

SANTA CLARA POLICE DEPARTMENT

TEMPORARY HOLDING FACILITIES

AMENDED MARCH 2017

This manual contains the following numbered sections:

- 72.1.1 Policy Statement
- 72.2.1 Definition
- 72.3.1 Design Capacity of Facility
- 72.4.1 Staffing
- 72.5.1 Number of Personnel
- 72.6.1 Booking Safety/Procedures and Key Control
- 72.7.1 Receiving and Screening
- 72.8.1 Security/Classification/Housing Considerations
- 72.9.1 Management of Disruptive Arrestees
- 72.10.1 Management/Placement of Disabled Arrestees
- 72.11.1 Jail Service Officer's Responsibilities/Arrestee Accounting
- 72.12.1 Definitions of Searches
- 72.13.1 Guidelines for Strip Searches: Adults and Minors
- 72.14.1 Temporary Holding Facility Training
- 72.15.1 Arrestee Movement within the Facility/Entry and Exit from Security Areas
- 72.16.1 Food Preparation and Serving
- 72.17.1 Medical Service/Management of Communicable Diseases
- 72.18.1 Sobering Cells
- 72.19.1 Safety Cell
- 72.20.1 Exercise
- 72.21.1 Visitation/Attorney Interviews
- 72.22.1 Mental Health Services
- 72.23.1 Court Holding and Inmate Movement
- 72.24.1 Staff-to-Staff Communications
- 72.25.1 Facility Sanitation
- 72.26.1 Fire and Life Safety Staff
- 72.27.1 Fire Suppression Pre-planning
- 72.28.1 Escape/Emergency/Disturbance/Hostage Situation
- 72.29.1 Natural Disaster
- 72.30.1 Documentation of Routine Jail Checks/Supervisory Inspections
- 72.31.1 Arrestee Records
- 72.32.1 Photographs and Fingerprints
- 72.32.2 Prop. 69 DNA Collection
- 72.33.1 Incident Reports/Investigations/In-Custody Deaths
- 72.34.1 Juvenile Detention and Classification
- 72.35.1 Correspondence
- 72.36.1 Access to Telephone

- 72.37.1 Voting
- 72.38.1 Plan for Arrestee Discipline
- 72.38.1 Suicide Prevention Program
- 72.40.1 First Aid Kits
- 72.41.1 Chemical Agents
- 72.42.1 Weapons Storage
- 72.43.1 Use of Force
- 72.44.1 Restraint Devices
- 72.45.1 Inspections/Documentation/Maintenance
- 72.46.1 Appendices

72.1.1 Policy Statement

The Santa Clara Police Department operates a temporary holding facility (THF) at the department and the stadium for the processing and housing of individuals arrested by agency personnel. The Police Department is committed to operating the THF facilities in accordance with the rules and regulations as set forth in Title 15 of the California Code of Regulations.

All personnel are responsible for knowing and carrying out the provisions of this manual. Any questions regarding the contents of this manual should be directed to the Patrol Division Administrative Sergeant.

The Field Operations Division Administrative Sergeant is responsible for completing a documented annual review of the Temporary Holding Facility Manual in order to assure that it continues to meet the requirements of Title 15 of the California Code of Regulations. The annual procedural review shall be completed by the first week of February of each year. The THF manual revision shall be completed and submitted to the Chief's Office for Staff review by the last week of February of each year.

The Chief of Police, also known as the "Facility Administrator," may in an emergency temporarily suspend any standards or requirements prescribed in Title 15 of the California Code of Regulations as it applies to the Santa Clara Police Department THF or the Stadium THF. When such a suspension lasts longer than three (3) days, the Correction Standards Authority (CSA) shall be notified in writing. No suspension shall continue longer than 15 days without the approval of the chairperson of the (CSA). (Ref. California Code of Regulations, Title 15 Sec. 1012.)

The Field Operations Division Captain is designated as the "Facilities Manager."

The Temporary Holding Facility Manual became effective on 08/01/2000. It was last revised on 03/09/17.

72.2.1 Definition

The Board of State and Community Corrections has identified the temporary detention facilities operated by the Santa Clara Police Department as a “Temporary Holding Facility.” These facilities are used for the confinement of persons for less than twenty-four hours pending their release, transfer to another facility, or appearance in court. The Santa Clara Police Department THF consists of one (1) staging cell (D107), two (2) booking cells (D116/D117), two (2) sobering cells (D103/D110), two (2) housing cells (D104/D111), interview room (D102), one (1) line-up room (D105), one (1) shower room (D112), two (2) juvenile detention cells (J1/J2) and a non-secure juvenile processing area (Room 181). The juvenile areas are located outside the adult portion of the THF. The THF is designed to accept both male and female arrestees.

The Santa Clara Police Department Stadium THF consists of one (1) staging cell, two (2) Pre-booking cells, two (2) sobering cells, two holding cells, and one (1) interview room. Juveniles are not held or processed at the Stadium THF. The THF is designed to accept both male and female arrestees. No adult arrestees are allowed in the juvenile THF.

72.3.1 Holding Capacity of Facility

The BSCC has approved the design capacity of the Santa Clara Police Department THF at a maximum of thirty (30) arrestees under normal custody conditions. The staging cell (D107) may temporarily hold, pending booking or transfer to the Department of Correction, up to a maximum of (16) arrestees. The booking cells (D116/D117) should be limited to two (2) arrestees per cell. The sobering cells (D103/D110) shall house up to a maximum of four (4) arrestees each. The housing cells (D104/D111) may house two (2) arrestees each under normal circumstances. The Santa Clara Police Department’s THF does not have a safety cell.

The BSCC has approved Santa Clara Stadium THF design capacity at a maximum of twenty (20) arrestees under normal custody conditions. The staging cell may temporarily hold, pending booking or transfer to the Department of Correction, up to a maximum of (12) arrestees. The booking cells should be limited to two (2) arrestees per cell. The sobering cells shall house up to a maximum of four (4) arrestees each. The housing cell may house two (2) arrestees under normal circumstances. The Santa Clara Police Department Stadium THF does not have a safety cell.

72.4.1 Staffing

The THF facilities shall be staffed with Jail Service Officers (JSO) or Title 15 trained officers, who are currently certified and have a Title 15 certificate on file with the SCPD. If a JSO or Title 15 trained officer is not on duty, the THF **shall not** be used. This cannot be overridden by a Watch Commander. See Appendix 1 for an example of the scheduling and coverage.

It is the Administrative Sergeant's responsibility to coordinate the day-to-day activities of the THF facilities, review the shift logs and confirm that local and State policies and procedures are being complied with. The Administrative Sergeant shall be responsible for making sure a sufficient amount of supplies are on hand for the THF facilities to operate and will annually submit a budget request for items related to the separate THF operations. It is also the responsibility of the Administrative Sergeant to provide update training for department personnel on issues pertaining to the THF facilities and their operations when necessary.

JSOs will be under the supervision of the Administrative Sergeant. In the absence of the Administrative Sergeant, the JSO will report to the on-duty Field Operations Division Watch Commander (Department THF). When the Administrative Sergeant is not on duty, the Watch Commander will be responsible for the operations of the department THF and must approve any deviation from established policy or procedures.

JSOs working at the stadium facility will report for duty per the existing stadium operations plan.

72.5.1 Number of Personnel

Whenever there is an inmate in custody in the THF, there shall be at least one (1) JSO or Title 15 trained officer on duty and in the building. **The JSO/Officer shall be immediately available and accessible to arrestees in the event of an emergency.** When female arrestees are in the facility, there shall be at least one female officer, JSO, Records Specialist II (Department THF) or Records Supervisor (Department THF) that can be immediately available and accessible to the arrestee.

Visual checks on all arrestees shall be made at least every thirty (30) minutes. Documentation of these checks shall be made on the daily THF Activity Log. See Appendix 2 for an example of the THF Activity Log Form.

If a JSO or Title 15 trained officer working in the capacity of a JSO is not immediately available, the arresting officer shall be responsible for the supervision of his/her arrestee and shall not enter the THF. For arrestees not being held in the THF facilities, the arresting/transporting officer shall

transport them directly to the Santa Clara County Department of Correction as soon as is practical.

The Stadium THF will have a Santa Clara County Department of Corrections bus staged at the THF sally port for the transportation of arrestees for large events.

72.6.1 Booking Safety/Procedures and Key Control

The arresting officer shall conduct a pat-down on an arrestee in the field before transporting him/her to the THF facilities. Officers working at the stadium will conduct a pat down search out of view of the public if officer safety allows.

Upon arrival at the department THF, the officer will request admittance into the vehicle sally port. The JSO will remotely open the vehicle sally port roll-up door allowing the officer to drive in and park. The JSO, from the Ops Control Center (D115), will be responsible for the remote closing of the vehicle sally port roll-up door(s) and the monitoring of all activity inside of the sally port.

Once the vehicle sally port door is closed, the officer shall remove the keys from his/her vehicle and secure all weapons, including knives, chemical agents, electronic control devices, firearms, batons and ammo by locking the items in the gun lockers provided or in the trunk of his/her vehicle. The officer shall keep the vehicle and gun locker keys in his/her possession at all times. **No weapons shall be taken into the THF except in an extreme emergency.** The SCPD Medical Questionnaire shall be completed prior to entry into the staging cell of the THF.

Officers at the Stadium THF will make entrance via the sally port door. Once at the entrance to the staging cell the officer/s shall remove and secure all weapons, including knives, chemical agents, electronic control devices, firearms, batons and ammo by locking the items in the gun lockers provided

Once in the staging cell (in both Department THF and the Stadium THF) and with both staging cell doors secured, a booking search shall be conducted in the presence of a second officer or JSO to make sure that the arrestee does not have any contraband or items that can inflict harm to his/herself, another arrestee or Department personnel during the booking process.

If the arrestee is female, the arresting officer (if male) shall contact an on-duty female Police Officer, a female JSO, a female Police Records Specialist II or a female Police Records Supervisor to complete the applicable booking search as defined in 72.12.1 of the THF Section Manual. The JSO, Records

Supervisor or Records Specialist II shall have completed training on the proper procedure for searching arrestees before conducting arrestee searches. JSOs, Records Specialist IIs and Records Supervisors that have not completed the training shall not conduct searches unless no other options are available. In the event this happens, the JSO will note the incident in the Remarks section of the THF Activity Log.

Duties performed by the female Police Officer, JSO, Records Supervisor, or Records Specialist II may consist of:

- Physical searches for contraband or items that can be used as a weapon to inflict injury to self, an officer or another.
- Escorting of female arrestee to the bathroom.
- Monitoring the collection of urine samples.
- Monitoring evidence collection from the body of a female.
- Completing of appropriate report forms regarding items seized or action taken.
- Assistance with transporting.

The arresting officer shall take custody of any evidence or contraband found on the arrestee. The items confiscated will be processed as soon as possible, as directed by SCPD General Order Chapter 84.1, Property and Evidence Control, Administration and Operation. All property removed from the arrestee shall be placed into a property bag. A hand held metal detector device will also be available in the staging cell so that officers may screen their arrestees for items that may be hidden on their clothing. Only after the screening has been completed and all contraband and property has been removed from the arrestee will the JSO allow the officer and arrestee to enter the booking area.

The arresting officer will then place the arrestee into one of two booking cells. With the arrestee secured in a booking cell, the JSO will allow the officer to enter the Ops Control Center. Arrest Report Processing (ARP) and the completion of AIB related forms will take place while the arrestee is in the booking cell. The arrest report process will be a joint effort between the JSO and the arresting officer.

With the completion of the ARP process, the arrestee will be moved into the AIB portion of the booking area where applicable sobriety tests, digitized photographs, fingerprints and blood or breath samples can be taken.

Once all arrest processing has been completed, a determination shall be made regarding the arrestee's disposition.

An appropriate disposition for an arrestee may consist of:

- Released from the THF per Notice to Appear, Citation, or 849a/b PC.
- Placed into a sobering cell.

- ❑ Placed into a housing cell awaiting bail, bond or transfer to the Santa Clara County Department of Correction or another facility.
- ❑ **Officers are responsible for expeditiously transporting their arrestee from the THF to the appropriate facility once all arrest processing is completed.**

Arrestees being transferred to another agency shall be handcuffed prior to removal from the cell in which they were temporarily held. When the arresting/ transporting officer has control of the arrestee and his/her property, the JSO will then remotely allow them to leave the THF via the staging cell to the vehicle sally port. To reduce the chance of escape, the JSO shall ensure that the doors between the vehicle sally port and the staging cell, and the staging cell and the booking area shall never be open at the same time. Once the arrestee is secured in the vehicle and the officer is ready to leave, the JSO will open the vehicle sally port roll-up doors.

The JSO/Officer escorting an arrestee out of the Stadium THF shall exit the staging area door and exit directly out to the sally port area. No arrestee will be allowed to enter the break room area or the report writing room area at any time. The JSO will ensure the sally port door is closed and will remain so while any arrestees are present in the sally port area unless the arrestees are secured in a SCDOC van or a Police vehicle.

No civilians shall be allowed in the THF facilities except those authorized by the Watch/Event Commander. The presence of persons not essential to the booking process increases the level of risk of an incident and reduces the level of security. Ride-a-longs should be escorted to the lobby or break room to remain while the officer they have been assigned to completes the processing of their arrestee.

In the event that the vehicle sally port is unavailable, officers shall park their vehicles in the booking overflow parking area and escort their arrestee(s) to one of the two pedestrian doors (Department THF) or single pedestrian door (Stadium THF) of the vehicle sally port. Using the intercom, the officer will request access to the THF. Adult arrestees should not be brought into the police facilities by other than the sally port entrances unless necessity dictates such action is required.

To maintain key control for the THF, the following steps will be taken.

Keys will only be issued to:

- ❑ Field Operations Division Captain
- ❑ Administrative Sergeant
- ❑ JSOs

Emergency access keys are located in clearly marked, red, wall-mounted boxes at the following locations:

- ❑ The West entrance to the Department THF
- ❑ The East entrance to the Department THF
- ❑ Outside of staging cell in the Department vehicle sally port
- ❑ In the SCPD Records unit above the JSO console
- ❑ In the Department Ops Center located above the booking counter
- ❑ In the sally port of the Stadium THF
- ❑ Outside the staging cell of the Stadium THF
- ❑ Above the booking desk inside the booking area of the Stadium THF

As part of the daily inspection, each set of keys shall be accounted for. Any missing keys shall immediately be reported to the Administrative Sergeant or the on-duty Watch Commander.

72.7.1 Receiving and Screening

The following classes of arrestees can be **processed only** at the THF as long as they are immediately transported to County Jail, but **shall not** be held at the Santa Clara Police Department THF or held at the Santa Clara Police Department Stadium THF:

- ❑ Pregnant or lactating females
- ❑ Persons known to have AIDS (as long as they are not bleeding), hepatitis (as long as they are not bleeding), or VD
- ❑ Persons under medication (i.e. Blood pressure, seizure, or psych. meds.)
- ❑ Persons who are developmentally disabled (i.e. epilepsy, cerebral palsy, autism, etc)
- ❑ Persons with diabetes
- ❑ Arrestees whose sex cannot be determined

For an arrestee who is being processed then immediately transported to County Jail, the arresting officer must stay in the THF with the JSO and the arrestee, except to quickly gather paperwork from Records or to test, weigh, and book narcotics evidence. The officer shall not return to the field and leave their arrestee in the THF unless there is an immediate threat to another officer's life.

The following classes of arrestees **shall not** be processed **or** held at the Santa Clara Police Department THF or the Santa Clara Police Department Stadium THF:

- ❑ Physically combative persons (toward officers in the field or who become combative while in the THF)
- ❑ Persons having a mental health crisis, who are contemplating suicide, or who meet the criteria for 5150 W&I
- ❑ Persons known to have TB, measles, mumps, chicken pox, MRSA, etc

- ❑ Persons requiring immediate emergency medical treatment
- ❑ Persons infested with vermin
- ❑ Persons under the influence of drugs and alcohol who cannot walk into the facility under their own power, unless approved by the Watch Commander or Administrative Sergeant for the purposes of completing an on-going investigation
- ❑ Persons who have defecated or vomited upon themselves
- ❑ Persons who have a BAC of .25% or higher

In order to override the Receiving and Screening policy, the Watch Commander must approve any deviation from this policy and it must be noted in the THF Activity Log.

All arrestees entering the THF facilities, including juveniles held in the juvenile detention area, SHALL be screened using a Santa Clara Police Department Medical Questionnaire. The questionnaire shall be completed by the arresting officer prior to entry into the staging area of the THF. See Appendix 3. Once the arrestee has been released from the THF facilities, the Santa Clara Police Department Medical Questionnaire will be forwarded to the Records Unit for filing by case number.

Should it be determined that an arrestee will be transferred to the DOC, the appropriate Santa Clara County Department of Correction Medical Questionnaire will also be completed. See Appendix 4. A copy of the Santa Clara Police Department Medical Questionnaire will be scanned into the case file.

If any Department personnel feel that an arrestee is in need of medical treatment, however slight, or the arrestee requests medical treatment, it shall be provided. If the treatment requires medical personnel, then the arrestee shall be transported to Valley Medical Center without delay.

72.8.1 Security/Classifications/Housing Considerations

The following guidelines apply with respect to arrestees in the THF facilities:

All 647(F) PC arrestees that will be held in the THF facilities will undergo a preliminary alcohol screening (PAS) test to assist in determining what their level of intoxication is prior to entry into the staging cell. The sample must be a full, deep breath sample, not a quick capture. If the arrestee fails to give a deep breath sample, they shall be transported to the Santa Clara County Department of Correction, or Valley Medical Center, whichever is appropriate. For DUI arrestees who will be giving breath or blood samples, they will NOT be given the PAS test prior to entry into the THF. If they give a breath sample in the THF, that measurement will be used in place of the

PAS test. If they give a blood sample, the PAS test will be given after the blood sample is given. The measurement will serve two purposes. First, it shall be used for the purpose of determining the potential length of an arrestee's detoxification in the THF facilities prior to being released. **Second, the measurement shall be coupled with the arrestee's physical symptoms to determine if the arrestee should not be held in the THF facilities but instead transferred to the Santa Clara County Department of Correction, Valley Medical Center or RockMed (Stadium sponsored events only.)**

If the detainee refuses to take an initial PAS test, the JSO has the discretion to determine if the individual should be admitted to the THF facilities or transferred directly to DOC or provided with medical attention, whichever is appropriate.

If during the initial PAS it is determined that the BAC% is .25 or higher, this person will be denied admittance to the THF and **shall** be taken to DOC or provided with medical attention (or RockMed when provided at stadium events), whichever is appropriate.

Additionally, a second PAS test will be taken just prior to the time of release from the THF facilities. This second test is to ensure that the BAC% level has in fact diminished to a level below .05 BAC% before the arrestee is released back into the public. If the detainee refuses to take a second PAS test, the JSO/officer has the discretion to determine if continued detention is in the best interest of the individual. This extra level of protection helps protect the individual both as a pedestrian and as a potential driver under California law.

Where an individual provides a PAS test that is less than .05 % BAC and they are still unable to care for themselves or others under the definition of 647 (f) P.C., a further investigation shall take place to determine if the individual is experiencing a medical event or is under the influence of drugs or medication.

(See Sobering Assessment Form and guidelines in Appendix 9)

The arresting officers shall ensure that a check for wants and warrants has been completed on their arrestee as part of the booking process.

Male and female arrestees are to remain separate at all times. Male and female arrestees must not sleep, dress, undress or perform eliminatory functions in the same room or within sight of each other.

If the sex of arrestees cannot be determined at the time of booking, they shall be transported to Santa Clara County Department of Correction as soon as practical. While in the THF facilities, they shall be segregated from other arrestees. The sex of an arrestee may in most cases be verified by checking the arrestee's criminal history or driver's license record.

An arrestee that is in custody for a felony should be segregated from arrestees being charged with a misdemeanor.

The arresting officer shall inquire if the arrestee has ever served any State Prison or County Jail time. An arrestee that has served time in State Prison tends to be more criminally sophisticated and shall not be held or housed with arrestees who have not served any State Prison time.

An arrestee who has been in County Jail for an extended period of time probably has a greater degree of criminal sophistication than someone who has never been in jail. An arrestee who has served significant time in a County Jail should not be held or housed with an arrestee who has not served any jail time.

Whether an arrestee has a prior record of serving time in a county jail or State prison can be determined by checking their criminal history.

The arresting officer shall inquire if the arrestee is a gang member and, if so, to which gang he/she is associated. Gang members shall not be held or housed with rival gang members or with non-gang members.

Juvenile arrestees, under the age of 18, shall only be held in the juvenile detention area of the THF facilities. They shall not be placed in the same cell with an adult arrestee, nor may they come into contact with adult arrestees. During movement of juveniles within the facility, an officer or JSO will maintain constant, side-by-side presence to ensure that no communications occur during any “incidental presence” with an adult arrestee.

Adult arrestees or non-police employees may not enter the juvenile detention area of the THF facilities for ANY reason.

Adults with significant differences in age should not be held or housed together. Large age differences may result in one inmate victimizing another.

Arrestees charged with a serious offense such as rape, homicide, etc., shall not be held or housed with those arrested for lesser violations such as petty theft or vandalism.

An arrestee who must be segregated from mixing with others in the THF facilities, shall have the following information noted on the arrestee’s In-House Booking/Housing Record:

- The number of the cell he/she was placed in while in the THF facilities.
- The reason for segregation – Note this in “special instructions” box.
- That segregation did occur.

The Administrative Sergeant, Watch Commander, or Event Commander may make other segregation and classification decisions as they see necessary to provide for the safety of personnel and/or arrestees or to aid in an investigation. Any deviation from the security/classification criteria provided in this section shall be documented in the Remarks section of the THF facilities Activity Log.

Personnel should remember the objective of administrative segregation. Its purpose is to separate the arrestees if necessary and place them in secure housing in order to protect personnel and arrestees in the THF facilities. They shall not be deprived of any privileges granted arrestees in the THF facilities other than those necessary to protect others.

Any potential security problems, illnesses, suicidal tendencies or escape possibilities shall be noted in the arrestee's booking package that will accompany him/her upon transport to another facility.

72.9.1 Management of Disruptive Arrestees

Persons arrested for battery on a police officer or a violent 148 PC charge or who have a history of violent or assaultive behavior against a JSO shall not be processed or held in the THF. They shall be transported straight to the Santa Clara County Department of Correction. While inside the THF, arrestees who become combative will be immediately transferred to the Santa Clara County Department of Corrections. When individuals who are combative toward officers are identified in the field, they **shall not** be brought beyond the sally port of the police facilities. If brought into the Stadium THF area via the interior hallway the arrestee will be escorted out to the sally port area for processing. Limited pre-processing should take place in the sally port at the workstation that has been provided just prior to transportation to County Jail. **Only under extreme extraordinary circumstances and only after prior approval by the Administrative Sergeant, Watch Commander, or Event Commander shall an exception to this policy be granted.** If a disruptive arrestee must be held in the THF facilities, they shall remain segregated from other arrestees until such time that they are released or transferred. Information regarding the segregation and cell in which the arrestee was held shall be noted in the In-House Booking/Housing Record as mentioned in 72.8.1.

Arrestees who are assaultive towards other arrestees or department personnel shall be transported as soon as possible to the Santa Clara County Department of Correction.

Arrestees who become extremely violent while in the THF facilities, who attempt to harm themselves or others, who are prone to escape or are likely to

need protection while in custody will be segregated from other arrestees and immediately transported to the Santa Clara County Department of Correction.

No provisions have been made in the THF facilities to book or house assaultive or combative arrestees. The Administrative Sergeant, Watch Commander, or Event Commander may order the immediate transport of a disruptive arrestee if the situation so warrants.

72.10.1 Management and Placement of Disabled Arrestees

The THF facilities are not designed to house disabled or developmentally disabled arrestees. If the arrestee is sufficiently mobile and lucid, they may be booked, photographed, fingerprinted and interviewed prior to being released or transported to the Santa Clara County Department of Correction. The Administrative Sergeant, Watch Commander, or Event Commander may authorize a disabled arrestee not meeting the above criteria to be booked or temporarily held in the THF facilities to facilitate an on-going investigation. When a disabled or developmentally disabled arrestee is held in the THF facilities, they shall be segregated from all other arrestees. The authorization for the deviation from normal operating procedures under sections 72.7.1 and 72.10.1 of this manual shall be documented in the Remarks section of the THF facilities Activity Log.

“Developmentally disabled” includes mental retardation, cerebral palsy, epilepsy, autism or a combination of these handicaps.

72.11.1 Jail Service Officer (JSO) Responsibilities/Arrestee Accounting

The primary responsibility of the JSO or Title 15 trained officers working in the capacity of a JSO is that of maintaining the THF facilities and monitoring arrestees within the facilities. While they may have other responsibilities during their shift, none of their other duties may interfere with their ability to respond immediately to the THF facilities to render assistance. Under normal circumstances, JSOs will not be responsible for the transportation of arrestees to another facility. The JSO/Officer shall maintain the Temporary Holding Facility Activity Log including the recording of name, case number, charge(s) and the time of each arrestee entering and leaving the THF facilities. It is critical that the THF facilities Activity Log accurately reflect the status and movement of all arrestees while in the facilities. Each JSO/Officer will also be responsible for conducting a daily shift inspection to insure the facilities are properly maintained. The results of the shift inspection shall be noted in the Remarks section THF facilities Activity Log.

The Arresting Officer and JSO/Officer shall make sure that the Santa Clara Police Department Medical Questionnaire has been completed on all arrestees before entering the THF facilities.

The JSO/Officer will be responsible for any property removed from an arrestee and held while he/she is being booked or held. For arrestees being held in the THF facilities, each item removed shall be inventoried and listed on the booking form excluding those items seized by the arresting officer and placed into evidence.

If the arrestee has no property, "NONE" shall be noted on the booking form.

All descriptions of jewelry will be by color of metal and stones and not by the common precious metal/stone name, i.e. "yellow metal" rather than "gold" and "white stone" instead of "diamond." Any damage, such as a missing stone or a cracked watch crystal, shall be noted in the property description. All property removed will be placed into a transparent bag. The bag containing all the arrestee's property shall be clearly marked with the first and last name of the arrestee. A copy of the booking form may be placed inside the bag to identify the arrestee.

All monies will be counted in front of the arresting officer or a second department employee before being placed into a money envelope. Once all monies have been placed into the envelope, it will be sealed and marked with the case number, the amount enclosed, the names and CJIC numbers of the JSO/Officer and the witness who verified the amount. The money envelope will be placed in the property bag.

Each arrestee shall sign the booking form confirming the proper inventory. If the arrestee refuses to sign confirming the inventory, "REFUSED" shall be noted on the form. JSOs and officers are encouraged to have a second department employee witness the refusal. **Per 4003 of the Penal Code, each arrestee will be given a copy of the receipt during the booking process.** If the arrestee declines the copy, it will be placed with the property and given to him/her upon release or transferred with them to another facility. The bag containing the arrestee's property will then be sealed and secured in the locked Property Storage Area in the Ops Control Center.

Should an arrestee be transferred to another facility, the JSO/Officer will ensure that the arrestee's property accompanies him/her.

Property too large to fit in the property bag or deemed inappropriate to have in the Ops Control Center will be booked into the Property/Evidence Facility for safekeeping by the arresting or transporting officer. The arrestee may claim the property after his/her release by making an appointment with the Evidence Room property clerk.

The JSO/Officer will also verify that an In-House Booking/Housing Record is completed on all arrestees held in the THF facilities. The booking process,

including fingerprints and photographs, may be completed at any time prior to the arrestee's release and is contingent on the investigative and logistical needs of the arresting officer and or investigating detective in cooperation with the JSO/Officer.

The JSO/Officer will ensure that applicable fingerprints and photographs have been recorded prior to an arrestee being released/transferred. Should the arrestee request to release property to a third party during the booking process, an Arrestee Property Release Form will be completed. Release of property is at the discretion of the arresting officer or JSO/Officer. See Appendix 5.

All shoes, belts, necklaces, and other items that an arrestee may use to harm him/herself shall be taken away and placed with his/her property. Basic clothing is the only personal property allowed in the cells with the arrestee.

If the arrestee is too intoxicated to complete the booking process, (but not at the level that would preclude admission to the THF facilities) he/she shall be placed in a sobering cell until such time that he/she is sufficiently mobile and lucid. Arrestees placed into a sobering cell will be checked every 30 minutes for overall status until they are able to complete the booking process.

All arrestees are entitled to make telephone calls. (See 72.36.1 Access to Telephone).

72.12.1 Definitions of Searches

Normal pat-down search: This is a standard search used by officers in the field for the purpose of checking an individual for weapons. It involves a thorough patting down of the outer clothing for the purpose of locating a weapon or other dangerous item that could pose a hazard to the officer.

Booking search: This occurs within the staging cell of the THF facilities and includes a full search of the person and examination of everything in the possession of the arrestee, such as clothing, items in pockets and closed containers, in order to remove all personal property, contraband, or weapons. A booking search does not include the searching of body cavities. The arrestee's shoes, socks, belt, jewelry, hairpins, body piercings and all other personal property are taken and searched/inventoried. It is mandatory to check the individual's hair if it is long and/or capable of concealing items.

Strip search, visible body cavity search: In strip searches, the arrestee is required to remove or rearrange some or all of their clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, and/or genitalia.

Physical body cavity searches: Physical body cavity searches include physical intrusion into a body cavity for the purpose of discovering any object

concealed in the body cavity. “Body cavity” means the stomach or rectal cavity of a person and the vagina of a female person. (Ref. 4030 PC.)

72.13.1 Prevention of Unjustified Strip Searches

Arrestees may only be strip searched prior to pre-booking under the following circumstances (Ref. 4030 PC):

- ❑ The charge(s) involve weapons, controlled substances or violence and
- ❑ There exists a reasonable suspicion based on specific and articulable facts to believe such person is concealing a weapon or contraband and a strip search will result in its discovery.

No pre-booking strip search of an arrestee brought into the THF facilities will be conducted without prior written authorization from an on duty supervisor of the rank of sergeant or above. (See 11550 (a) H & S possible exception below)

The written authorization will be documented on the Strip Search Authorization form. See Appendix 6. The authorization shall include specific facts and circumstances upon which a reasonable suspicion that a strip search is necessary is based. **The past record alone of the arrestee is insufficient to justify the need for a strip, visual body cavity or physical body cavity search.** Examples of factors to consider in determining reasonable cause may include the suspect’s history of weapons or drug possession, paraphernalia, weapons or ammunition in possession, statements made by the suspect or statements made by co-conspirators.

A strip search will only take place after proper written authorization is received. After the search, the signed and completed Strip Search Authorization form will be attached to the arrest report for supervisory review. The form will then be forwarded to the Records Unit for retention as part of the case file.

Arrestees brought into the THF facilities for being under the influence of a controlled substance, 11550 (a) H & S, are not to be strip searched **unless:**

- ❑ There are specific articulable facts to believe a strip search will reveal contraband secreted on the arrestee that will only be discovered through a strip search **and**
- ❑ A prior written supervisory approval as outlined above has been obtained.

Felony arrestees may only be strip searched prior to pre-booking under the following circumstances:

- ❑ Only when there exists a reasonable suspicion, based on specific and articulable facts that the arrestee is concealing a weapon or contraband.

A violation of section 4030 of the Penal Code as it pertains to strip searches is a misdemeanor and may also result in civil action as well as the suppression and or exclusion of any contraband found. (Ref. Wade (1984) 208. Cal App. 3d 304.)

No physical body cavity searches shall be conducted in the THF facilities without obtaining a valid search warrant. Body cavity searches, when conducted after obtaining a search warrant, shall be performed by a licensed physician or registered nurse. A copy of the search warrant shall be filed in the records case file.

Persons conducting or present during a strip search, visual body cavity or physical body cavity search shall be of the same sex as the arrestee and shall not touch the breast, buttocks, or genitalia of the arrestee. An exception is made for the medical professional. All strip, visual or physical body cavity searches must be conducted in the THF facilities shower room (D112), where privacy can be assured.

In all instances where an arrestee refuses to cooperate during a strip search, the on-duty supervisor of the rank of Sergeant or above shall be summoned to the THF facilities prior to proceeding further.

72.14.1 Temporary Holding Facility Training

Supervisory personnel including the Administrative Sergeant, Watch Commanders or Event Commander that oversee the Santa Clara Police Department THF and the Santa Clara Police Department Stadium THF, JSOs and other personnel that may be held responsible for arrestees while in the THF facilities shall successfully complete a minimum of eight (8) hours of specialized training mandated by the California Code of Regulations, Title 15 sec. 1024. Such training shall include, but not be limited to:

- ❑ Applicable minimum jail standards
- ❑ Jail operations liability
- ❑ Inmate segregation
- ❑ Emergency procedures and planning
- ❑ Suicide prevention

Personnel shall also receive training in the applicable regulations regarding juvenile detentions and Fire and Life Safety.

Training shall be completed as soon as practical and, in any event, not more than six (6) months from the date of the assigned responsibility or effective

date of these regulations. Additionally, personnel will receive a minimum of eight (8) hours of refresher training every two (2) years.

All Officers, JSOs, qualified Officers, Records Specialist IIs and Record Supervisors who may be called upon to assist with the supervision of an arrestee in the THF facilities shall receive CPR and First Aid training, including regular updates to maintain proper certification.

72.15.1 Arrestee Movement within the Facility/Entry and Exit from Security Areas

The arresting officer or the JSO/Officer shall direct all movement of arrestees in the THF facilities to minimize any escape risk. Movement shall be restricted to areas outside the Ops Control Center. Any movement of arrestees shall be with an escort and under direct visual supervision of a second officer or JSO. This is particularly important at the Stadium THF when an arrestee is being escorted in non-secure areas outside the staging cell. Two (2) JSO/Officers shall escort an arrestee in the interior, unsecured areas of the THF.

Arrestees should be handcuffed when not confined in a booking cell, sobering cell or housing cell, except when being fingerprinted or photographed. Officers and investigators may, however, use their discretion regarding restraints if questioning is being conducted in an interview room of the THF facilities and the arrestee is calm, cooperative and with an officer at all times. Any time an interview room in the THF facility is being used to speak with an arrestee, a second officer or JSO will be present to monitor the activities of the room and to respond should their assistance be needed. All efforts should be made to ensure the safety of police personnel, arrestees, and visitors who may be in the THF facilities.

Any time an officer or JSO must physically enter a cell occupied by an arrestee of the opposite sex, another employee of the same sex as the arrestee shall accompany them. (Ref. 4021 PC.) However, in the case of an emergency where there is a threat to life, an officer or JSO may enter the cell of an arrestee of the opposite sex to affect a rescue or render aid.

72.16.1 Food Preparation and Service

No kitchen areas are provided in the THF facilities. Under most circumstances, arrestees will not remain in the THF facilities long enough to warrant a meal. In circumstances where an arrestee is kept for a period of more than 6 hours, a meal shall be provided. The JSO/Officer will be responsible for acquiring a prepared meal, providing it to the arrestee and noting in the Meals box on the THF facilities Activity Log that a meal(s) was provided. Plastic spoons will be the only utensils provided to the arrestee. When appropriate, a nutritious meal will be provided three times daily: At

6:00 a.m., 12:00 p.m. and 5:00 p.m. The arrestee will have a minimum of fifteen (15) minutes to consume his/her meal before utensils and containers are retrieved.

72.17.1 Medical Service/Management of Communicable Diseases

Medical aid shall be provided for ill or injured arrestees prior to booking. An Arrestee Injury Report form shall be completed for any arrestee that sustains an injury during the arrest or booking process. See Appendix 7. Depending on the seriousness of the arrestee's condition, the Administrative Sergeant, Watch Commander, or Event Commander should determine whether the arrestee should be transported by ambulance or patrol vehicle.

Arrestees requiring the use of prosthesis should be considered as having a disability that our facilities are not equipped to handle. These arrestees shall be transported to the Santa Clara County Department of Correction as soon as possible. Arrestees while in the THF facilities shall not be deprived of the possession or use of any orthopedic or prosthetic appliance, if such appliance has been prescribed or recommended and fitted by a physician. If, however, probable cause exists to believe that the possession or use of the orthopedic or prosthetic appliance constitutes an immediate risk of bodily harm to any person in the THF facilities or threatens the security of the facilities, the appliance may be removed. (Ref. Section 2656(a) of the Penal Code)

If the appliance is removed, the arrestee shall be deprived of such appliance only during such time as the facts constituting the probable cause for its removal exist. If such facts cease to exist, then the appliance shall be returned to the arrestee. Upon being transferred to the Department of Correction the staff of the DOC will be made aware that the appliance was removed so that the arrestee may be examined by a physician within the mandated 24-hour time period. (Ref. Section 2656(b) of the Penal Code)

Arrestees having eyeglasses that are medically required should be allowed to retain them unless the eyeglasses present a danger to the arrestee or others.

Pregnant or lactating women, developmentally disabled arrestees, arrestees in need of special medical programs (including medically prescribed diets), arrestees known or suspected to have communicable diseases, and arrestees requiring medication all demand services at a level our THF facilities cannot meet. Therefore, arrestees in these groups shall be transported to the Santa Clara County Department of Correction immediately after processing and shall not be held at the THF.

Information regarding an arrestee known to have physical or mental health problems shall be disclosed to the Santa Clara County Department of

Correction upon transfer of the arrestee. This will facilitate the proper health care and segregation of the arrestee.

Cells contaminated by blood or other bodily fluids shall be closed and shall not be used until after sanitized by maintenance personnel and consultation with the Public Disease Control Unit of the Santa Clara County Public Health Department.

Any employee who may have been exposed to the blood or bodily fluids of someone with a communicable disease shall notify the Watch Commander, his/her immediate supervisor, Event Commander or the Administrative Sergeant. In addition, the Watch Commander, Event Commander or the Administrative Sergeant shall direct that a determination be made as to whether the affected cell was used after the infected arrestee used it.

If it is determined that other arrestees may have been exposed to the blood or bodily fluids of someone with a communicable disease, the Administrative Sergeant shall attempt to notify the potentially infected persons by mail. See Appendix 8.

72.18.1 Sobering Cells

The sobering cells shall be used to hold arrestees who are unable to care for their own safety or the safety of others as a result of their alcohol intoxication. The THF facilities are not designed for long-term detoxification that requires a medical staff. Conditions affecting the use of the detoxification cells are as follows:

- ❑ The arrestee must be conscious, respond to simple commands, have no difficulty breathing, not appear acutely ill, not have any apparent injuries and be able to walk to the cell with minimal assistance.
- ❑ The sobering cells shall only be used to hold adult arrestees.
- ❑ Male and female arrestees shall be placed into separate sobering cells.
- ❑ Arrestees shall be removed from the sobering cell as soon as they are able to care for their own safety.
- ❑ No arrestee shall remain in a sobering cell over six (6) hours without an evaluation by a JSO/Officer or medical staff person from Valley Medical Center or the Santa Clara County Department of Correction. The continuing evaluation by the JSO/Officer will begin at booking by use of the Sobering Assessment Form. See Appendix 9. This form will be completed on all arrestees placed into a sobering cell to determine that their condition is not deteriorating. An arrestee that has not begun to display signs of sobering during the six (6) hour period may be experiencing a medical complication and shall be transferred to Valley Medical Center or the Santa Clara County Department of Correction.

- ❑ Arrestees placed in the sobering cell shall be safety checked by direct visual contact no less than every thirty (30) minutes to gauge consciousness, monitor their behavior, ensure they are breathing in a regular manner and have not vomited while sleeping. After the initial two (2) hours, they shall be physically or verbally roused by the JSO/Officer each half hour to ensure that they are not suffering complications as a result of the degree of intoxication. If the arrestee cannot be roused verbally, then pressure stimulation may be necessary to assess consciousness. If the arrestee still does not rouse, then the situation will be treated as a medical emergency and appropriate medical aid rendered.
- ❑ **Officers or JSOs entering a sobering cell to rouse or remove an arrestee shall be accompanied or monitored by a second JSO or officer.**
- ❑ Sobering cell safety checks shall be recorded in the In-House Booking/Housing Record. Any additional pertinent information regarding a specific arrestee shall be recorded in the Remarks section of the THF facilities Activity Log.
- ❑ If during monitoring it is determined that the arrestee is having difficulty breathing or is suffering from any medical distress, he/she will be transported to Santa Clara Valley Medical Center and then released or booked into the Santa Clara County Department of Correction. Examples of medical distress are delirium tremens with fever, tremors, hallucinations, tachycardia and/or shock.
- ❑ For purposes of this section, snoring shall be considered a disorder. Arrestees found snoring shall be verbally or physically roused immediately. Their condition upon rousing shall be recorded on the back of the arrestee's blue medical form. Thereafter they shall be verbally or physically roused no less than every thirty (30) minutes.

Persons arrested for drug influence or a combination of drugs and alcohol shall not normally be held or housed in the THF facilities. The only exception is that, in rare circumstances and with the authorization of the Watch Commander, Event Commander, or the Administrative Sergeant, an arrestee under the influence of drugs or a combination of drugs and alcohol may temporarily be held to facilitate an on-going investigation. If an arrestee who is 11550 H&S is to be held in the THF for longer than three hours without being transported to County Jail, the Watch Commander must approve it. This must be noted on the back of the arrestee's blue medical form.

72.19.1 Safety Cells

The THF facilities do not contain a safety cell. Arrestees that present a significant threat to themselves or others shall immediately be transported to the Santa Clara County Department of Correction.

72.20.1 Exercise

The THF facilities are designed to hold arrestees for 24 hours or less. It is not designed or equipped to provide arrestees with an exercise period or facilities. Arrestees will not be provided with specific, designated exercises or exercise facilities.

72.21.1 Visitation/Attorney Interviews

If an arrestee who is to be held in the THF facilities requests to see an attorney and makes arrangements for the attorney to come to the facility, the attorney shall be allowed to visit. Arrestees have a Constitutional right to unimpeded access to attorneys and legal representation. The attorney must arrive before the arrestee is transported to another facility or released. There is no requirement that transport of the arrestee or release be delayed to wait for the attorney.

In addition, arrestees are under no obligation to meet an attorney who had been sent to see them by a third party. The arrestee always has the right to decline to meet with counsel.

Pursuant to Penal Code Section 825(b) an attorney that arrives at the police facility upon the request of the arrestee or any relative of the arrestee may visit the arrested party. A willful refusal or neglect to allow the attorney to visit the arrestee may result in civil damages against the officer or JSO involved. Conversations between attorneys and arrestees are confidential and shall not be monitored, recorded or eavesdropped upon unless sanctioned by a court order.

Before any attorney is allowed to visit an arrestee, the JSO/Officer shall request to see his/her valid California Bar Association Card. Only California Bar certified attorneys shall be allowed to visit an arrestee held in the THF facilities. The JSO/Officer will enter the name and Bar number of the attorney in the Remarks section of the THF facilities Activity Log. To maintain the security of the facilities, visiting attorneys shall be searched using a metal detector prior to entering the THF. All visits between an attorney and an arrestee will take place in the THF facilities interview room.

Two or more persons arrested on the same offense and represented by the same attorney may, at the attorney's request, be interviewed either individually or collectively. An arrestee shall be considered a client of the attorney if the arrestee has requested his or her services or if a friend or relative has sent the attorney to visit with the arrestee and the arrestee expresses a desire to see the attorney.

Paralegals shall not be admitted nor shall another person accompany an attorney unless approved by the Watch Commander, Event Commander or the Administrative Sergeant. Attorneys shall not be allowed to interview clients of other attorneys without permission from the attorney of record. Any arrestee receiving a visit shall be searched once the visit is concluded and before being placed in another cell in the THF facilities.

72.22.1 Mental Health Services

The THF facilities do not staff mental health professionals. All arrestees requiring mental health services due to a mental disorder shall be transported to the Santa Clara County Mental Health facilities prior to being transported to the Santa Clara County Department of Correction. While awaiting transportation, the arrestee shall be segregated from others. The segregation will be noted on the In-House Booking/Housing Record along with the cell the person was temporarily held in.

72.23.1 Court Holding and Inmate Movement

The THF facilities will not normally be used for court holding. Prior to the THF facilities being used for court holding, the Chief of Police must approve an agreement between the requesting agency and the Santa Clara Police Department.

72.24.1 Staff to Staff Communications

Access to the vehicle sally port and from the vehicle sally port into the staging cell of the THF facilities is controlled with an intercom system. The intercom system is capable of being monitored from either the Ops Control Center in the THF facilities or from the JSO workstation in the Records Unit in the department.

While in the THF facilities, all Officers and JSOs shall carry a portable radio for the purpose of summoning aid.

72.25.1 Facility Sanitation

The THF facilities shall be kept in a clean and safe condition at all times. The primary responsibility for the cleanliness and sanitation of the facility is that of the Santa Clara Building Maintenance Department. The City-employed or contracted custodian will thoroughly clean the THF facilities each day according to a maintenance schedule established by the Administrative Sergeant and the Building Maintenance Superintendent.

Each workday, the City-employed custodian shall accomplish the following:

- Detention Areas - Daily

- Wet mop cell floors, hallways, and processing areas of the THF facilities with germicidal/bactericidal disinfectant.
- Clean and disinfect toilets, stools and basins in the THF facilities.
- Spot clean walls, benches and metal beds.
- Flush all floor drains with one gallon of water to one cup of disinfectant solution.
- Polish stainless steel and chrome surfaces.
- Vacuum all ceiling air vents.

- Detention Areas – Weekly
 - Clean walls, benches and cell doors with disinfectant.
 - Machine scrub floors with disinfectant.

- Non-Detention Areas - Daily
 - Empty waste receptacles and replace liners.
 - Dust mop floors and wet mop tile floors.
 - Vacuum carpeted floors and remove soiled spots.
 - Spot clean walls and counter tops.

- Non-Detention Areas – Weekly
 - Thoroughly vacuum all vents, partitions, and under and around computers.
 - Clean door surfaces.

- Non-Detention Areas – Monthly
 - High dust vertical and horizontal wall surfaces, ledges and pipes.
 - Polish floors.

The JSO/Officers are primarily responsible for maintaining the facility in a safe condition at all times. The JSO/Officers are responsible for maintaining the THF facilities in a clean and sanitary manner when custodians are not available.

At the beginning of their shifts, the JSO/Officers shall visually inspect the vehicle sally ports, cells, AIB, corridors, interview rooms, Ops Control Centers, juvenile detention areas and JSO workstations for contraband, hazards, damage and items in need of repair. A record of all inspections shall be made in the Remarks section of the THF facilities Activity Log. The inspection shall include all locks, lights, plumbing fixtures, ventilation covers, intercom panels, detectors and control panels for equipment. Any hazards or damage shall be immediately rectified or reported to the Administrative Sergeant or the on-duty Watch Commander/Event Commander for repair.

Any contraband located will be booked into evidence. The Administrative Sergeant or on-duty Watch Commander/Event Commander will be notified. An offense report will be completed at the discretion of the Administrative

Sergeant, Watch Commander or Event Commander based on the contraband that was found. The incident will be referenced in the THF facilities Activity Log even if no offense report is completed.

The JSO/Officers shall maintain the THF by performing the following:

- ❑ Sweep areas in the THF facilities if necessary.
- ❑ Remove used bedding and/or trash from cells.
- ❑ Send used mattress covers and blankets to cleaners.
- ❑ Replenish toilet paper or soap for the facility if necessary.
- ❑ Only in the absence of the City-employed custodian and using City-provided protective equipment, in a safe manner, remove bodily fluids and fecal matter found in the THF facilities.
- ❑ Ensure that supplies, forms, Intoxilyzer mouthpieces, PAS mouthpieces and first-aid kit supplies are adequately stocked and working properly. Any items that require ordering will be brought to the attention of the Administrative Sergeant.
- ❑ Send contaminated “WRAP” device to cleaners when soiled.

72.26.1 Fire and Life Safety Staff

Pursuant to Penal Code Section 6030(c), whenever there is an arrestee in the THF facilities there shall be at least one person on duty at all times that meets the training standards established by the State Fire Marshal for general fire and life safety which relates specifically to the facility.

72.27.1 Fire Suppression Pre-planning

The THF facilities are equipped with an automatic sprinkler system and smoke detectors in the cells, interview rooms, sally ports, Ops Control Centers and hallways. The fire protection system is monitored 24-hours a day. Fire extinguishers are located in the corridor outside the THF facilities, inside the Ops Control Centers and in the vehicle sally ports.

In the event of a fire in the THF facilities, the following steps shall be taken:

- ❑ Give the alarm to warn other personnel in the building of the emergency.
- ❑ Notify the Communications Unit and request the Fire Department.
- ❑ Initiate rescue operations as necessary, whenever possible with the assistance of a second officer.
- ❑ Evacuate the THF.
- ❑ Attempt to suppress the fire.

At both the Department THF and the Stadium THF, in the event that an evacuation of inmates is necessary, the inmates shall be moved to an area of safe refuge. The primary evacuation route will be through the fire door into the vehicle sally port. From the Department THF sally port, the arrestees will be further evacuated outside the facility toward the parking lot on the north

side of the police building. From the Stadium THF arrestees will be evacuated to the parking area on the south side of the Stadium. A second evacuation route will be through a fire door and into the main police building or into the stadium. In the event of a fire, all inmates will be transported to the Santa Clara County Department of Correction. Extra handcuffs and restraint devices to facilitate the removal and restraint of arrestees are located in the Ops Control Centers.

Most cell doors in the THF facilities are manually keyed to control access. Certain other doors such as the door from the sallyport, are electronically controlled, as well as manually controlled. Control panels are located in the JSOs' office near the Juvenile Detention Area in the Department THF and in the Ops Control Centers of both of the THF facilities. In the event of an evacuation, spare keys for manual cell access are maintained in the Ops Control Centers of the THF facilities and the JSO console in the Records unit at the Department. Three additional keys for the THF facilities are stored in red emergency boxes with glass covers outside the THF. At the Department THF the boxes are located at the two entrances from the police facility that lead into the THF and the entrance from the vehicle sally port to the staging cell. At the Stadium THF the boxes are located two entrances that lead into the THF and at the entrance to the THF in the sally port. The keys inside the boxes are for use in emergencies and can be accessed by breaking the glass cover. Each JSO/Officer is also issued and will carry while on duty a THF key allowing access to each of the cells and a general service key for accessing non-THF areas of the buildings.

To ensure access of firefighters in the event of a fire, the Watch Commander or Event Commander shall respond to the facility. At the Department, a Knox box for use by the Fire Department is located at the Benton Street gate to allow access to the property. A second Knox box is located at the rear employee entrance to allow access to the interior of the building.

The on-duty Watch Commander or Event Commander shall be responsible for providing a written memorandum to the Chief's Office detailing the events surrounding the fire. A copy of the memorandum will also be forwarded to the Field Operations Division Captain.

The Administrative Sergeant will conduct a fire prevention inspection of both facilities monthly. The Administrative Sergeant will retain documentation regarding the inspections for a period of two (2) years. The fire prevention inspections shall consist of:

- ❑ An examination of all sprinkler heads and smoke detectors to ensure that they are intact.
- ❑ An examination of the fire extinguishers to ensure that they are in place and fully charged.
- ❑ A monthly, written inspection of the facility for any fire hazards.

- ❑ Examination of access and exit door locks, making sure they are functioning properly.
- ❑ Test fire alarms every thirty (30) days.

An annual fire inspection of both facilities will be conducted by the Santa Clara Fire Department at the direction of the State Fire Marshall. The inspection shall include items in the monthly inspection plus a test of the fire alarms and sprinkler system.

72.28.1 Escape, Emergency, Disturbance, Hostage Situation

In the event of an escape, disturbance, emergency, or hostage situation, the on-duty JSO/Officer shall do the following:

- ❑ Ensure that he/she is safe and isolated from potential harm.
- ❑ Immediately notify the dispatch center by radio or telephone of the circumstances. Provide a description of the persons involved in the disturbance, the hostage taker or the escapee. If an arrestee has escaped, provide his/her last known direction of travel.
- ❑ Ensure that arrestees in the THF facilities who are not involved are isolated from potential harm.
- ❑ Notify the on-duty Watch Commander or Event Commander of the incident and relevant conditions.

If an employee is taken hostage he/she should not provide the hostage taker with weapons of any kind. Additionally, the THF facilities are designated a “No Hostage Area.”

Personnel within the THF facilities can summon aid by calling for assistance from other personnel in the facility or, to summon immediate assistance, by depressing one of four wall mounted panic/duress alarms or by activating the emergency button on their portable radios.

The panic/duress buttons are located in the main corridors of the facilities and activate alarms in the Records Unit and Field Operations Division at the Department. The alarm consists of a blue strobe light and an audible alarm mounted in the Records Unit and a blue strobe light mounted in the Field Operations Division. An alarm activation results in Records personnel making an announcement via the public address system to personnel within the building of a “Code 20 Holding Facility.” Additionally, the Records personnel will notify Communications/Dispatch to alert all field units of the emergency.

The Stadium THF alarm will notify the Incident Command Center and the Security Services office at the stadium site only.

Each Officer and JSO has been issued and carries with them a portable radio equipped with an emergency “Code 20” button. When the button is depressed, it sends out a digital signal to Communications/Dispatch, which

results in all field units being notified of the emergency. Field units will then respond to the THF to render assistance.

If a JSO/Officer is working at the Stadium they should have their portable radio logged on to the Stadium CAD system. When they depress the “Code 20” button it will register to the Event Command Center where appropriate assistance will be dispatched.

72.29.1 Natural Disaster

In the event of a natural disaster, the JSO/Officer shall do the following:

- ❑ Ensure that all arrestees in the THF facilities are safe and secure.
- ❑ Administer first aid to those in need.
- ❑ Notify the Watch Commander/Event Commander to get instructions or orders to release the arrestees.

72.30.1 Documentation of Routine Safety Checks/Supervisory Inspections

Any time an arrestee is in custody in the THF facilities, records shall be kept of each safety check made on the arrestee. These checks shall be documented in the THF facilities Activity Log in the following manner:

- ❑ Safety checks shall be made at least every thirty (30) minutes on all arrestees. Each check will be made personally.
- ❑ Arrestees in restraints shall be personally checked every fifteen (15) minutes.
- ❑ Arrestees in the sobering cell will be checked every thirty (30) minutes.
- ❑ After each visual check, an entry shall be made on the arrestee’s medical form indicating the time and CJIC number of the person making the check.
- ❑ Any special remarks related to the safety check shall be documented in the THF facilities Activity Log. Sobering Cell safety checks shall be noted on the arrestee’s In-House Booking/Housing Record.
- ❑ The Administrative Sergeant shall inspect the entire facility daily to ensure compliance with this manual, Title 15, and all other applicable statutes. The inspection shall be noted in the THF facilities Activity Log. In the absence of the Administrative Sergeant, the Dayshift Watch Commander or Event Commander at the Stadium facility shall complete the inspection.

72.31.1. Arrestee Records

The Santa Clara Police Department shall maintain individual arrest records on all arrestees. These records shall include booking information and personal property receipts. The records are stored digitally on the departments RMS

(records management system) which is currently provided by Tiburon. In addition, associated receipts and documents are archived in Intellivue, a scanning based program.

The Santa Clara Police Department uses a digital photographing and fingerprinting process to record information pertaining to an arrestee. The digitized photographs are retained in the Department's database. Two copies of the digitized fingerprints are printed. The arrestee signs both copies. One copy is placed in the arrestee's identification file for future reference, and the second copy is forwarded to Santa Clara County Sheriff's Department's Identification Unit.

Since the THF facilities are rated only for temporary holding of an arrestee, there should be no need for commitment papers, court orders, reports of disciplinary actions, medical orders, or non-medical information.

To ensure accuracy prior to releasing or transferring an arrestee to another agency, the JSO/Officer or the transporting officer shall confirm that all reasonable attempts were made to verify the arrestee's identity.

72.32.1 Photographs and Fingerprints:

The THF facilities are equipped with Photo-Imaging to digitally record arrestees' images and Livescan to digitally record their fingerprints. Manual fingerprinting is only necessary in the event that the Livescan equipment is out of service. In the event of a mass arrest, some or all of the guidelines pertaining to photographing and fingerprinting of arrestees may be modified or suspended by the Administrative Sergeant, Watch Commander or the Event Commander to facilitate the needs of the Department.

The following are guidelines for the recording of photo images and fingerprints under normal conditions.

Photographs – Adult Arrestees:

- All adult arrestees will have one full-face photograph taken via the photo-imaging system. If the arrestee refuses to have his/her picture taken, he/she will be transferred to DOC to complete the process.
- Should stand-up photographs be necessary, a CSO, Patrol Supervisor, or Crime Scene Evidence Technician shall be summoned. Stand-up photos are generally needed under the following conditions:
 - Arrests for a major felony.
 - Arrests for sex offenses.
 - By request of a detective or supervisor.
 - All stand-up photographs, except the close-up, will consist of a full-length view of the arrestee from feet on

floor to top of the head. The series of photographs shall include:

- Face.
- Left profile.
- Back.
- Right Profile.
- Close-up of the face to include area from the chest to top of head.
 - If the arrestee wears glasses, one close-up should be taken with the glasses on and one with them off.

Photographs – Juvenile Arrestees:

- Juveniles under 14 shall be photographed on orders of the Captain of the Investigations Division, the Watch Commander or the Event Commander.
- All Juveniles over 14 years old shall be photographed when arrested and brought to the police department or Stadium THF. All Juveniles over 14 years old shall be photographed when arrested for a felony or sex offense that requires 290 registration.
- It is the officer's discretion to require photographs for future reference of juveniles referred to juvenile counseling or released in the field by citation.

Fingerprints – Adult Arrestees:

- All arrestees will have fingerprints taken via the Livescan system. If the arrestee refuses to allow their fingerprints to be taken, they will be transferred to DOC to complete the booking process.

Fingerprints – Juvenile Arrestees:

- Juveniles under 14 shall be fingerprinted on orders of the Captain of the Investigations Division, Watch Commander or Event Commander.
- All Juveniles over 14 years old shall be fingerprinted when arrested and brought to the police department.
- All Juveniles over 14 years old shall be fingerprinted when arrested for a felony or sex offense requiring 290 registration.
- It is the officer's discretion to require fingerprints for future reference of juveniles referred to juvenile counseling or released in the field by citation.

It is the responsibility of the transporting officer to confirm with the JSO or booking officer that the appropriate photographs and fingerprints have been recorded before removing the arrestee from the facility.

72.32.2 Prop. 69 DNA Collection of Adult Arrestee's

The policy is an update to the Prop. 69 DNA collections of "Buccal Swabs" regarding arrestee's brought to Santa Clara P.D. The following was made a requirement of law enforcement and correctional facilities effective January 1, 2009.

- DNA collection for Prop. 69 compliance is a one-time event. (Adults only)
- Arresting/transporting Officers or Detectives are responsible for checking CII's for DNA flags. CII's need to be checked on all arrestees, even misdemeanor arrests. If flag requires that a sample be taken, see below.
- If arrest is for a felony (or a wobbler), county jail will collect DNA sample.
- ***If arrest is for a misdemeanor and the suspect will be released from SCPD, it is our responsibility to collect the DNA sample if they have a prior felony conviction requiring a sample and it is noted in their criminal history that a sample has not yet been collected.***

Note: We see a lot of people throughout the year who get processed on Misdemeanors, ie. 647f, 594, 488, etc. It is our responsibility to read those CII sheets and determine if a DNA sample is required. If so, it is our responsibility to get it done before we release them.

- Complete the DNA kit as previously outlined, have the records staff update CJIC using JPUP, and drop the kit into the property room w/o a property tag. (Remember this is not evidence)
- For 290 or 457.1 P.C Registrants, these people's CII rap sheet needs to be queried to search for DOJ flags about DNA samples. JSO's may be required to collect DNA samples at the time of the annual update. Under this scenario, the JSO would be required to ensure the records update is completed and that the kit is dropped into property. If a 290 or 457.1 is contacted in the field and it is determined that a DNA flag requires a sample, you can require it then and there. Don't let it slide until their annual update. If these people die for some reason before providing a sample, we may never get it and therefore never have the opportunity to solve an outstanding crime or cold case.

WHAT TO DO WITH A REFUSAL?

- Refusal = Misdemeanor (PC 298.1)
- Separate offense by both a fine of five hundred dollars (\$500) and imprisonment of up to one year in county jail.

Section 298.1 P.C. is the "Reasonable Force" clause in the law that deals specifically with this issue. Basically, that amount of force that is reasonably necessary can be used to obtain a blood sample. This is exactly like the DMV law that we are familiar with. This requires a trained professional, (Phlebotomist) to utilize standard procedures to get the blood.

72.33.1 Incident Reports/Investigations/In-Custody Deaths

It is the policy of the Santa Clara Police Department to maintain a written record of all incidents that occur in the THF facilities that result in physical harm or serious threat of physical harm to any person or damage to City property.

The JSO/Officer is responsible for reporting the incident immediately after its occurrence to the Administrative Sergeant, on-duty Watch Commander or Event Commander. A police officer will be assigned to complete an offense report.

The report shall completely and concisely document the incident, including date and time of the occurrence, the names of the persons involved, a description of the incident and action(s) taken. The JSO/Officer shall be responsible for completing a supplemental report describing the series of events that lead up to the incident, how it was discovered, and what action was taken. The JSO/Officer will also attach a copy of the THF facilities Activity Log and Housing Log for the arrestee to the supplemental report.

A report shall be required for all events of special importance occurring in the THF facilities that result in physical harm or serious threat of physical harm to any person or damage to City property, or as directed by a Department supervisor. If the incident will result in a criminal prosecution, the report will be forwarded to the Records Unit and processed in the same manner as any other crime report. A copy of the report will be forwarded to the Administrative Sergeant, Watch Commander or Event Commander for review. After review, the copy shall be forwarded to the Patrol Division Commander. All THF Incident Reports must be completed during the shift in which the incident occurred. The Administrative Sergeant, Watch Commander or Event Commander must receive a copy of the Incident Report no later than 24 hours after the occurrence.

The Administrative Sergeant, Watch Commander, Event Commander or Patrol Division Commander, and other appropriate command levels are responsible for immediately reviewing such reports upon completion. A copy of the report shall be retained in the Records Unit.

In the case of a death or an attempted suicide in the THF facilities, the following information must be included in the report:

- The time of last check and who made the check when the victim was alive and well.
- The time the victim was found in present condition and by whom the victim was found.
- The time first aid was started.
- Who performed the first aid.

- ❑ The type of first aid administered.
- ❑ The time that the Santa Clara Fire Department and paramedics were called and the time of their arrival.
- ❑ The time the victim left the THF facilities.
- ❑ The names of fire personnel, paramedics, and Coroner's personnel.

Upon notification that a death or attempted suicide has occurred, the Administrative Sergeant, Watch Commander or Event Commander shall invoke the "Officer-Involved Fatal or Serious Injury Incident protocol. (Ref. S.C.P.D. General Order 94.1.) This will ensure that appropriate Departmental notifications are made and that the investigative process is initiated.

When an incident involves the JSO/Officer having directly applied physical force personally upon another which results in death or serious bodily injury, the JSO/Officer shall provide a chemical sample as part of the investigation.

In the event that a death occurs while an arrestee is in custody, a Death In-Custody Report will be filed by the Chief of Police with the California Attorney General's Office within ten (10) days of the incident. A copy of the report will also be provided to the California Standards Authority within the same time frame. The report shall include a comprehensive incident report describing the events leading to the death of the arrestee. (Ref. California Government Code 12525.) See Appendix 10.

After the conclusion of any criminal and or administrative investigation, the Department will conduct an operational and medical review of the incident and the procedures in this manual should a death occur in the THF facilities. The review will involve the facility administrator, a representative from the Santa Clara County Health Department, the attending physician and any other health care and supervisory staff that are relevant to the incident.

In the event of a suicide attempt, serious illness, injury or death of a minor in custody, the Administrative Sergeant will make sure the Presiding Judge of the Juvenile Court is notified. The Administrative Sergeant will also make sure the appropriate agency notifies the minor's parents, guardian or person standing in loco parentis.

72.34.1 Juvenile Detention and Classification

Definitions:

Temporary Custody: Means that the juvenile is not at liberty to leave the law enforcement facility through an unlocked door.

Secured Detention: Means that a juvenile being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or physically secured to a cuffing rail or other stationary object.

Non-secured Custody: Means that a juvenile's freedom of movement is controlled by the staff of the facility, and:

- ❑ The juvenile is in constant visual observation and supervision by the staff of the law enforcement facility;
- ❑ The juvenile is not locked in a room or enclosure; and
- ❑ The juvenile is not physically secured to a cuffing rail or other stationary object.

Law Enforcement Facility: Is a police facility. It does not include a jail, which has the purpose of detaining adults charged with criminal law violations while awaiting trial or sentenced adult criminal offenders.

Lock-up: Is a locked room or secure enclosure, under the control of a peace officer, which is primarily for the temporary confinement of adults who have recently been arrested.

The rules for the detention of juveniles are:

- ❑ The arresting officer or JSO/Officer will immediately obtain necessary medical treatment for any juvenile in need of such assistance.
- ❑ The arresting officer shall immediately take steps to notify the juvenile's parent, guardian, or responsible relative that the juvenile is in custody and the place where he or she is being held. (Ref. 627 W&I.)
- ❑ The juvenile must immediately, or within one hour of arrival at the THF facilities, be informed of his/her right to make three local calls at police expense to a parent, an attorney, guardian, relative or employer. (Ref. 627 W&I.)
- ❑ No juvenile described in Section 602 of the Welfare and Institutions Code may be detained in the adult portion of the THF facilities.
- ❑ An Officer or JSO shall not place male and female juveniles in the same secure detention cell unless they are under continual direct visual supervision.
- ❑ Juveniles described under 602 of the Welfare and Institutions Code held in either secure or non-secure confinement may be detained for up to six (6) hours in a law enforcement facility that contains a lock-up as described in Section 207.1 of the Welfare and Institutions Code. The Santa Clara Police Department facilities are within this definition.
- ❑ A juvenile 14 years of age or older who is taken into temporary custody by a peace officer on the basis of being a person described in 602 of the Welfare and Institutions Code and who, in the reasonable belief of the peace officer, presents a serious security risk of harm to self or others, may be securely detained in a law enforcement facility

that contains a lock-up for adults if all of the following conditions are met:

- A juvenile is held in temporary custody for the purpose of investigating a case, facilitating a release of a juvenile to a parent or guardian, or arranging transfer of a juvenile to an appropriate juvenile facility.
- The juvenile is detained in a law enforcement facility for a period that does not exceed six (6) hours.
- At the time the juvenile is securely detained, the juvenile shall be informed of:
 - The purpose of the detention.
 - The length of time the secure detention is expected to last.
 - The maximum six (6) hour time the secure detention is authorized to last.
- Factors to consider in determining if a juvenile presents a serious security risk to self or others are:
 - Their age.
 - Their maturity.
 - History of Delinquency
 - Severity of offense for which he/she is in custody.
 - Their behavior.
 - The availability of staff to provide adequate supervision or protection while in facility.
 - Age, number and type of other individuals detained at the facility.
- All juveniles being held in secure detention shall be subject to constant auditory monitoring by the arresting officer or by the JSO/Officer. They must be able to immediately summon the assistance of the arresting officer or JSO/Officer. This is accomplished by means of the auditory monitoring system installed in each of the juvenile detention cells. Each time a juvenile is placed into a juvenile cell, the audio monitoring system at the JSO console shall be activated. This will ensure that should the juvenile request assistance their request will be heard and promptly responded to. Actual visual safety checks of the juvenile shall take place no less than every thirty (30) minutes, and that observation shall be noted in the THF facilities Activity Log.
- Contact between a juvenile and adults confined within the facility is restricted in accordance with Section 208 of the Welfare and Institutions Code; i.e.:
 - Juveniles must be separated from adults by sight and sound.
- Juveniles may not come into “contact” with adult arrestees. Contact is defined as: communications, whether visual, verbal

or immediate physical presence. Incidental presence may occur as a necessity in the following situations:

- Booking.
 - Movement of persons in custody within the facility.
- During booking or movement, an officer or JSO/Officer will maintain constant, side-by-side presence with the juvenile to ensure that no communications occur.
 - A log or other written record is maintained by the law enforcement agency showing:
 - The offense which is the basis for the secure detention of the juvenile in the facility.
 - The reasons and circumstances forming the basis for the decision to place the juvenile in secure detention; and
 - The length of time the juvenile was securely detained.
 - Other juveniles described under Section 602 of the Welfare and Institutions Code may be held in temporary custody in a law enforcement facility but not securely detained.
 - Any other juvenile taken into temporary custody by a peace officer on the basis that the juvenile is a person described by Section 602 of the Welfare and Institutions Code may be taken to a law enforcement facility that contains a lock-up for adults and may be held in temporary custody in the facility for the purpose of investigating a case, facilitating the release of a juvenile to a parent or guardian, or arranging for the transfer of the juvenile to an appropriate juvenile facility.

However, while in the law enforcement facility, the juvenile may not be securely detained and shall be supervised in a manner as to ensure that there is no contact with adults in custody in the facility. If a juvenile is held in temporary, non-secure custody within such a facility, the peace officer shall exercise one of the dispositional options authorized by Sections 626 and 626.5 of the Welfare and Institutions Code without unnecessary delay and, in every case, within six (6) hours.

Juveniles held in non-secure custody shall receive adequate supervision, including constant personal visual observation and supervision by the staff of the department.

Options under Sections 626 and 626.5 of the Welfare and Institutions Code are:

- Release the juvenile.
- Transfer custody of the juvenile to the Children's Shelter.
- JCR cite and release.

- Transfer custody of the juvenile to the Probation Department.

Juveniles held in secure detention, outside of a locked enclosure, shall not be secured to a stationary object for more than thirty (30) minutes.

- The arresting officer or JSO/Officer shall be present at all times to ensure the juvenile's safety while secured to a stationary object.

The following shall be made available to all juveniles held in temporary custody:

- Food – if a juvenile has not eaten within the past four (4) hours or otherwise is in need of nourishment. If the juvenile is on a special diet required for health or medical needs, the juvenile will be transferred to the Juvenile Probation Department.
- Reasonable access to drinking water.
- Reasonable access to washing facilities, a toilet and adequate clothing.
- Privacy during non-contact visits with family, guardian, and/or attorney. (Privacy as it applies to a conversation)
- Reasonable access to a telephone.
- A blanket and clothing if necessary.

In all cases where a juvenile is held in detention, the standard methods for determining the safety and welfare of a juvenile will be by personal visual safety checks and electronic audio monitoring. Electronic audio monitoring shall not, however, be used as a substitute for personal visual safety checks. The facility is not equipped with video or any other electronic devices for the monitoring of juveniles while they are in juvenile detention area.

The same policies for adults that relate to Medical and Mental Health Services, 72.17.1 and 72.22.1, In-Custody Deaths 72.33.1, Suicide Prevention 72.38.1, Restraint, Devices 72.44.1, shall also apply to all juveniles held in temporary custody.

Discipline of juveniles is prohibited while they are detained in the Santa Clara Police Department THF and the Stadium THF.

Intoxicated juveniles present an extreme risk for serious medical consequences including alcohol poisoning, seizures, cardiac complications and death. Medical clearance SHALL be obtained for intoxicated minors (Title 15, Section 1151 CCR). The Santa Clara Police Department facilities are not designed for the sobering/detoxification or holding of intoxicated juveniles. Officers should make every attempt to release juveniles to a parent or guardian as soon as possible after arrest. If an in-field release is not possible, the juvenile will immediately be transported to Valley Medical Center for a medical clearance and shall not enter the THF. Once the medical clearance is received, the juvenile will be transported to the Juvenile Probation

Department. A medical clearance is required for any juvenile known to have ingested, or who appears to be under the influence of one or more substances prior to booking at the Juvenile Probation Department.

If after receiving a medical clearance and with Watch Commander or Event Commander approval the circumstance dictate that the juvenile will be detained at a Santa Clara Police Department THF facility, the JSO will institute welfare checks no less than every fifteen (15) minutes until the juvenile is released or transferred to another facility. Each of the welfare checks will be noted in the THF facilities Activity Log. A separate comment shall be made in the Remarks section of the log regarding the medical clearance of the juvenile and that he/she was detained in the facility. Only with a medical clearance and under extenuating circumstances will an intoxicated juvenile enter or be detained in the facility. An example of extenuating circumstances would be an ongoing investigation involving the juvenile.

For further direction regarding juveniles, refer to S.C.P.D. General Order 44.2.

72.35.1 Correspondence

Since the SCPD facilities are a THF and arrestees will not be detained longer than 24 hours, arrestees will generally not send or receive mail.

72.36.1 Access to Telephone

Per Section 851.5 PC, "Immediately upon being booked, and except where physically impossible, no later than three (3) hours after arrest, an arrested person has the right to make at least three (3) completed phone calls to an attorney of his choice or a public defender, a bail bondsman, or a relative or other person." Per 636 of the Penal Code, telephone calls made to the arrestee's attorney, licensed physician or religious counselor shall not be monitored.

- ❑ The arrestee shall be entitled to at least three (3) such calls at no expense, if the calls are completed to a telephone number within the local calling area.
- ❑ After booking, the arrestee shall be asked if he/she wishes to make a telephone call.
 - If the arrestee declines to make a telephone call, this should be noted on the booking form.
 - If the arrestee makes phone calls, it shall be noted on the booking form.

If the telephone call is long distance or out of the area, the JSO/Officer shall make sure the call is made collect or is charged to the arrestee's phone

company credit card. There is no specific limitation on the amount of time that an arrestee's phone call may last.

- ❑ An arrestee should be given a reasonable amount of time on the phone to contact a person or persons whom he or she must reach in order to arrange for bail, obtain advice, advise people where he or she is, or take care of other immediate needs related to his or her arrest.
- ❑ The telephone call is not intended to be used to carrying on lengthy personal conversations.
- ❑ The workload of the arresting officer and/or JSO/Officer shall dictate the maximum length of calls.

Telephone calls may be delayed if they compromise officer safety or an ongoing investigation. This must be documented in the THF Log.

If an arrestee is so intoxicated that he or she cannot complete a phone call, there is no duty to call for him or her. There is also no duty to physically or verbally arouse an intoxicated arrestee three (3) hours after booking so that he or she can complete their phone calls. An arrestee that was too intoxicated during the three-hour period to place a phone call may be allowed to make his or her phone calls prior to being released.

Officers and JSOs are encouraged to provide additional opportunities for use of the telephone by an arrestee beyond the requirements of Section 851.5 of the Penal Code when time is available to do so or the situation indicates that additional telephone calls would be beneficial. Examples would be when the transfer or release of the arrestee is delayed, or when further investigation reveals that the arrestee will not be released from the THF but instead will be transferred to another agency or facility.

72.37.1 Voting

If an arrestee who is a registered voter in Santa Clara County is in custody on Election Day and the arrestee is not expected to be released from custody at least two (2) hours before the polling places close, the arrestee is capable of voting (i.e. not intoxicated) and expresses a desire to vote, the JSO/Officer shall notify the Santa Clara County Registrar of Voters. The responsibility to provide the arrestee with an absentee ballot, after notification by the JSO/Officer, is that of the Registrar of Voters for the County of Santa Clara.

72.38.1 Plan for Arrestee Discipline

Discipline will not be administered in these facilities. If an arrestee violates a law while in custody, the additional charges should be added to the original offense report or juvenile contact report. The officer or JSO/Officer witnessing the violation shall write a supplemental report regarding the incident that will encompass the law violation.

72.39.1 Suicide Prevention Program

The THF facilities have been designed to help deter any potential suicide attempts. Upon admitting arrestees in the THF, it is important to always be alert for those individuals who may exhibit signs of potential suicide. Any reference to suicide by an arrestee shall be taken seriously. Characteristics to watch closely include:

- ❑ Prominent persons charged with embarrassing crimes.
- ❑ Persons held for alcohol or drug-related charges.
- ❑ All juveniles held in temporary or secure custody.
- ❑ Persons with a history of self-destructive acts.
- ❑ Individuals who state their intentions of suicide.
 - These individuals shall immediately be transferred to the Valley Medical Center Emergency Psychiatric Services. They shall not be held in the THF facilities.
- ❑ Individuals who appear emotionally depressed.
- ❑ A female who has given birth within the last year and is charged with murder or attempted murder of her infant child.
- ❑ Arrestees who have visible scars on their wrists or necks, indicating prior suicide attempts.

Suicides generally occur within the first eight (8) hours of incarceration with the first three (3) hours being the most crucial. Welfare checks of arrestees meeting the criteria listed above should be conducted every fifteen (15) minutes and documented in the THF facilities Activity Log.

The state of intoxication of a person upon incarceration greatly increases the likelihood of suicide. Again, special attention and documentation of observations is important for intoxicated persons.

Many times the JSO/Officer's verbal interaction and availability will be enough to get the arrestee over the initial crisis of incarceration. If it appears that an arrestee is not able to cope emotionally with incarceration, the situation shall be brought to the attention of the on-duty Watch Commander, Event Commander or Administrative Sergeant so that placement in a hospital or the Santa Clara County Department of Correction may be considered.

Arrestees who are deemed a suicide risk shall be transferred to another facility where they can receive treatment and/or full-time observation.

72.40.1 First Aid Kits

Two first aid kits are maintained in the THF facilities. One kit is located in the First Aid cabinet and is for minor injuries. The other, a "first responder"

first aid trauma kit is for more serious situations. Each kit is readily accessible to personnel in the THF facilities and their locations are clearly marked.

The First Aid cabinet is located in the Ops Control Centers. The exterior of the kit is marked "First Aid." The contents consist of various size adhesive bandages, dressings, anti-septic towelettes and antibiotic ointments.

The "first responder" first aid trauma kit is also located in the Ops Control Centers of the THF facilities. The cabinet containing the kit is marked "First Aid Trauma Kit."

- The kit is in a canvas bag marked "SCPD/THF" and contains numerous dressings, bandages, compresses of various sizes, rescue breathing equipment, sterile water, a disposable blanket and paramedic shears. Each bag is sealed with a plastic tie when stocked verifying that the contents are all present.

The JSO/Officer shall inspect both first aid kits as part of their daily shift inspection of the facility. The daily inspection shall be conducted to make sure that:

- The wall-mounted first aid kit is sufficiently stocked.
- The plastic tie is intact on the "first responder" first aid trauma kit indicating that the kit has not been used. If the tie is found to be broken or missing indicating the contents have been used, the kit will be replaced with a sealed one.

72.41.1 Chemical Agents

All JSO/Officers assigned to the facility shall be issued a chemical agent canister. They are required to maintain their own chemical agent canister in a secure fashion on their person. No additional chemical weapons may be stored within the THF facilities.

72.42.1 Weapons Storage

All personnel shall store their weapons either in the weapons lockers or in the trunk of their vehicle before entering the THF facilities. Weapons lockers are located in the vehicle sally port and at both entrances to the THF from the main police building. Weapons lockers are located at the entrance inside the sally port and at the entrance to the staging room at the Stadium THF. Types of items not to be brought into the THF facilities are firearms, ammunition, knives, chemical agents, batons, and electronic control devices.

72.43.1 Use of Force

Any use of force within the THF facilities shall be in compliance with S.C.P.D. General Orders. (Ref. SCPD G.O.s 1.3.1 – 1.3.9)

72.44.1 Restraint Devices:

The only approved restraint device to be used in the THF facilities is the “WRAP.” The purpose of the WRAP is to immobilize an arrestee’s extremities to prevent him or her from being ambulatory and should only be used when other less restrictive alternatives would be ineffective. The WRAP may be used on arrestees that display behavior, which results in the destruction of property or reveals their intent to cause physical harm to themselves or others. The WRAP is not to be used as punishment or a substitute for needed medical or psychological treatment.

No arrestee while in the WRAP shall be held in the THF facilities. Any arrestee placed into the WRAP will be immediately transported to the Santa Clara County Department of Correction or Valley Medical Center if in need of medical evaluation/treatment. While in the WRAP, arrestees shall be placed face up to avoid the possibility of positional asphyxia. Arrestees that have had the WRAP applied shall be held alone while transportation is arranged. They shall be continually visually monitored to ensure they are not experiencing the following signs that would indicate a potential medical emergency:

- ❑ Cyanosis – blue/purplish lips, mouth area, nail beds.
- ❑ Labored respirations, snoring.
- ❑ Change in level of consciousness – e.g., was active and talking, now is quiet and subdued or appears to be sleeping.
- ❑ Non-responsive to verbal or tactile stimuli.

When the WRAP has been applied to an arrestee, it shall be noted in the Remarks section of the THF facilities Activity Log. Additionally, the Administrative Sergeant, Watch Commander or Event Commander shall be notified that the WRAP was used. The use of the WRAP shall be documented in compliance with SCPD G.O. Section 1.3.6, Documentation of Use of Force.

The WRAP will be sent to the cleaners for decontamination when necessary by the THF staff.

The provisions of this section do not apply to the use of handcuffs, shackles or other restraint devices when used to restrain arrestees for security reasons.

72.45.1 Inspections/Documentation/ Maintenance

The successful operation and maintenance of the THF facilities involves routine inspections that occur biennially, annually, and monthly, along with the retention of certain documents. The following is a listing of the inspections, their time frame and related documentation.

- ❑ Biennial Inspections:
 - Board of State and Community Corrections
- ❑ Annual Inspections and Reviews:
 - Public Health Department
 - Fire Inspection
 - Internal Review of Security Measures by Administrative Sergeant
 - Internal Review of Personnel Training by Administrative Sergeant
 - Review and Updating of THF Manual
- ❑ Annual Servicing:
 - Fire Extinguishers
- ❑ Quarterly Testing:
 - Fire Sprinklers - Records retained for five (5) years
- ❑ Monthly Inspections:
 - Internal Fire Safety Inspection – Records retained for two (2) years. See Appendix 11.
 - Fire Alarm Testing
- ❑ Calibrations:
 - PAS Device- every 10 days
 - Intoxilyzer- weekly by the Crime Lab
- ❑ Monthly Reporting:
 - A “Monthly Report on the Secure and Non-secure Detention of Minors in Building that Contain Lockups/Jails” form. Reported to the California Standards Authority by the Records Unit.
- ❑ Daily Visual Inspection:
 - Shift inspection by JSO/Officer of THF facilities. See Appendix 12
- ❑ Daily Sanitation:
 - Performed by maintenance staff. See Appendix 13
- ❑ Documentation:
 - Retain documentation for the life of item showing that mattresses, mattress covers and blankets used in the THF facilities conform to California State Fire Marshall, Bureau of Home Furnishing Technical Information Bulletin Numbers 106 and 121.

If during an inspection of the facilities any equipment is found to be in need of repair or maintenance, it shall be reported to the Administrative Sergeant as a

repair request on a Building Maintenance Department Work Assignment Form. See Appendix 14. It will be the Administrative Sergeant's responsibility to ensure that the repair work is promptly completed.

72.46.1 Appendices

Appendix 1 – Jail Service Officer Schedule

Appendix 2 – THF Activity Log

Appendix 3 – Santa Clara Police Department Medical Questionnaire

Appendix 4 – Santa Clara County Department of Correction Agency Advisory Form

Appendix 5 – Arrestee Property Release Form

Appendix 6 – Misdemeanor Strip Search Authorization Form

Appendix 7 – Arrestee Injury Report

Appendix 8 – Arrestee Exposure Letter

Appendix 9 – Sobriety Assessment Form

Appendix 10 – DOJ Death In Custody Report

Appendix 11 - THF Monthly Fire Safety Inspection Report

Appendix 12 – Daily Shift Inspection Form

Appendix 13 – Daily Sanitation Checklist

Appendix 14 - Building Maintenance Department Work Assignment Form

Issued: _____

By the authority of: _____
Michael J Sellers, Chief of Police