communications Division immediately along with any other pertinent information.

5. The holding cells and detention areas shall be checked by officers to make sure they are secure. Security doors and cell doors also shall be checked to make sure they function correctly. All remaining detainees shall be secured in their cells. Steps shall be taken to immediately repair any malfunctioning doors or door locks.

6. The chain of command shall be notified immediately.

7. The discovering officer shall complete a CARE report containing full details of the incident.

8. At the successful conclusion of an escape response, the escapee shall be returned to a secure location/cell undamaged by the escape attempt. This may include temporary housing at the St. Louis County Justice Services facility in Clayton. All commanders notified of the escape shall be re-contacted and advised of the escapee's return to custody. Appropriate additional charges shall then be sought against the escapee. Precautions shall be taken to rectify any conditions that may have led to, or facilitated the escape.

XIII. PRISONERS' RIGHTS

It shall be the policy of this Department that the following procedures be followed in order to ensure that all detainees' rights are honored.

A. Feeding

All prisoners shall be provided with three meals during each 24-hour period. It shall be the responsibility of the on-duty watch commander to assure that all prisoners are fed in a timely manner.

1. Those detained in the facility shall be given the following meals: breakfast (0600-1000 hours), lunch (1100-1400 hours) and dinner (1600-1900).

2. The only utensil given to prisoners is a plastic fork. Officers will ensure the fork is returned with the meal tray.

B. Mail

Prisoners are not normally in custody long enough to receive mail. Any items received will be returned to the sender unopened.

C. Visitation

Prisoners are allowed visits only from an attorney, clergyman or others in unusual circumstances but only with the approval of the watch commander.

1. A picture identification shall be obtained from all visitors.

2. The visitor's name will be recorded on the prisoner's activity log.

3. All visitors will be searched before and after accessing the facility.

4. All visits will take place in the interview room. Officers will make every attempt to ensure the visit is confidential, but will not compromise safety in doing so.

D. Medical Assistance

If a prisoner complains of or has signs of obvious illness or injury prior to being admitted to the facility and such illness or injury is not of an emergency nature, a "Fit For Confinement" shall be obtained as called for General Order 34-03.

If after being placed into a cell, the prisoner complains of a non-emergency illness or injury, the Watch Commander shall be notified and shall determine what level of medical treatment shall be sought. If, at anytime, a prisoner complains of an illness or injury that may constitute a medical emergency, Fire District Paramedics will be summoned to evaluate the prisoner and provide advanced life support.

E. Prisoner Medication

Booking officers shall inquire with prisoners during the booking process to determine whether or not they will require medication while in custody. In the event that a prisoner requires medication during their incarceration, the following procedures shall be followed;

1. If the prisoner has essential medication on their person at the time of their arrest:

   a) The officer shall attempt to verify that the medication is in fact authentic. All such medication must be accompanied by a doctor's prescription and must be maintained in its original (prescription pill bottle, etc.) container. The prescription must bear the prisoner's name.

   b) If the officer questions the validity of the medication, they shall notify the on-duty supervisor.

   c) The on-duty supervisor shall consider the facts make a determination whether to administer the medication to the prisoner, release the prisoner, or transport the prisoner to the hospital for a fit-for-confinement pursuant to departmental General Order 34-03.

   d) In the event that the medication possessed by the prisoner is determined to be illegal, the medication should be seized as evidence and the prisoner shall be charged with the appropriate drug violation.

2. If it is determined that the prisoner is in possession of essential, authorized prescription medication, officers shall follow the dispensing instructions listed on the medicine bottle/container.

3. Each administering of medication to a prisoner in the custody of the department shall be noted on the prisoner's activity log. The annotation shall include the dosage administered, the date & time of the dosage, and the officers DSN.

4. The medication should be listed on the prisoner's booking sheet as part of the prisoner's property. When storing a prisoner's prescription medication, officers should place the medicine in the prisoner' assigned property locker outside of the prisoner's property bag, allowing easy access for the administering of future doses.

5. In cases where the prisoner does not have required prescription medication on their person the following options are available to the officer/on-duty supervisor.

   a) An attempt may be made, at the prisoner's request, to contact a friend or family member of the prisoner so that they might agree to transport the prisoner's medication to the police station. In such cases, the officer shall attempt to validate the authenticity of the medication as outlined in Section XIII, D, 1, a) – d).

   b) Transport the prisoner to the hospital for a fit-for-confinement pursuant to departmental General Order 34-03 (requires supervisor approval in such cases).

   c) Release the prisoner (requires supervisor approval).

6. Over the counter medications in the property of detainees shall be seized, recorded on their property log, and placed in their property locker. Only over the counter medications purchased by the Department (aspirin, ibuprofen, etc.) shall be administered to a prisoner and then only at the direction of the on-duty supervisor. Any over the counter medications administered shall be recorded on the prisoner activity log sheet indicating the type, quantity, time and DSN of administering officer.

XIV. SAFETY & SANITATION

A. Fire Detection/Suppression

The holdover facility is equipped with an automatic fire detection/suppression system that is activated by either smoke or heat. The facility's fire equipment consists of a sprinkler system throughout the holdover and within each cell. The Metro West Fire District Fire Marshal has approved this system.

Each Watch Commander shall conduct a daily documented visual inspection of the automatic fire detection devices and of the fire suppression system (BPD #3) to assure that each sprinkler head is free of foreign objects.

A semi-annual test of the fire suppression system to assure proper functioning, and documented testing of the automatic fire detection devices and alarm systems shall be conducted by a licensed agency.

B. Emergency Evacuation of the Holdover Facility

An emergency evacuation plan for the holdover facility consisting of two evacuation routes has been developed and is posted in the holdover area. In the event that an emergency evacuation of the holdover facility is indicated, the on-duty watch commander shall be responsible for assigning the personnel necessary to best complete this task. This shall not prevent any department personnel from acting on a perceived need to facilitate an evacuation of prisoners in order to protect them from a situation that threatens their safety if immediate action is not taken. A rally point has been identified with each evacuation route. Prisoners should be taken to the

respective rally point and controlled by the assigned officers. Prisoners shall be evaluated as soon as practical and if necessary be provided with an appropriate level of medical care. All supervisors shall ensure that personnel under their supervision are familiar with the holdover facility evacuation plan.

C. Facility Inspections

1. It shall be the responsibility of the on duty supervisor to ensure that the holdover facility is checked at the beginning of each tour of duty for the purpose of verifying security and sanitary conditions. The inspection will be documented on the Holdover Inspection Log (BPD #3) kept on Holdover entry door # B.

2. During the checks officers should be alert for any unsafe or unsanitary conditions. Officers shall report these conditions immediately to the on duty supervisor who will notify the City's Building Systems personnel or the Commander, Bureau of Administration.

   a. Officers shall ensure that all rooms in the holding facility, including the caged booking area, are clear of weapons, or items that can be used as weapons, and contraband.

   b. Officers shall ensure that all finished meal trays are removed from cells and disposed of properly.

   c. Officers shall ensure that toilets are flushed and in working order.

   d. Upon release of a prisoner, an inspection of the cell will be conducted by the releasing officer for weapons and contraband. This check is necessary only when the cell is left unoccupied as a result of the release.

D. First Aid Supplies

A first aid kit is kept in a designated drawer in counter of the holdover area. The first aid kit will be inspected at the beginning of day shift and documented on the Holdover inspection log. Whenever an item is used from the kit the Commander, Bureau of Administration will be notified and the supplies replaced.

E. Maintenance Personnel & Tools

For safety reasons, it is essential that every precaution is taken to ensure that no tools or equipment are left in the holdover area by individuals doing regular or special maintenance or repairs.

1. Regular Daily Cleaning Maintenance

In order to provide a safe and clean environment for all detainees, it is necessary for maintenance personnel from the City to enter and clean the holdover area on a daily basis. Under normal conditions, maintenance personnel will communicate with communications personnel via the intercom system to gain access to the holdover area. Maintenance personnel will clean unoccupied cells and the booking area. If there is a prisoner outside of a cell maintenance will wait until the prisoner is secured in a cell. Under no circumstances will maintenance personnel open or enter an occupied cell. Standard cleaning items such as a mop, bucket, and broom may be

taken into the area by these maintenance personnel without prior approval of a supervisor.

2. Equipment Maintenance or Repairs

   a. Maintenance or repairs by City maintenance personnel - Members of the City of Ballwin's Public Works Department or Building Systems, may conduct maintenance or repairs in the holdover cell area without the constant supervision of a member of the Police Department. City maintenance personnel must, however, be let into the holdover area by communications and shall complete a Secured Cell Area Tool Check Form (BPD #51) prior to entering the holdover area and upon completing their work leaving the holdover area. This order will in no way impact emergency medical personnel treating a prisoner in the holdover facility. In this situation the medical emergency first responder and the assisting Ballwin officer will inspect the area for discarded or lost medical tools immediately after the emergency medical treatment is performed. Completed Tool Check Forms shall be forwarded to the Commander, Bureau of Administration.

   b. Maintenance or repairs by individuals not employed by the City are sometimes a necessity. In such cases, the individual must be supervised by a Police Officer at all times when in the holdover area. A Secured Cell Area Tool Check Form shall be completed in such cases as outlined in Section #2 above. Every effort should be made to limit the number of tools taken into the holdover facility to a bear minimum necessary to complete the job.

F. In the event damage or attempts to damage the holdover cell or facility are discovered, officers shall immediately notify the on duty supervisor and make all efforts to stop the damage or correct the condition before further damage is done.

G. It is imperative that any signs of vermin or pests discovered in the holdover facility be reported immediately to the on duty supervisor. The on duty supervisor shall notify the City's building systems personnel through his chain of command so that the appropriate measures can be taken to eliminate the unsanitary condition caused by the presence of vermin and pests.

BY ORDER OF: _____

Kevin B. Scott, Chief of Police Date

MPCCF REFERENCE

21-04, 35-01 – 35.8, 37.1