

# UW Whitewater Police



## In Custody/ Detention

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| Special Instructions:<br>CALEA 71.1.1, 71.2.1, 71.3.1, 71.3.3, 71.4.1, 71.4.2, 71.4.3 |                             |                          |                       |
| Approved By:<br>Chief Kiederlen                                                       | Effective Date:<br>2/5/2017 | Revised Date:<br>2/28/24 | Revision number:<br>5 |

### I. Purpose

The purpose of this General Order is to provide guidelines for department employees concerning the booking, processing and temporary detention of adults and juveniles at UW-Whitewater Police Department.

### II. Definitions

**Booking Area:** Refers to room 126 within the UW-Whitewater Police Department (UWWPD), where detention is measured in hours and does not involved housing or feeding detainees except in extenuating circumstances.

**Detainee(s):** Refers to a person in the custody of UWWPD personnel and whose freedom of movement is at the will of agency personnel.

### III. Policy

It is the policy of UWWPD to ensure that detainees brought to the UWWPD booking area shall only remain in the Booking Area to be processed, complete necessary testing and/or be interviewed. If an arrest is made at the UW-W at Rock County Campus the person will be transported to the Rock County Sheriff's Department for booking and/or interviewed.

Detainees shall be treated in a manner that will provide safety to the detainee and the members of UWWPD, while at the same time ensuring protection to the public as well as the rights of the detainee and human dignity. Detainees under the age of eighteen (18) will be handled as juveniles as directed under this policy and state law.

### IV. Procedure - Adult

#### A. Designated Booking Area (71.1.1)

1. The UWWPD booking area is designated as room 126 in the University Police Department.
2. This is the area to be used for detainee processing, testing and temporary detention.

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3. If for some reason, such as an interview, a person that is being detained is removed from the temporary detention or booking area, the officer shall maintain constant supervision of the person.
4. Anyone held in the secure Booking Room will be logged on the UW-Whitewater Police Booking-Secure Adult Log (Blue in color) or the UW-Whitewater Police Booking-Secure Juvenile Log (Yellow in color) regardless if they are secured to the bench or not. The secure log information shall include: Date, name, date of birth, time in, and time out, reason for detentions, if they were handcuffed to the bench and any meals/snacks provided.

## **B. Training on Using the Booking Area (71.2.1)**

1. Initial training will be conducted during the UWWPD post hire training process and/or on the job training.
2. Officers charged with monitoring temporarily detained individuals in the UWWPD booking area will be provided initial training on the use of the temporary booking area and a refresher training at least every four (4) years.
3. Training will address resources available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees.

## **C. Booking Room Procedures (71.3.1)**

1. When UWWPD personnel have subject(s) in the booking room for the purposes of temporary detention as part of the arrest and booking process, or before booking them into jail, they are accountable for the supervision, processing and temporary detention of the subject(s) while they are in the facility.
  - a. All detainees will be searched at the time of their arrest/detention for devices that may be used to start a fire, items that may be used to harm themselves or others, and contraband. Searches will be conducted by an officer of the gender requested by the detainee, when available.
  - b. Agency personnel utilizing the booking area for these purposes should be constantly aware of the likely proximity of the detainee to those responsible for the detainee's welfare.
  - c. Personnel must also keep in mind that a cooperative detainee can quickly turn uncooperative or combative.
2. Time Limits: A detainee should not be held secure (handcuffed to the booking area bench) for longer than 6 hours.
  - a. A detainee should not be kept in the building for longer than 6 hours.
  - b. It is the policy of UWWPD that a detainee in the booking area be released or transported to another facility as soon as possible and practicable. UWWPD does not house prisoners.
  - c. If it appears the temporary detention time limit may be exceeded, officers should take note of subject condition, such as will they need to eat, drink, or other health factors. Based on subject condition, they may need to be transported to a more secure facility.

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- d. If time limits are exceeded, an explanation shall be documented in a report with the reason for the delay.
3. Medical Evaluation: Detainees shall be evaluated for medical need while in the booking area. Any detainee making any claim of injury and requesting medical attention shall be provided such by calling a rescue squad.
  - a. If an injury is observed of which would be deemed by a reasonable individual to need medical attention, a rescue squad shall be called.
  - b. Should any type of control alternative measures be used such as a Taser or Oleoresin Capsicum spray, the Use of Force General Order 4.1 shall be referenced for follow through considerations-
  - c. Detainees will not be given any type of medication by any officer. If required, the detainee shall be conveyed to a medical facility for that purpose in a timely manner.
4. Temporary Restraint of Detainees: Detainees held in the booking area may be secured to the bench and cuffed in the secure ring only for officer or detainee safety.
  - a. No one shall be handcuffed to any other fixed objects.
  - b. The detainee shall be monitored at all times when secured to the booking area bench.
  - c. The officer-charged with monitoring the detainee shall have a handcuff key on their person at all times when the secure bench is used.
  - d. Any person held securely (handcuffed to the secure bench in the booking area) will be logged on the "Secure Adult Log" or "Secure Juvenile Log" posted on a clipboard within the booking area and marked yes to the fact they were handcuffed to the bench. The secure log information shall include: Date, name, date of birth, time in, and time out, reason for detentions, if they were handcuffed to the secure bench and any meals/snacks provided.
5. Separation of Detainees:
  - a. Males should be kept separate from females.
  - b. Juveniles should be kept separate from adults.
6. Interview Room Use: If an interview is conducted, the interview room should be searched before placing a detainee in the room.
7. Unruly/Combative Detainees: Combative or uncooperative detainees will be transferred immediately to a more secure facility.

## **D. Security in the Designated Booking Area (71.3.3)**

1. Presence of Weapons is Prohibited in Booking Area: At no time while a detainee is present are firearms or knives permitted within the confines of the booking area.
  - a. The only exception is an officer responding to an emergency call for assistance from an officer in the booking area does not have to stop to remove weapons.
  - b. As soon as able, firearms and knives should be properly secured in one of the four gun lockers directly inside the booking area.

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2. Procedures for Asking for Assistance in the Booking Area: If an officer needs assistance in the Booking Area of UW-Whitewater Police Department they will call over the radio that “an officer needs assistance in the booking area”.
  - a. Emergency/Panic/Duress:
    - i. If the call for assistance is an emergency/the officer is under duress, portable radios will be used to call for assistance, advising it is an emergency.
    - ii. All officers not on priority calls will respond to this call for assistance in an emergency. When in doubt or information is not given, officers will assume it is an emergency and respond accordingly.
  - b. Mutual Aid: If no other UW-Whitewater Police Department officer is on duty or no one is available the Joint Dispatch Center will request mutual aid from city, county or other officers in the area
3. Access: When a detainee is held in the UWWPD booking area, access to the booking area shall be limited to employees having a legitimate reason for being there.
  - a. Civilian observers (not including CSOs or Ride along observers with a signed UW-Whitewater “hold harmless waiver”) are not permitted in the booking area while there are detainees in the same area.
  - b. The media shall not have access to the booking area unless permission is granted from the Chief of Police or his/her designee.
  - c. Due to the short-term nature of the booking area, detainees will not be allowed personal visits and no message shall be taken on behalf of any detainee
4. Escape Prevention: Officer in charge of processing the detainee should maintain supervision of the person at all times and be cognitive of a possible escape attempt by the detainee.
  - a. Since UWWPD only has temporary detention processing area there are no locks preventing the person from leaving the area.
  - b. If the officer determines the person might attempt to escape by comments or actions, then the detainee should be secured to the metal bench in the room or a second officer present to prevent escape attempts.
5. Constant Supervision: No detainee will be held in the booking area without an officer remaining within the booking area at all times. Securing and monitoring unattended detainees within locked spaces is not authorized.
  - a. The Booking Area is not meant to secure someone without constant supervision as there are no holding facilities. So, an officer shall maintain proximity to the person (s) being detained at all times.
  - b. If the officer must leave the Booking Area another officer must take their place either from UW-Whitewater Police Department or mutual aid.
  - c. The Booking Area does have a video recording system, but this should not be the only means an officer monitors a person in the Booking Area.

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- E. Supervisor Responsibilities:** If a supervisor is on duty they will check in with officer detaining the person to make sure state laws and policies are being followed.
1. Regardless if a supervisor is on duty or not the officer involved shall include all information on processing, searching and temporary detention actions being taken in their report.
  2. Supervisor will review all reports and will ensure that proper laws and procedures are being followed.
- F. Fire Prevention/Suppression/Evacuation in the Booking Area (71.4.2)**
1. The booking area is equipped with actively monitored smoke detectors that trigger alarms dispatched through an alarm company.
  2. As the UW-Whitewater Police Department is located in leased space of University Housing, University Housing has contracts to maintain fire extinguishers in the building. One of which is located immediately outside of the Booking Room in the hallway. In addition, as a commercial building the Whitewater Fire Department is required to complete fire inspections of this buildings on a regular basis per WI State Law. Any deficiencies found will be immediately repaired. All sworn staff get training on how to use fire extinguishers when they are initially hired. There is an emergency evacuation sign inside of the Booking Area and an emergency exit located just outside of the room.
  3. Emergency Evacuation: UWWPD has an emergency evacuation plan. The plan shall be posted in various locations throughout the police department.
- G. Condition of Readiness (71.4.1):** The Booking Area should be kept in condition of readiness for possible detainees. There is a bathroom facility that is inside of the Booking Area which is cleaned and maintained by University Housing which is the “landlord” of Goodhue Hall. There is also a sink and eye wash station in this area which are also maintained by University Housing. There should be cups present to provide water to detainees, a functioning Preliminary Breath Tester, a fingerprint gathering machine and a WI Department of Transportation Intoximeter inside of this area. Supervisor do random inspections of this area to insure readiness.
- H. Inspections (71.4.3):** Supervisors of UWWPD are responsible for inspections of the Booking Area. This will include spot inspections on shifts a supervisor is working to check this area for problems.
1. Once a week a supervisor will conduct a more thorough inspection of the Booking Room to make sure there are no safety concerns, the area is clean and to determine if any unsafe conditions are developing.
  2. This will be documented in ProPhoenix Records Management as a cell inspection under the quick activity tab.
- I. Yearly Review of Booking Area Procedures and Policy (71.4.3):** During the second quarter of each year, the chief or designee will assign a supervisor to conduct a review of the Booking Room and also an administrative review of this policy and any others related to temporary detention. A report will be sent to the chief or designee by June 1 of each

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calendar year with suggested updates and changes. This will allow the next year's budget to include any potential updates.

## **V. Procedure – Juvenile (Special Direction)**

- A. When a member of UWWPD takes a juvenile into custody, that juvenile must be handled in a different manner than adults.
  1. After arrival at UWWPD, juvenile detainees must be kept out of the view of adults.
  2. A parent or legal guardian shall be notified as soon as reasonable for any juvenile in custody.
  3. A juvenile being held solely for a status offense shall not be locked in the interview room or secured to the booking area bench. If the interview room is used, the door must be kept open.
    - a. Examples of status offenses are curfew, runaway, truancy, possession of tobacco, a warrant for non-delinquent offense, and probationary driver's license violations.
    - b. The restriction does not apply if the juvenile is being detained for both a status offense and delinquent act that would be a crime if committed by an adult.