

# **NIAGARA FALLS POLICE DEPARTMENT**

## **GENERAL ORDER**

EFFECTIVE DATE:  10/16/2014	SUBJECT:  <b>CITY JAIL PROCEDURES</b>	Number 301.00 (NYSLEAP A-8-8, O-59-1)
RESCINDS:  08/20/2013		Number of pages 16

### I. PURPOSE:

The purpose of this policy is to outline the procedure to be used for arrest booking, detention, and care of prisoners.

### II. DEFINITIONS:

- A. Arresting officer: The officer making the arrest and signing his/her name in Box 64 of the Arrest Report.
- B. Booking Officer: Any police officer assigned to the booking area to process prisoners at intake and maintain security of the Booking Area.
- C. City Jail: A facility located within the NFPD which houses the following components:
  - 1. Booking/Prisoner Intake, which includes a booking area, a holding cell for processing and a cell for suicide watch;
  - 2. The Control Room, which controls the flow of inmates and personnel to and from the holding cells and jail cells, and provides for general security of the jail, and;
  - 3. The Lockup, which contains jail cells designed for overnight stay pursuant to New York State Correction Law.
- D. Constant Supervision: Continuous, uninterrupted personal visual observation.
- E. Control Officer: Any police officer assigned to the control room of the City Jail to control the flow of inmates to and from their holding cells and maintain the security of the City Jail.

- F. Detention Area: Any secure area in which prisoners may be transported or housed.
- G. Jailer: Any police officer assigned to the City Jail to assist in the intake of prisoners, maintain the security of the City Jail and supervise prisoners incarcerated there.
- H. Lockup – A location within the City Jail where individuals 16 years of age or older are temporarily detained while waiting disposition of their cases in the courts, before arraignment in court, or for a brief period after arraignment or sentencing while awaiting transfer to another correctional facility.
- I. Transport Officer: Any Police Officer assigned to the City Jail to transport inmates to and from their court appearances and to maintain the security of the City Jail.

### III. DUTIES:

#### A. Booking Officer:

- 1. In addition to the completion of Arrest reports the Booking Officer shall be responsible for but not limited to the following duties:
  - a. Prisoner Roster
  - b. Prisoner Meal log
  - c. Report to the Shift Captain of all arrests that occurred during the shift.
  - d. Form 330 Suicide Screening
  - e. The Booking Personnel roster
  - f. Inventory of prisoner property
  - g. Delivery of paperwork to the court (A shift)
  - h. Integrity and security of the Booking Area

#### B. Control Room:

- 1. The Control Officer shall be responsible for but not limited to the following duties:
  - a. Controlling the flow of inmates to/from and within the City Jail.
  - b. Maintaining the safety and security of the City Jail. No unauthorized persons are allowed into the City Jail / Restricted Area including the Control Room unless deemed necessary by the Control Officers. Officers are discouraged from loitering or gathering in the Control Room.

- c. Coordinating with City Court to record the groups of inmates that are to be transported to court.
  - 1. Officers may use discretion in transporting inmates at appropriate times that may have special needs, be combative or pose an escape risk. The City Court shall be notified of these concerns by the Control Officer.

C. Jailer:

- 1. The Jailer shall be responsible for but not limited to the following duties:
  - a. Maintain the safety and security of the City Jail including the prisoners detained therein.
  - b. Maintain the Inmate Control Log with detailed and accurate descriptions of any pertinent occurrences and a chronology of their cell block checks.
  - c. Ensure the cleanliness and workability of all areas of the City Jail: cells, Property Room, lavatories and entranceways. Any areas that have been damaged or are in a state of disrepair are to be noted on an Incident report and an entry is to be made in the Inmate Control Log. (including damaged or soiled mattresses or blankets)
  - d. Ensure that the Prisoner roster is accurate and ensure that inmates with special considerations receive appropriate services; (i.e. Diabetic, Handicapped or injured.)
  - e. Promptly feed inmates at the appropriate mealtime.
  - f. At the completion of the shift the Jailer will fully brief the Officer that relieves him and together they will complete a check of the City Jail.

IV. POLICY:

- A. It is the policy of the Niagara Falls Police Department that all persons except juveniles who are arrested will be processed in the booking area. No prisoner shall be placed in a cell unless charges have been placed against him/her, proper medical treatment obtained, and an arrest report completed by the booking officer.

1. No person who has not reached his or her 16<sup>th</sup> birthday shall be detained in any adult lockup except in accordance with Section 304.1 of the Family Court Act or Section 510.15 of the Criminal Procedure Law.

B. Prisoners from Other Agencies:

1. The Niagara Falls Police Department will detain prisoners arrested by members of this agency. We will accept other agencies' prisoners with prior approval of the desk lieutenant. The lieutenant's decision will be based upon current capacity, condition of prisoner, location of arrest, extenuating circumstances, etc.
2. A "Hit Confirmation Response" must accompany all arrested persons detained on an NCIC Hit with the promise of extradition from the confirming agency in the MIS field.
3. In all circumstances, if a prisoner is brought in by an outside agency and a level or type of force was used on the prisoner by the outside agency which would require medical treatment per NFPD Policy, that prisoner shall be transported to a hospital by the outside agency prior to being booked, without exception. In the event the outside agency refuses, the prisoner shall not be accepted by the NFPD. (Refer to NFPD Article 122.00 Use of Force Section IX and other Policies within Article 122.00 e.g. ECW, Chemical Spray, Firearms)

C. One Prisoner Per Cell:

1. Only one prisoner shall be assigned to a cell except in temporary situations where capacity is an issue or an emergency situation exists. The desk lieutenant shall be notified in all circumstances in which more than one prisoner is assigned to a cell.

D. Prisoner Searches:

1. A thorough search of each prisoner shall be conducted by the arresting officer in the booking area. A thorough search of his/her clothing shall be made before the prisoner is placed in a cell or holding room. Articles that may be used to cause injury, aid in escape or cause damage to cells shall be removed.
2. No person shall enter the City Jail without first being searched in the Booking area
  - a. Inmates are allowed one layer of clothing; one shirt, one layer of pants (underwear is allowed). Outer garments such as

jackets, sweatshirts and sweaters are NOT allowed in the city jail.

- b. Strip searches are to be made at the discretion of the arresting officer in compliance with NFPD G.O. 302.00 every effort is to be made by officers to prevent the introduction of contraband into the city jail.
  - c. No prisoner shall be placed in lock-up with contraband. Any doubt shall be resolved by a re-search of the prisoner.
3. Female prisoners: Arresting Officers will consider the offense(s) committed and assess the arrestee's level of compliance.
  - a. Compliant arrestees: Arresting Officers will verbally direct the arrestee in the removal of personal property for inventory. Upon the completion of the booking process the female Jailor will respond to the booking area to complete a thorough search prior to transporting the prisoner to the female cell block.
  - b. Non-Compliant or High Risk arrestee: If the arresting Officer determines the arrestee to be a safety risk or determines the potential for loss of evidence or the introduction of contraband into the jail, the female jailor is to respond to the booking area immediately to perform a thorough search. Male officers should only be present if the arrestee poses a risk to the safety of themselves or officers. A supervisor should be notified of the potential safety risk and if not on scene should respond to the location.
  - c. If there is any physical contact between arrestee and officers appropriate reports are to be completed by all officers and supervisors involved.
  - d. All efforts should be made to minimize one on one contact between a male officer and female arrestee.
  - e. Upon completion of the booking process (arrest report, fingerprinting) the female prisoner shall be escorted by Officers (male or female) to the Female Cell Block.
4. The arresting officer is responsible for the safety and security of their prisoner until such time as they are placed in a cell. Arresting Officers

are not to leave prisoners unsupervised unless directed by the Desk Lieutenant.

**E. Prisoner Property:**

1. Upon completion of a search, the booking officer will complete a detailed prisoner property receipt (attached). The receipt shall be used to record an accurate listing of all money and items such as rings, watches and any other personal property taken at the time of admission. This inventory will be conducted in the presence of the prisoner, as long as doing so does not place officers in jeopardy. A second police officer shall be a witness to the taking of the prisoner property.
2. Upon completion of the inventory, the prisoner shall be directed to sign the prisoner property receipt, acknowledging the fact that an accurate inventory was conducted and the property is being retained for safekeeping. If the prisoner refuses to sign, the officer will write the word "refused" on the prisoner signature line.
3. The property will then be placed in the appropriate envelope with the property receipt affixed and the envelope will be secured by the Booking Officer.
  - a. The Prisoner Property will then be transported to the jail by the arresting officer where it will be secured in the appropriate storage bin in the Property Room by the Jailer.
4. Upon the prisoner's discharge from the City Jail, it shall be requested that the prisoner sign the property receipt, acknowledging that all money and property has been returned.
5. In the event the prisoner is to be transported to the Niagara County Jail or turned over to another authorized agency, the prisoner's property envelope shall be retained, the receiving officer shall sign for all property received and the property shall be forwarded with the prisoner at the time of transport or release to said agency.

**F. Telephone Calls:**

1. Prisoners will be allowed to make a phone call within a reasonable time after arrival at the City Jail. The phone call shall be made at the discretion of the Booking Officer and shall be appropriately logged on the Prisoner Status Report (attached).

- a. The Booking Officer shall note the date, time and number called by the arrestee in the Arrest Module of the Impact system.

G. Medications:

1. Medication shall be provided for prisoners when necessary and a record of such treatment shall be maintained in the NFPD Inmate Control Log Book. No medication shall be given to prisoners unless authorized or prescribed by a physician.

H. Prisoner Checks/Prisoner Condition Log:

1. As a minimum, the condition of prisoners shall be checked, by actual visits to cells and detention rooms, at intervals not to exceed 30 minutes. In situations where a prisoner's physical or medical condition obviously warrants it, constant supervision shall be provided.
2. The Jailer shall conduct these checks in the male cell block and then record the time of the check by stamping a card (see attached) at the time clock at the end of the block. The female police officer in charge of the female cell block will perform all checks of female prisoners. Male police officers are NOT allowed in the female cell block unless warranted by an emergency situation.
  - a. The time card shall be printed and signed by the Jailer and placed in the clip board.
3. In the event of a prisoner requiring medical attention the Jailer shall immediately notify the desk lieutenant.
4. The Jailer shall print his/her name in the log book in black ink at the beginning and end of each shift. If the Jailer is relieved at any time during the shift, they shall sign in and out with the relieving Jailer doing the same.
5. All significant events from each round shall be entered in the log book by the Jailer (e.g. prisoners all asleep, all appears secure, or prisoner in cell 4 awake and asked for a blanket). "All OK" is not an acceptable entry in the book. After recording the entry, place a line through the remainder of the entry and initial.
6. The use of closed circuit television shall not be considered as a substitute for actual physical visits to areas where prisoners are detained.

7. Upon placing or removing (for release) an inmate from his cell the Jailer will conduct a cursory check to ensure that the cell is clean, operational (plumbing) and free of damage, contraband or undue markings. Any such damage or contraband shall be noted in an Incident Report and the Booking Captain will be immediately notified through the chain of command. Charges shall be filed when appropriate.

I. Booking Process: Booking Officer Duties:

1. All prisoners shall be checked for outstanding local warrants and an NCIC check performed.
2. If the prisoner has an outstanding Niagara Falls City Court arrest warrant, he/she shall be processed according to department procedures.
3. If the prisoner is arrested on an arrest warrant, the prisoner shall be photographed and fingerprinted when mandated.
4. Appropriate paperwork shall be forwarded to City Court.
5. The Transport Officers shall take the prisoner to Court at the appropriate time.
6. Commitments shall be obtained for all prisoners returning to the Niagara County Jail. The commitments shall be given to the BOOKING officer(s).
7. The Niagara County Sheriff's Department will be notified to pick up returnee prisoners and any other prisoners with commitments each afternoon during the week.
8. Prisoners at Niagara County Jail required to return to court will be transported by the NFPD back to the NF City Jail prior to the prisoner's scheduled court appearance.
9. Prisoners brought in from the Niagara County Jail, who get released by our court, shall be released after being signed out by a Court Clerk and a detainer check is performed.

J. Prisoners with Special Circumstances:

1. Before an intoxicated person is incarcerated, the Booking Officer or female Police Officer shall check the prisoner closely to determine if there are any physical problems that may require medical attention. If

it appears that physical problems exist, medical attention must be provided.

2. If a prisoner is unconscious, ill or injured, the desk lieutenant shall be notified immediately and the prisoner transported to a hospital, if warranted. The prisoner shall be either released with an appearance ticket prior to leaving the City Jail, or remain under police guard until arraigned. Once arraigned, the Niagara County Sheriff's Department shall assume responsibility for guarding the prisoner.
3. The Booking Officer shall document the circumstances on all prisoners who exhibit any of the following at the time of their arrest:
  - a. Obvious physical injury (arrest report, prisoner status report);
  - b. Requires medical attention or makes complaint of injury or illness; (police report, arrest report, prisoner status report);
  - c. Appears mentally depressed; (suicide screening guideline, prisoner status report)
  - d. Makes an overt suicidal attempt or suicidal statement; (suicide screening guideline, prisoner status report)

#### K. Suicide Screening (Form 330)

1. All prisoners will be screened using Form 330 ADM (attached) as required by the Commission of Corrections and supervised according to the results of the screening process. Prisoners requiring frequent watch (more than once every thirty minutes) shall be placed in a cell with constant video monitoring. Prisoners deemed to be "High Risk" by virtue of information gathered from the Form 330 or other sources must be subject to continuous, uninterrupted personal visual observation. Moreover, the officer providing constant supervision must be of the same gender as the prisoner. This includes prisoners housed in the designated suicide cell, located in the Booking Area. These additional checks and constant supervision should be adequately noted on the Prisoner Status Report and the respective Log Book. The desk lieutenant shall be informed before any change in supervision or monitoring is made.

#### L. Visitation:

1. Attorneys, clergy or any other person requesting to visit a prisoner must first obtain permission from the desk lieutenant. Visitation will not be allowed at all times. The visit must be closely supervised.

Information concerning the visit shall be noted in the Inmate Control Log Book.

2. Visitation may only occur in one of the designated "Attorney/Client" meeting rooms. No civilians (inc. Attorneys, Clergy, Counselors, stc.) are permitted to enter the City Jail and under no circumstances are inmates to be left unsupervised. All policies regarding prisoner transports are to be strictly adhered to.

**M. Meals:**

1. Prisoners shall be provided food when held over mealtime. Food shall be given to a prisoner in his cell. Prisoners shall be fed breakfast, lunch and dinner. The names of each prisoner issued a meal will be entered in the Prisoner Meal Log by the Booking Officer. Receipts for Prisoner meals shall be attached to the Meal Log after the evening meal and filed accordingly. When necessary, personnel will make every attempt to provide for special dietary needs.

**N. City Jail Security:**

1. Prisoners shall be handcuffed at ALL TIMES (even upon their release) when escorted within the City Jail.
2. All doors and the elevator leading to/from the City Jail shall be locked at all times and strictly monitored by the Control Officer.
3. Under no circumstances will a prisoner be removed from a jail cell unless handcuffed and at least one officer is present in the City Jail area.
4. No packages or articles of any kind shall be delivered or sent by a prisoner unless checked and approved by the Desk Lieutenant.
5. Under no circumstances shall an armed officer enter any of the detention areas. This includes additional magazines and edged weapons.
6. No unauthorized personnel shall be allowed access to any of the detention areas.
7. Inmate property is not to be released to anyone other than said inmate unless extenuating circumstances are present and the release is authorized by the desk Lieutenant.

O. Report to Commission of Corrections:

1. Any incident of an unusual nature which involves the life or physical welfare of a prisoner while detained or the physical well-being of a staff member during a discharge of official duties shall be promptly reported by telephone to the Commission of Corrections, Albany Office, 518-474-1180, regardless of the time of day or day of week. Unusual incidents shall mean:
  - a. All deaths;
  - b. Attempted suicides resulting in injuries to inmates which require hospitalization;
  - c. Assaults on employees which require hospitalization;
  - d. Injuries to prisoners which require hospitalization;
  - e. Inmate disturbances include:
    1. The taking of hostages;
    2. The taking control of any portion of the facility;
    3. The major destruction of institutional property;
    4. Sit-down or other strike or disturbances.
    5. Escapes or attempted escapes;
    6. Any other types of occurrence which threatens the good order, discipline and security of the facility or its occupants.
2. Written reports of investigations regarding the unusual incidents specified above (except deaths) shall be submitted as soon as possible to the Commission but no later than fifteen (15) days subsequent to the phone notification. A copy of all reports will be forwarded to the Superintendent of Police as soon as possible.
3. In case of death, a copy of the Death Certificate, the Coroner's Report or Medical Examiner's Report and Toxicology Examination Report shall be submitted to the Medical Review Board, State Commission of Corrections within thirty (30) days. The initial information regarding the death, which is requested on commission, mortality and incarceration data for M-1 is to be phoned in to the 24-

hour number within six (6) hours of the death. Additional information requested on mortality and incarceration date of Form 2 is to be submitted to the Correctional Medical Review Board within ten (10) days of the death along with any other supportive information such as photographs, signed statements, unusual incident reports, facility health director reports, etc.

P. Arrest/Booking Form:

1. The Booking Officer will ensure that arrest/booking forms and computerized booking entries are completed properly and accounted for. The following procedure will be used to accomplish this:
2. Each new arrest will have a sequentially numbered arrest number in the upper left corner of the arrest report.
3. The arrest report will be filled out as completely as possible. One copy of the arrest report will remain in the booking area and one will accompany the court papers.
4. If an arrest involves a weapon, the weapon must be fully described in the Arrest Report.
5. Any alias or nickname should be listed in the appropriate field, as well as all tattoos and significant markings.
6. In arrest situations involving Miranda warnings the Booking Officer is to denote the date/time, location and by whom the Warnings were issued.
7. Crimes, violations and traffic infractions shall be listed on the same arrest report, as long as all charges stem from the same incident and do not require separate Blotter numbers.
8. A separate Arrest Report shall be prepared for each Blotter number.
9. At the completion of each shift, the Booking Officer shall update the Prisoner Status Log and distribute copies to the Control Officer and Jailer(s).

Q. Bail / Release Procedures:

1. Bail shall be set by the desk lieutenant when required, in accordance with the Criminal Procedure Law.

2. Photo ID is required from anyone posting bail for a prisoner. NO ONE under the age of 18 is allowed to post bail.
3. The Post 1 Officer shall prepare a bail envelope and the bail receipt and notify the Jailer of the inmates pending release.
4. The Post 1 officer shall ensure that the proper US currency is posted for bail. All currency shall be checked for counterfeiting.
5. The person posting bail shall be issued a bail receipt. The currency shall be secured in the bail envelope and the envelope secured in the Bail Safe for retrieval by court personnel.
6. The released prisoner shall sign and be given a copy of an appearance ticket by the Booking Officer designating their return date for court. The original appearance ticket is to be placed with the court paperwork and an additional copy is to be placed in the bail envelope.
7. In the event a handwritten appearance ticket is used the white copy is given to the defendant and the yellow copy shall be attached to the arrest paperwork which goes to the Court.
8. Whenever an officer issues an appearance ticket without executing an arrest they must complete the arrest report and attach it to the appearance ticket. NO Court Information's will be accepted without an arrest report.
9. Upon the completion of the Bail envelope and the Appearance ticket the Booking Officer shall meet the Jailer in the vestibule outside the Jail elevator and issue the defendant his appearance ticket. The defendant will then sign for his property and be escorted to the release door by the Jailer.
10. All policies and procedures remain the same for those inmates released under surety bond.

R. Sanitation and Maintenance:

1. Janitorial and maintenance services shall be regularly provided to insure that satisfactory conditions exist at all times.
2. A supply of toilet tissue shall be maintained.
3. The Jailer shall insure the cleanliness of the cell block area upon the release of each prisoner by requesting the prisoner collect any belongings and refuse. Any needed services shall be communicated

to the desk lieutenant. The desk lieutenant will make necessary arrangements for cleaning.

4. A monthly "detention cell inspection" shall be performed by a designee of the Superintendent of Police. The inspection report shall be maintained by the Administrative Captain. Any problems or abnormalities shall be immediately reported to the Superintendent of Police or designee.
5. Mattresses:
  - a. Male or female jailors shall issue, inspect and collect prisoner mattresses. All mattresses will be numbered and each Jailer will inspect the mattress for damage prior to issuance. The Jailer shall place the mattress in the designated location for disinfection (pursuant to current practice) prior to further use.
  - b. Mattresses shall be issued to prisoners who will be held overnight, except prisoners who pose a threat to themselves (suicide risk).
  - c. If a prisoner declines a mattress it shall be noted in the log book.
  - d. Each prisoner shall sign for a mattress on a prisoner property form. The Jailer shall initial next to the date and place the mattress number on the form. Upon collection, the Jailer shall acknowledge no damage on the form. If there is intentional damage to the mattress, the Booking Captain shall be notified and the prisoner shall be charged.

S. Discipline:

1. Officers shall not strike or lay hands on any prisoner(s) unless in self-defense, to prevent escape or serious injury to person or property, to quell a disturbance or to effect detention. In such cases, only that amount of physical force necessary to accomplish the desired result is authorized.
2. In the event it becomes necessary to restrain a prisoner, police officers shall be authorized to use handcuffs or other means of restraint. In such incidents, constant supervision shall be provided by a police officer. The use of chemical agents may be used when other restraint methods or efforts to subdue have not proven effective.

T. Transfer of Prisoners to Other Agencies.

1. The transfer of prisoners to the custody of another agency is to occur as follows:
  - a. As per NFPD policy inmates are to be handcuffed IN their cell prior to removal from same.
  - b. The prisoner is then transported to the booking area and their property is to be released to the Officer of the Agency taking custody of the prisoner and the exchange is to be noted on the Property receipt and the Inmate Control Log.
  - c. Handcuffs and Leg Shackles that are the property of the NFPD are not to be lent or given to other agencies unless extenuating circumstances exist. In this event a separate property receipt is to be completed in full, listing the name of the Officer and their agency.

U. Niagara County Jail Transport (In addition to the above listed policy):

1. During the daily prisoner transfer to the Niagara County Jail, Deputies will, with the aid of the Jailer, secure all prisoners individually and leave them in their cell.
2. Inmates will then be moved in groups, the number of which will be determined by personnel in the Jail.
3. Inmates will then be transported to the Booking Area and placed in the appropriate holding cell where they will await movement to the transport vehicle.
4. Female Prisoners will be secured in the same manner but in the presence of a female Police Officer who will make a cursory check of the cell block, (ensuring the privacy of female inmates) announcing that the NC Jail personnel will be entering the cell block.
5. NFPD personnel are to assist the NCSD in the security and transport of prisoners whenever possible. All movements, transfers and activities are to be recorded in the Prisoner Log Book.

V. Receiving Prisoners from other Agencies.

1. When accepting prisoners from other agencies the officer receiving the prisoner will ensure that the appropriate charging paperwork is completed or that the warrant is outstanding.

2. In the event of an out of state warrant execution derived from a NCIC hit, the arresting officer is to ensure that the arresting agency has a "HIT CONFIRMATION RESPONSE" and the MIS field states that the originating agency will extradite. (i.e. Homeland Security arrests).

W. Fingerprinting of In Custody persons:

1. The Booking officer/Jailor will notify CSU of any inmates that need to be fingerprinted prior to their release from the City Jail.
2. Mornings before court CSU will advise Booking/Jailor of the inmates that require fingerprinting.
3. The Jailor shall handcuff the inmates and escort them to the Staging Area of the City Jail then notify the CSU officer when ready.
4. The Booking Officer and CSU Officer will escort then inmate(s) to and from the holding cell and LIVESCAN Room in Booking until all inmates in the group have been fingerprinted and photographed.
5. The Booking Officer will then notify the Jailor that they will be returning to the staging area and the CSU Officer and Booking Officer will escort the inmate(s) back to the City Jail.