

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: **HOLDING AREAS**

NUMBER: **22-1**

EFFECTIVE: **9/14**

REFERENCE:

RESCINDS/AMENDS: **30-1**

REVISED: **02/23**

ATTACHMENTS: [DOCUMENTS\ATTACHMENTS\901.21.PDF](#)
[DOCUMENTS\ATTACHMENTS\901.211.PDF](#)
[DOCUMENTS\ATTACHMENTS\985.115.PDF](#)
[Adult Detainee Observation Log.pdf](#)
[Juvenile Detainee Observation Log.pdf](#)
[Forms\Detainee Processing & Control Log.pdf](#)
[Forms\Daily Shift Holding Area Inspection.docx](#)

A. PURPOSE

The purpose of this directive is to provide procedures for the processing of detainees and for security within the temporary holding facility. This policy shall serve as training for the operation of the temporary holding facility. This training includes fire prevention, fire suppression techniques, and the use of fire suppression and safety equipment.

B. DISCUSSION

This directive is intended to provide procedures for the processing of detainees in and out of the New Smyrna Beach Police Department holding facility. It is imperative that this policy is strictly adhered to for the protection of the public, employees and arrestees. Arrested/detained persons who are not transported directly to a jail facility, are returned to the police department for arrest processing, testing, or temporary detention pending custody transfer to an appropriate law enforcement agency. Detainees shall be kept in the temporary detention areas for no longer than it takes to complete the formal arrest process. Detainees are not housed overnight nor are they provided meals. The holding/processing area is equipped with an appropriate fire and smoke detector system.

C. POLICY

It is the policy of the New Smyrna Beach Police Department to;

1. Verify positive identification of the prisoner/detainee once in custody and before transfer to another facility or release.
2. Limit the detention of a person in the holding area to six hours, whenever possible.

3. Keep detainees under continuous control or supervision to ensure immediate intervention for emergencies. Officers shall physically remain in the holding facility when a prisoner or detainee is present.
4. Limit the restraint period for prisoners or detainees to no more than three hours. Restrained prisoners/detainees will remain under the direct supervision of the arresting or transporting officer.
5. All prisoners or detainees will be afforded access to a toilet, sink and drinking water.

D. HOLDING FACILITY PROCEDURES

22.1.1 Officers with prisoners/detainees will access the holding area via the vehicular sally port.

1. Firearms, ammunition and edged weapons must be secured in a lock box or vehicle trunk prior to entry into the facility. Officers are permitted to carry less lethal weapons (e.g. TASER, ASP Baton, ASR spray) into the holding facility.
2. The detainee must be searched prior to entering into the holding facility. A thorough search shall be made (including hair & clothing) and all property will be removed from the detainee (shoes, belt, long socks, lighters, matches, other flammables, etc.)
3. The transport vehicle must be searched after the detainee has been removed.
4. The holding area will be inspected for weapons, contraband and damaged equipment to include fire detection and suppression equipment prior to use.
5. Detainees shall not be placed into a holding/processing cell that is in general disorder or has defective or inoperable plumbing, inoperable lighting or other damage that is hazardous to the detainee.
6. Once inside the holding area, assure that all temporary holding exit doors are secure.
7. Every holding cell is equipped with signage that is prevalent to the service community and an emergency call button that may be activated by the detainee in the event of an emergency. Additionally, detainees may call by voice if an officer is needed as the department requires constant supervision of detainees while in custody.

22.1.2 Policy requires constant supervision of detainees that are returned to the police department for processing. For adult detainees, such supervision shall be documented on the [Adult Detainee Observation Log](#). For juvenile detainees, such supervision shall be documented on the [Juvenile Detainee Observation Log](#). The [Juvenile Detainee Observation Log](#) must be secured in the locked cabinet labeled "Juvenile logs" to remain in compliance with federal holding facility laws. The time requirements are as follows:

1. Documented physical observation at least every 15 minutes for adult detainee/prisoner identified as being suicidal or a danger to themselves.
2. Documented physical observation at least every 10 minutes for all juvenile detainee/prisoner.

22.1.3 Any prisoner or detainee that becomes self-destructive, or violent after being placed in a holding area will be handcuffed, segregated from other prisoners/detainees and transported as soon as possible to the Volusia County Branch Jail (VCBJ), where processing will be completed. Any prisoner or detainee that becomes ill, gets injured, or is under the influence of alcohol or drugs shall also be segregated from other prisoners/detainees. Another officer should be utilized to ensure the safety of the officer and the detainee. Officers should refrain from removing handcuffs from violent prisoners/detainees.

22.1.4 The immovable bench with rings at the processing desk are designated and intended for use to secure cooperative, non-violent arrestees only while booking information is obtained. Detainees will be secured with one hand cuffed to the ring on the bench. The use of these benches is at the option and discretion of the booking officer. No other locations or fixtures may be utilized.

22.1.5 For adults, record the detainee information on the [Adult Detainee Processing & Control Log](#) by documenting the reason the person is being detained (Arrest DUI, Arrest Battery, Investigation, etc.) detainees name,

arresting/investigating officer, time in and time out. For juveniles, record the detainee information on the "[Florida JJDPa Compliance Monitoring Reporting Form](#)". The "[Florida JJDPa Compliance Monitoring Reporting Form](#)" must be secured in the locked cabinet labeled "Juvenile logs" to remain in compliance with federal holding facility laws.

22.1.6 Females and male detainees shall not be detained in the same cell and juveniles shall not be detained in the same vicinity as adult detainees. By law, juveniles shall be kept separated by "sight and sound" from adult detainees.

22.1.7 Members supervising a detainee of the opposite sex shall afford them appropriate privacy and utilize a witness officer whenever possible.

22.1.8 Juveniles may be held in the holding area when adult detainees are present. Juvenile detainees shall not have regular contact with adult detainees and shall be placed in separate holding cell.

E. DETAINEE PROPERTY PROCEDURES

22.1.9 The following procedures will be used to account for detainee property whether they are transported directly to a jail facility, medical facility, or returned to the police department for formal processing before being transported to an appropriate receiving facility:

1. Detainees shall be thoroughly searched and relieved of all personal property;
2. The seizing officer shall review each item taken from the person of the detainee with the detainee as the item is deposited in the property bag;
 - Items that are prohibited by VCBJ, such as pocket knives, shall be bagged separately and submitted to the property section for safe-keeping.
 - The Volusia County Jail specifically prohibits:
 - Open Tobacco products, matches, etc. are prohibited in correctional facilities by statute. (Dispose of at the station and note on the property receipt)
 - Glass containers;
 - Alcohol;
 - Perishables (dispose of at station & note on Property Report);
 - Bulky items such as suitcases, boxes, full paper bags must be entered into NSBPD Evidence/Property as detainee property.
 - Officers should encourage arrestees/detainees to leave prohibited items in their car, homes, or in the custody of a relative or friend rather than returning the items to the station.
3. If the detainee agrees that the items seized have been properly accounted for and bagged, the officer is to seal the bag in the presence of the detainee; complete the prisoner property form and have the detainee sign that an accurate accounting of their property has occurred;
4. The itemized inventory from the detainee shall be secured in the storage property locker.
5. If the detainee disputes the accounting, refuses to sign, or is otherwise uncooperative during the process, the officer is to summon a supervisor and proceed as directed;
6. If the supervisor is not able to resolve the dispute, the supervisor and the processing officer shall sign the property receipt and record "refused" on the signature line that is reserved for the detainee. The detainee is to be provided with a copy of the receipt and the sealed property bag is to be secured in the property storage locker while being processed at the police department and/or accompany the detainee to the receiving authority.
7. Disputes shall be thoroughly documented with the completed report being forwarded to the Operations Division Commanding Officer. The report narrative should include the sobriety of the detainee at the time

the claim was made and a notation of the detainee's demeanor towards the arresting officer.

8. If a prisoner or detainee is released from custody, their personal property will be returned to them. The processing officer will insure the correct release of property by comparing the label on the property bag(s) to the identification of the prisoner detainee. If the prisoner/detainee refuses to acknowledge receipt of the property the return shall be witnessed by a supervisor, who shall sign in the place of the prisoner/detainee.

22.1.10 Belts, shoelaces, stretch socks and other items such as jewelry worn by a detainee that have the potential to be used as weapons against an officer or to assist in a suicide or escape shall be removed. Said items shall not be returned to the detainee while they are in custody of the New Smyrna Beach Police.

22.1.11 If the transporting officer and the arresting officer are different, the arresting officer will turn all detainee property over to the transporting officer, who will complete and sign the prisoner property form.

F. HOLDING FACILITY SECURITY

22.1.12 Upon entering the holding facility, Members will ensure:

1. Detainees may not be left unattended when not locked inside a holding cell. Officers must constantly monitor detainees when outside a cell to prevent escape attempts, suicide attempts, or attacks on officers.
2. Non-essential employees or other persons are prohibited from entering the holding facility when detainees are present. Individuals participating in the New Smyrna Beach Police Department Ride Along Program are exempted from this prohibition, as long as they are accompanied by their assigned officer. The assigned officer, shall be responsible for their ride along participant while in the holding facility. Participants shall remain under direct supervision and control of the assigned officer and shall remain within the secure lobby of the holding facility.
3. Detainees shall not be allowed to be in the common areas of the holding facility unless restrained to the booking bench.
4. Detainee population must not exceed cell seating space and authorized capacity. In the unlikely event of a mass arrest, which exceeds holding area capacity, detainees will be diverted to VCBJ and/or mutual aid will be requested.

22.1.13 Officers are prohibited from entering the cell of a violent or unruly detainee without adequate assistance from other officers. Officers may enter an occupied cell under the following conditions after notifying dispatch and the shift supervisor:

1. The detainee needs medical assistance; or
2. The detainee is asleep or passed out due to intoxication.

22.1.14 In case of an emergency within the holding facility, officers are instructed to use the portable radio emergency button and/or contact Dispatch for assistance. Dispatch will summon additional units and the shift supervisor.

1. Keys for the facility are maintained in designated lock boxes.
2. When emergency services are required for detainees, the City of New Smyrna Beach Fire/Rescue will be dispatched to the holding facility. The EMS units will be escorted into the holding facility and police officers will provide security over the detainees at all times.

22.1.15 Fire Prevention

1. Fires will be prevented by searching all detainees for matches, lighters, and flammable materials before being placed in a holding area. No smoking or possession of smoking materials will be allowed.

2. If a fire is discovered, officers will immediately notify the dispatcher via radio or emergency button on the portable radio, telephone or by activating the fire alarm box that is situated in the holding area.
3. An operable, charged fire extinguisher is located outside of the holding room door. When appropriate officers will attempt to extinguish the fire with the available fire extinguisher.
4. If a fire alarm is activated, officers must be alert to such an occurrence and be prepared to secure and evacuate detainees in accordance with this directive. If an evacuation is deemed necessary, all available sworn personnel will assist in securing detainees. Detainees will be handcuffed, if time permits. Detainees will be placed in caged vehicles and transported to a safe area
5. Evacuation route maps are posted in the officer processing area, emergency exits are conspicuously marked.
6. The fire alarm and heat and smoke detection system, along with other fire suppression equipment is inspected annually by the NSB City Fire Department and a contracted fire system company. Documented testing shall be completed as required by local fire code. Maintenance of fire suppression equipment shall be accomplished pursuant to the manufacturer's recommendations, industry standards or as required by the applicable fire code. All written documentation of annual inspections shall be maintained by the Support Services Commanding Officer and Accreditation.

G. BODY SEARCHES

22.1.16 All searches of a person shall comply with [FSS 901.21](#) and [FSS 901.211](#).

1. Strip Searches: A strip search is defined as the removal or arrangement of some or all of the clothing to permit visual or manual inspection of the genitals, buttocks, anus or breasts in the case of a female, or undergarments of such person. Persons arrested for minor offenses such as traffic, ordinance violations or misdemeanors shall not be strip-searched. Strip searches will not be conducted unless:
 - There is probable cause to believe the individual is concealing a weapon, controlled substance, or stolen property;
 - There is prior approval/authorization by the shift supervisor; the approval/authorization must be in writing before the search is conducted and attached to the arrest paperwork;
 - The search is performed by a person of the same gender and in such a manner that will protect the arrestee from being observed by persons not physically conducting or witnessing the search.
 - The facts and circumstance of the search shall be documented in the police report.
2. Body Cavity Searches: New Smyrna Beach officers shall not conduct body cavity searches. If a body cavity search is determined to be necessary, the following procedures will be followed:
 - The officer must establish probable cause to believe that a weapon, controlled substance, other contraband or evidence is being concealed and that a body cavity search is the only means available to recover such item.
 - A supervisor must be notified that a request for a cavity search will be made and approve of the search before the same is conducted.
 - The arrested person is to be transported to the county jail. Officers are reminded that they are to search the transporting vehicle prior to and upon arrival at the jail facility.
 - A request will be made to jail personnel that a body cavity search be performed. Such search will be conducted in accordance with the Department of Corrections procedures.
 - The arrest affidavit will specifically outline the probable cause for requesting the body cavity search and the results of same.
 - Evidence and contraband seized shall be collected, packaged, marked and forwarded as prescribed in [Directive 27-1 Evidence and Property](#).

H. MEDICAL EMERGENCY

22.1.17 Members of the New Smyrna Beach Police Department shall ensure that critically injured or life threateningly ill detainees receive immediate effective emergency medical treatment by trained professionals.

1. When a medical emergency occurs in the holding area, or the detainee requests medical assistance, the officer shall request New Smyrna Beach Fire Rescue, begin CPR, if required, and monitor the detainee until medical assistance arrives.
2. Officers will refrain from providing treatment or dispensing medication to a detainee, unless there is an immediate threat to the detainee's life.
3. If emergency medical attention is recommended by emergency medical personnel, the detainee will be transported to the hospital by EVAC or by a police officer.
4. The shift supervisor will decide whether to ROR the transported detainee or place a guard at the hospital (Refer to [Written Directive 21-1 Prisoner Transportation](#)).
5. The shift supervisor is responsible for making arrangements for a guard to be placed at the hospital until first appearance and to make arrangements for first appearance.
6. If medical personnel recommend that the detainee see a doctor, but advise that the detainee does not have a critical or life threatening condition, the detainee shall be transported to the VCBJ upon completion of the arrest paper work.
7. The arresting officer will inform the transport officer and document in the arrest paperwork for the jail any medical conditions or medical requests of the detainee.
8. The transport officer shall notify the intake correctional officer of the above.
9. A first aid kit with current supplies is available and is to be included in the monthly inspections by the Accreditation Manager. The Accreditation Manager shall open the first aid kit, check expiration dates and shall replenish any used and/or missing items. Department personnel are required to notify the Accreditation Manager if first aid supplies are in need of replenishing before the next monthly inspection.

22.1.18 If a detainee claims to have been injured while in the holding facility, not as a result of a response to resistance, the claim and incident shall be thoroughly documented to include:

1. Exact location where the injury is alleged to have occurred;
2. Photos of the location;
3. Photos of the reported injuries;
4. Sworn statement affidavits by all civilian witnesses;
5. Supplemental reports completed by all officers present; and
6. Supervisor review/memorandum shall be forwarded to the Operations Division Commanding Officer and the Chief of Police prior to the end of shift.

I. DETAINEE ESCAPE

22.1.19 In the event of an escape, or attempted escape, from the holding facility, officers and supervisors have specific duties to ensure proper capture of the escapee.

1. Officers shall immediately:
 - Activate the emergency button on the portable radio or notify Volusia County Central to sound the tone alert;
 - Notify the supervisor;
 - Secure any remaining detainees;
 - Notify Communications and other units of all descriptive information of the escapee;
2. Supervisors shall immediately:

- Assure that the Operations Division Commanding Officer, Commander On-Call and Chief of Police are notified and provided with the circumstances surrounding the escape and/or re-capture;
- The supervisor shall coordinate search efforts;
- The supervisor may request such assistance, as necessary, utilizing department resources and other agencies through mutual aid (aviation units, K 9, drones, etc.).
- If the escapee is re-captured, or when continuation of the search efforts appear to be futile, the supervisor shall immediately notify all members and agencies involved in the search that the search is terminated.
- The supervisor shall assure that the incident is fully documented and forwarded to the Operations Division Commanding Officer prior to shift's end. The report will be reviewed by the Office of Professional Standards and forwarded to the Chief of Police, no later than 16 hours from the time of occurrence.

J. MAINTAINENCE/INSPECTION OF LOGS

22.1.20 The cells will be inspected and cleaned by maintenance personnel in accordance with their facility cleaning schedule.

22.1.21 The shift supervisor shall be responsible for inspecting the holding area for cleanliness, items that may present a danger to officers/detainees, damaged cells, cells with inoperable plumbing, confirm that the adult/juvenile logs were completed correctly during the shift and both adult/juvenile logs are located in their designated area. If the shift supervisor finds that there is an error in either the adult/juvenile log, the shift supervisor will contact the arresting officer to have the error resolved before signing the [Daily Shift Supervisor Inspection Report for Holding Area](#). Damaged cells shall be reported and removed from service by affixing appropriate signage to the outer door. Minimally, the event shall be reported by memorandum or email addressed to the Support Services Commanding Officer. The inspection shall be documented on the [Daily Shift Supervisor Inspection Report for Holding Area](#) located in a three ring binder inside the processing area.

K. TRAINING

22.1.22 All newly hired officers receive initial training of policy regulating temporary detention areas, rooms, holding areas and procedures. Training will include fire suppression techniques and use of fire suppression and safety equipment.

Revised: BSS 02/23

**Approved: Signature on File
Interim Chief Eric Feldman**