



Office Of The Sheriff
Allegany County
Maryland

GENERAL ORDER NO: **2-100.00**

TO: All Patrol & Judicial Personnel

RE: **PATROL FACILITIES AND HOLDING AREA**

PURPOSE: The purpose of this policy is to establish policies and procedures for the operation and maintenance of the Patrol Facility.

EFFECTIVE DATE: 2004

REVISION DATE: 3/1/2016

2-101.00 Definitions

- .01 Patrol Facility: Includes the Patrol Building, parking lot, and grounds around the Patrol Building.
- .02 Secured Area of Patrol Building: With the exception of the front door, and waiting area the entire building is a secured area. Access in the secured area is limited to Sheriff's Office employees and persons escorted by Sheriff's Office employees.
- .03 Holding Area: The area in the Patrol Building to include, the processing area and prisoner bench outside of the Property Room.
- .04 Holding Cells: defined as a facility where custodial authority is usually less than 72 hours and where detainees are held pending release, initial appearance, adjudication, or transfer to another facility. Therefore, the holding facility in the Detention Center Building.
- .05 Strip Search: defined as a search in which the arrestee is expected to remove all clothing while a thorough inspection of the clothing and a visual inspection of the body is conducted.
- .06 Body Cavity Search: defined as a search in which a arrestee's anal, vaginal, or digestive areas are searched for evidence, fruits or tools of a crime, contraband, or weapons.

2-102.00 Duties and Responsibilities

- .01 The ultimate responsibility for the operation and maintenance of the Patrol Facility lies with the Shift Lieutenants. Violations of this general order will be reported to the Shift Lieutenants within 24 hours and may result in disciplinary action being taken.
- .02 The Shift Lieutenants may appoint personnel to assist them in the supervision and maintenance of the Patrol Facility as he deems necessary.
- .03 Documentation of Threats: While any situation that threatens the Patrol Facility, department personnel, or arrestees must be reported to the Duty Officer at once, written documentation is also necessary. Personnel discovering any such situation will document conditions and observations, via written report, to the Shift Lieutenants prior to the end of their tour of duty. The Shift Lieutenants may assign personnel to conduct a full investigation if warranted.

2-103.00 Safety and Sanitation Precautions

- .01 Fire Safety Practices:
 - A. It is imperative that departmental personnel be protected from fire hazards through the use of posted escape routes and functional, approved fire suppression equipment. Fire safety practices and equipment will be as follows:
 - 1. The facility will be equipped with heat/smoke detection system that is approved in writing by the Maryland State Fire Marshal's Office. Types and locations of all fire suppression equipment will be approved by the Fire Marshal's Office.
 - 2. The Maryland State Fire Marshal's Office will approve all fire suppression equipment, i.e., extinguishers, sprinkler system, in writing.
 - 3. Alarm systems, heat/smoke detectors, and fire extinguishers will be visually inspected weekly by the Shift Lieutenants for damage or tampering. These inspections will be documented on the "Facilities Inspection Form" and submitted to the Shift Lieutenants.

4. In the event of fire alarm activation, the Duty Officer will:
 - a. check the indicated area for any signs of fire, and
 - b. if a fire is located, ensure Fire and Rescue Communications is notified, and
 - c. if a fire is located, notify the Shift Lieutenants or higher authority as soon as possible.
5. In the event of a fire/smoke alarm malfunction, Sheriff's Office maintenance personnel will be notified to ensure the malfunction is corrected.
6. The Duty Officer will attempt to extinguish the fire only if safe and practical to do so and only after ensuring the Emergency Operations Center (EOC) has been notified. A fire of significant heat will activate the sprinkler system. Even if the fire is extinguished prior to the arrival of the fire department, the fire department will be requested to check the situation to ensure the fire is properly extinguished.
7. The Duty Officer will ensure that departmental personnel, visitors, arrestees, etc. are evacuated from the building.
 - a. Arrestees will be taken by a Patrol deputy to the Detention Center sallyport. The Detention Center Duty Officer will immediately be requested to maintain custody until it is safe to transfer the arrestees back to the Patrol Holding Area.

.02 Sanitation Inspections:

- A. The Shift Lieutenants will inspect the Patrol Facility monthly to ensure cleanliness and to check for any signs of pests or vermin.
- B. It is the responsibility of each Duty Officer to inspect the common areas of the Patrol Building at the beginning of his tour of duty and prior to the end of his tour of duty. Any improprieties in the cleanliness and care of the Patrol Building will be reported to the Shift Lieutenants within 24 hours. Any condition that renders the building as unsafe shall be reported to the Shift Lieutenants, or his designate, immediately so that action to correct the condition may be promptly taken.

- C. Personnel assigned offices in the building are responsible for the cleanliness of the office and ensuring routine and/or emergency maintenance is performed by maintenance personnel.
- D. Duty Officers will be responsible for ensuring the facility is free of litter or other unsightly conditions at all times.

2-104.00 Security and Control

.01 Weapons Security (employees)

- A. Deputies may wear their firearm while in the Patrol Building except:
 - 1. While fingerprinting arrestees.
 - a. Weapons will be secured in weapon lockers.

.02 Weapons Security (visitors)

- A. After verification of the visitor's agency identification by the Duty Officer, allied police agency personnel may wear firearms while in the Patrol Building.
- B. Civilians (non-police personnel) will not be permitted to wear any type of weapon in the Patrol Building.

.04 Patrol Building Security: Entrance to the Patrol Building will be controlled as follows:

- A. The rear entrance from the parking lot will be locked at all times. This door is accessed by an F.O.B.. Non-departmental personnel, with the need to access the Patrol Building, will be given the spare "visitor" spare F.O.B.. The spare "visitor" F.O.B is not to be given to anyone without authority of the Shift Lieutenants.
 - 1. Inmate trustees assigned to the Patrol Building will not be given the "visitor" spare F.O.B. to access any doors in the building. They will not be given a standard spare key to access the exterior doors of the building.

C. The following interior doors will be kept closed at all times:

1. Domestic Violence Gun Room
2. Evidence/Property Room
3. Armory
5. Computer Server Room

2-105.00 Holding Facility Security

- .01 Arresting deputies are responsible for monitoring their arrestees while in the processing area. If the deputy must leave prior to release or transfer of the arrestee, he will advise the Duty Officer who will monitor the arrestee as directed in this order, or designate responsibility to available personnel.
- .02 Only Sheriff's Office sworn personnel will be permitted in the processing area unless approved by the Duty Officer.

2-106.00 Arrestee Security

- .01 Arrestees brought into the Patrol Building will be kept in restraints and/or secured to prisoner bench outside of the property room, (except as necessary to allow for fingerprinting, process of paperwork, etc.), until released, or transferred to the commissioner or Detention Center.
- .02 Juvenile arrestees will never be held more than 6 hours before either being transferred to a Juvenile Holding Facility or released from custody.
- .03 Arrestees will be granted access to drinking water and restrooms as necessary.

2-107.00 Arrestee Processing

.01 Arrestee Property Inventory/Searches

- A. Transporting deputies will search arrestees for evidence, contraband, or weapons prior to the arrestee being placed in the processing room. The processing Deputy will be held responsible for searching arrestees transported by other police agencies or those turning themselves in at the Patrol Building.
 - 1. If the property taken is evidence or contraband, it will be handled in accordance with General Order 5-000.00.
 - 2. Property will be placed in a property bag and the arrestee's name will be placed on the bag.
 - 3. Upon the arrestee's transfer or release, the property will be given to the appropriate authorities at the location of transfer or returned to the arrestee if the arrestee is released. Articles of evidence or contraband will not be transferred or released to the arrestee.
- B. Conducting a Strip Search: A strip search of an arrestee is only permitted whenever the arresting deputy has reasonable suspicion to believe the arrestee is concealing evidence, the fruits or tools of a crime, contraband, or a weapon that would not otherwise be discovered. **A supervisor (as defined in 10-602.03) must authorize a strip search prior to being conducted.** A strip search will only be conducted using two deputies/employees of the same gender as the arrestee being searched. When a strip search is conducted, a detailed report will be submitted to the Shift Lieutenants prior to the end of the deputy's tour of duty. This report will contain:
 - 1. details of the reasonable suspicion leading to the strip search,
 - 2. date and time of the strip search,
 - 3. specific arrestee information,
 - 4. how the strip search was conducted,

5. who was present when the strip search was conducted,
6. what evidence or contraband was found, if any.

A strip search will be conducted in the appropriate restroom for the gender of the arrestee, away from the view of persons other than the arrestee and the two deputies/employees conducting the search. If an article, (considered to be evidence, contraband, or a weapon), is observed protruding from a body cavity while conducting a strip search, the article may be seized by the personnel conducting the strip search.

- C. Body Cavity Search: If a deputy has probable cause to believe that an arrestee is concealing evidence, fruits or tools of a crime, contraband, or a weapon in a body cavity, the State's Attorney's Office will be consulted regarding the need for a Search and Seizure Warrant prior to a body cavity search being conducted, unless there is a life threatening situation. If the deputy believes the concealment of these items is causing a life threatening situation, the arrestee will be transported immediately to the hospital for medical evaluation. Medical personnel will be used to conduct all body cavity searches, with the exception of an article in plain view when a strip search is conducted. A deputy of the same gender will be present when the body cavity search is conducted, to take possession of any evidence, contraband, or weapons found.

1. Body Cavity Searches necessary to prevent a life threatening situation will be authorized by a supervisor (as defined in 10-602.03) prior to transport to the hospital.
 - a. All other body cavity searches will be conducted only after obtaining authorization from the State's Attorney's Office or a Search and Seizure Warrant signed by a Judge.
2. A written report will be submitted to the Shift Lieutenants prior to the end of the deputy's tour of duty when a body cavity search has been conducted. The following items will be made a part of this report:
 - a. Probable cause to support the need for a body cavity search.
 - b. Documentation of the State's Attorney Office verbal or written authorization, or Search and Seizure Warrant attached.
 - c. Full information on the arrestee involved.

- d. Information on all personnel involved in the arrest, transportation, or otherwise involved in the body cavity search, to include medical personnel.
 - e. Date, time, and location the body cavity search was conducted.
 - f. Information on any evidence, contraband, or weapons found as a result of the body cavity search.
- F. Deputies will respect the rights and dignity of arrestees at all times.

.02 Juvenile Detainees

- A. Juvenile detainees will be held in areas separated by sight and sound from adult arrestees in accordance with General Order No: 4-100.00, including during processing.
- B. A juvenile may not be held in a secured area or cell longer than six (6) hours.
- C. The juvenile's attorney or parent/guardian will only be allowed to contact the juvenile for the purposes of an interview/interrogation. If the parent/guardian or attorney is allowed contact with the juvenile, a deputy will remain with the parent/guardian during the contact.
 - 1. The attorney and the juvenile will be notified that the conference will be visually monitored but there will not be any audio monitoring of the conference.
 - 2. The Duty Officer may refuse contact with attorneys, if there is a legitimate concern about breach of security, or for the health and safety of the juvenile.
 - 3. During a consultation with an attorney, the juvenile (if charged with a criminal offense) will be secured with restraints.
 - a. The processing/arresting deputy will document the following in the Criminal Investigation Report;

- D. The processing/arresting deputy will document the following in the Criminal Investigation Report;
 - 1. Full name, address, relationship of persons allowed contact with the juvenile, and
 - 2. The reason the contact was allowed, and
 - 3. Dates/times of contact
 - 4. Full name, address, and relationship of person(s) to whom the juvenile is released.

.03 Female Arrestees

- A. Female arrestees will be detained in the processing area and will not be allowed sight or sound contact with male arrestees beyond incidental occurrences. It may be necessary to transfer the female arrestee to the Detention Center.
- B. Female detainees will be searched by female personnel only, if at all possible.
- C. Female arrestees will not be held in the same room as male arrestees.
- D. Prior to allowing a female in the holding area, the Duty Officer will ensure there are no male arrestees in the processing area. This is to maintain separation of sight/sound between males/females.

.05 High Risk Arrestees

- A. Suicide Risks:
 - 1. Arrestees considered as suicide risks will be kept under constant observation. Signs that may indicate suicidal tendencies includes, but are not limited to:
 - a. Depression
 - b. Talk/threats of suicide
 - c. Erratic behavior due to drugs, alcohol, etc.
 - d. Agitation or other violent behavior

2. Arrestees, who commit acts while in custody which could injure themselves or others, and who appear to commit such acts because of mental illness, will be taken to the Western Maryland Health System for an emergency evaluation. If possible, the evaluation will be done before any criminal charging documents are served. If the arrestee is evaluated and released from the hospital, he will continue to be closely monitored until he is released or transferred to another agency or location; i.e., Detention Center.
3. Deputies who become aware of suicidal tendencies in an arrestee, will document their observations/findings in writing. The documentation will accompany the arrestee upon transfer to the Detention Center or other agency.

Escape Risks: Arrestees known to be escape risks, due to their present or past actions, will be kept under continuous observation. If the arrestee is out of a holding cell, a minimum of two deputies will be present. The arrestee will remain restrained unless being processed/fingerprinted.

- C. Health Risks: Arrestees who are intoxicated or who have potentially serious health problems will be physically checked a minimum of every 15 minutes.
 - D. If an arrestee as described in B or C is transferred to another facility or agency, that facility or agency will be notified that he is considered an escape or health risk or that he is violent.
- .06 In the event an arrestee is received from another agency for detention, positive identification will be made of the person presenting the arrestee for detention. Positive identification may be by:
- A. Personal acquaintance of the person presenting the arrestee
 - B. Badge and identification card
 - C. Phone confirmation of identity, if necessary

- .07 Positive identification, if at all possible, of arrestees is necessary prior to detention, and prior to release. Positive identification may be by:
- A. Photo identification
 - B. Arrest information
 - C. Personal knowledge
 - D. Fingerprints
 - E. Other descriptive records
- .08 Prior to releasing an arrestee from custody, the releasing deputy will make positive identification of the arrestee, and ensure that a warrant check has been completed of the arrestee.

2-108.00 Escapes

- .01 If an arrestee escapes from custody, the following action will be taken:
- A. The Duty Officer will be notified immediately. The Command Staff, Sheriff and Shift Lieutenants and the Criminal Investigator will be notified as soon as possible.
 - B. The Communications Center will broadcast a lookout with all pertinent information and description to all units via the radio. This information and description will also be given to the Cumberland Police Department, the Maryland State Police, and other agencies, as necessary.
 - C. The Duty Officer will use resources, as necessary, to perform a search commensurate with available information and time elapsed since the escape. The Duty Officer will be responsible for initiating the search.
 - D. Investigation of escapes and escape attempts will be assigned to the Criminal Investigator. The Criminal Investigator will file a criminal investigation report on any escape or attempted escape from the Patrol Building.

2-109.00 Detainee Records

- .01 Arrestee records will be protected from unauthorized disclosure. Any disclosure of arrestee records will be in accordance with General Order No: 6-200.00, "Public Access to Records", which is governed by the Annotated Code of Maryland, State Government, Sec. 10-611 through 10-628 and the Criminal Procedures Article, Title 10, Subtitle 2.

2-110.00 Medical and Health Care Services

- .01 If an arrestee being detained in the Patrol Facility requires emergency medical treatment, EOC will be immediately contacted and medical assistance requested. Departmental personnel will administer applicable first aid until emergency medical personnel arrive. The Duty Officer will investigate the incident and submit a written report to the Shift Lieutenants prior to the end of the shift.
- .02 A first aid kit will be maintained in the processing area. The Shift Lieutenant will conduct monthly inspections of the kit and restock it when necessary.
 - A. If any first aid supplies are used, a request will be made to the shift Lieutenant to have items replaced.
- .03 The arresting deputy will immediately notify the Duty Officer if an arrestee displays any of the following:
 - A. Unusual behavior, such as unstable mental or emotional status, fainting or seizures.
 - B. Body deformities, signs of trauma, broken bones, lacerations, or bruises.

The arrestee will be transported to the Western Maryland Health System for treatment and this information will be included on the "Arrest Report".
- .04 The arresting deputy will immediately notify the Duty Officer if an arrestee displays any of the following:
 - A. Observation of signs of contagious diseases, or report of contagious disease by the arrestee, relative or friend of the arrestee.
 - B. Medications in the possession of the arrestee when arrested, and reported to be essential to the arrestee.

This information will be included on the "Arrest Report".
- .05 Medications
 - A. Any medications found on an arrestee at time of arrest will be taken from the arrestee and listed as property belonging to the arrestee, unless the medication is contraband or evidence. Medications that are contraband or evidence will be handled in accordance with General Order 5-000.00.

- B. Legal medications will be dispensed to arrestees when requested by the arrestee and:
 - 1. Prescription information on the container coincides with arrestee identification/information; and,
 - 2. Legitimacy of medication has been verified with:
 - a. The issuing pharmacy; or,
 - b. The prescribing physician; or
 - c. Departmental medical staff; or,
 - d. Other available medical professionals
- C. If prescription medication is dispensed, only the amount indicated will be given. Any medication dispensed will be documented on the “Arrest Report” as to dates, times, type of medication, and amount given.
- D. If medication is requested by an arrestee and the request is refused by the Duty Officer, the reason(s) for the refusal will be documented on the Arrest Report.
- .05 A decision may be made, by departmental personnel, to obtain medical assistance for an arrestee, even though it has not been requested. However, medical assistance cannot be forced. If it appears the arrestee is in need of medical assistance and the arrestee is cognizant of the situation, but refuses medical treatment, the refusal will be documented and witnessed on the “Arrest Report”.
- .06 If an arrestee requests medical assistance, but there does not appear, in the best judgement of departmental personnel, to be a life threatening situation; i.e., inability to breathe, severe chest pains, severe bleeding, etc., departmental personnel will transport the arrestee to the Emergency Room of the Western Maryland Health System. The arrestee will be secured during transport and while at the hospital (in accordance with General Order 4-300.00). If severe injury or serious symptoms of illness are evident, medical personnel will be requested via Allegany County Dispatch.

- .07 When medical assistance has been requested, the arrestee will be continuously monitored by the arresting deputy, or in his absence the Duty Officer, until medical personnel arrive. A deputy will ride in the ambulance, if possible, and the arrestee will be secured to the ambulance gurney during transport. If a deputy is unable to ride in the ambulance then he/she will follow at a close distance to the hospital.
- .08 Requests for, or the apparent need of, medical attention by an arrestee will be acted upon as soon as possible.
- .09 The Shift Lieutenants will be notified in all instances when medical assistance is requested by or given to arrestees.

2-111.00 Arrestee Rights

- .01 Arrestees charged on a District Court charging document will be taken to a District Court Commissioner for an initial appearance within 24 hours of the arrest or service of a warrant in accordance with Maryland Rules 4-212. If the arrestee has been arrested on a Circuit Court warrant, specifying appearance before a Judge, he/she will be taken before the court as soon as possible after notification from the Judge. Deputies will in no way hamper an arrestee's right to a timely initial appearance.
 - A. If an arrestee is too combative or otherwise impaired for an initial appearance within the allotted 24 hour time period as stated above, the District Court Commissioner will be contacted for instructions as to disposition.
 - 1. The Commissioner's instructions will be documented on the arrest report.
 - B. An arrestee's opportunity to contact a bail bondsman after bail has been set will be made available to him once committed to the Detention Center.
- .02 Attorneys will be permitted direct contact with their clients if responding at the arrestee's request. All attorneys will be searched (including briefcases, etc.) prior to allowing contact. The attorney's identification will be noted. If the attorney is unknown, the Duty Officer will attempt to verify the person's status as an attorney. The attorney and his client, if possible, will be afforded a place of privacy in which to confer. The arrestee will remain cuffed or secured by restraints, in the processing room, during the attorney's contact.
 - A. Arrestees will be searched prior to and following any such contact.
 - B. The Duty Officer may refuse contact with attorneys, if there is legitimate concern about breach of security, or for the health and safety of the arrestee.

C. During a consultation with an attorney, the arrestee will be secured by restraints.

.03 Upon request, arrestees will be permitted to make one phone call. The call will be a local call or long distance collect. Arrestees will be granted privacy while making telephone calls **UNLESS SECURITY CONCERNS DICTATE OTHERWISE**. The telephone call may be denied if it would endanger an ongoing investigation. If such a situation exists, it will be noted in the arrest report.

.04 Arrestees will not be held in the Patrol Building longer than necessary for processing. The Duty Officer will make arrangements to feed any arrestee who is held in the Patrol Building longer than six (6) hours. **Detention Center Food Service may be requested to provide food for the arrestee; however, they are not required to do so. The Duty Officer may purchase food at a fast-food establishment, etc.** The arrestee will be given food that does not require the use of eating utensils; i.e., sandwiches, fruit, etc.

2-112.00 Duration of Detention in Holding Facility

.01 The processing Room in the Patrol Building is to be used as temporary holding areas for processing and interviewing only. Other reason will be only granted by the Shift Lieutenant.

By Order Of:

Craig A. Robertson, Sheriff