

PROVIDENCE POLICE DEPARTMENT

HEADQUARTERS

COLONEL OSCAR L. PEREZ

CHIEF OF POLICE

TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	390.01	1/31/2025	2/2/2025
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Detainee Processing and Detention		8/22/2021; 5/13/2020; Supersedes: G.O 16 Series 1986 <i>Arrest and Detention</i> ; G.O 37 Series 1995 <i>Detention Procedures</i> ; G.O. 42 Series 1997 <i>Procedures Governing Prisoner Movement</i> ; G.O 7 Series 1998 <i>Arrestee/Detainee Personal Property</i> ; G.O 13 Series 2006 <i>Special Arraignments</i> ; G.O 1 Series 2007 <i>Juvenile Detention Protocol from 2300 to 0700</i>	
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SUBJECT AREA		DISTRIBUTION	
Law Enforcement Operations		All Personnel	

**PURPOSE**

The purpose of this policy is to provide instructions and guidance relating to the obligations of Department personnel in the processing and detention of detainees that come into the custody of the Providence Police Department.

**POLICY**

It is the policy of the Providence Police Department that detainees who come into our care and custody be handled professionally, treated humanely and efficiently and effectively processed. Of paramount importance is the safety and well-being of detainees as well as that of the Department personnel that interact with them in the detention facilities. Additionally, the rights of these detainees will be strictly observed, and physical or verbal abuse of any detainee shall not be tolerated.

**DISCUSSION**

For the purpose of this General order, the following definitions shall apply:

*Detention Facilities*: Those portions of the Providence Public Safety Complex designated for use in the short-term incarceration or detention of persons in custody, and related areas, including the cells, processing area, and breathalyzer area.

Detention Officer: A sworn police officer and/or a non-sworn employee, trained in the care and custody of detainees in the holding facility, who is responsible for security, cleanliness, and safety in a detention facility

Detainee: A person who has been arrested and taken into custody.

Padded Cell: A cell with padded material on its walls and floor.

## **PROCEDURE**

### **I. DETENTION FACILITY OPERATIONS AND RESPONSIBILITIES, GENERALLY**

- A. Due the sensitive and critical nature of processing and handling detained persons and assuming complete responsibility for the well-being of those individuals, a heightened level of supervision of all detainees must be maintained. The detention of individuals often presents special challenges to police departments regarding issues such as maintaining a safe and secure environment, handling detainee's assaultive and/or suicidal behavior, and dealing with mental and physical health conditions which include substance abuse/withdrawal and poor adaptation to confinement. Thus, it is imperative that the detention facilities operate in strict accordance with established procedures.
- B. It is the responsibility of the Patrol Bureau's Day Shift Desk Sergeant to oversee the day-to-day operations of the men's, women's, and juvenile detention facilities. The Out First and Out Last Desk Sergeants are responsible for the supervision of the detention facilities during their respective shifts. It is the obligation of the on-shift detention officer assigned to each facility to ensure that detainee processing and detention are accomplished in accordance with Department policy.

### **II. SAFETY AND SECURITY**

- A. It is imperative that individuals who are taken into police custody are secured so as to prevent escape, the launching of an attack on the officer or others, self-harm, and/or the destruction of evidence. Restraints shall be applied as soon as practicable and in accordance with training and established procedures.
- B. Every detainee taken into our custody shall be searched to the extent permitted by law so as to locate and seize any weapons or contraband that the individual may have on or about his/her person and to locate and retrieve any evidence that he/she may possess. When the custody of a detainee is transferred to any member of this department, whether from another member of the Providence Police Department or from another law enforcement agency, that detainee shall be searched by the receiving officer immediately, or if exigent circumstances dictate, as soon as practicable thereafter.
- C. Properly secured Department-issued weapons other than firearms are allowed to be carried in the Department detention facilities by sworn officers; however, barring exigency, under NO circumstances shall an officer enter a detention area while in possession of a firearm. This pertains to all Providence Police officers, as well as, armed officers of other police agencies and jurisdictions that may enter the detention facilities

1. Pistols shall be secured in the lockboxes provided for this purpose, which are located adjacent to the sally port elevator as well as immediately outside the detention facilities.

### **III. RECEIVING DETAINEES INTO THE DETENTION AREA**

- A. Barring exigent circumstances, detainees shall only be brought into/taken out of the PPSC via the garage doors to the building and the sally port.
- B. Prior to detainees being removed from the transport vehicle, the garage doors to the PPSC and the sally port door are to be shut so as to prevent escape/injury. As stated in the previous section, officers shall secure their firearms in the lockboxes located adjacent to the sally port elevator prior to removing a detainee from a transport vehicle. In addition, the detention officer shall be informed, via the telephone located in the sally port, of the arrival of any new detainee.
- C. Detainee Reception: All transported detainees are to be brought to the detention facility entrance where they will be acknowledged and searched by detention facility personnel. At this time, an inquiry shall be made as to any sickness or injury to the detainee. If the detainee claims to be suffering from a serious sickness or injury or is visibly sick or injured from a serious condition/injury, notwithstanding a verbal claim or denial thereof, a rescue should be summoned to treat the detainee at once. Detainees experiencing minor illnesses or injuries requiring treatment may be transported to a medical facility via police vehicle. Detention facility personnel shall report any illness or injury to the supervising detention facility official, either the Desk Sergeant or the Officer in Charge (OIC) should the Desk Sergeant be unavailable, immediately. Detention facility personnel must always be cognizant of the fact that detainees in our custody have been denied their personal liberty and are under our exclusive care. Accordingly, it is our responsibility to see to it that their medical needs are attended to at a level not less than what the detainee would do had he or she been at the liberty to do so.
- D. Other Police Agency Detainees: Detainees from other police agencies who indicate or demonstrate a illness or injury are to be refused by detention facility personnel and the delivering officer must transport the detainee to a facility for medical treatment. If the detainee has been discharged post-treatment and there is documentation to prove this treatment, the detainee may be admitted provided he/she has no new illness or injury.
- E. Positive Determination of Detainee's Age: If there is any question by the detention facility staff as to the detainee's age, the detainee should be asked his or her age to ensure that the individual is properly handled and processed, (i.e. adult vs. juvenile). At this point, information regarding the place of arrest, charges, and the names of the arresting officers will be given to detention facility personnel.

### **IV. DETAINEE EXAMINATIONS**

- A. Detainee(s) shall be examined by the arresting officer(s) at the time of arrest. Detainee(s) exhibiting signs of illness, injury or issue complaints of illness/injury/pain shall neither be transported to, nor accepted into, a Department detention facility without having first been seen by medical personnel in the field, unless exigent circumstances exist (refer to General Order 390.02 *Restraint and Transport of Prisoners* for further information). The requirement that the detainee be examined for injuries shall not be deemed to compel the removal of clothing
- B. Upon arrival at the Department detention facility, the detainee shall be re-examined by the arresting/transporting officer and the detention officer for signs of illness, injury, or issue complaints of illness/injury/pain. Whenever said re-examination reveals signs of illness, injury or issue complaints of illness/injury/pain, the Desk Sergeant shall be notified and shall implement the proper course of action in accordance with all applicable Department directives.

## **V. INTOXICATED/SUBSTANCE IMPAIRED DETAINEES**

- A. At a minimum, intoxicated/substance-impaired detainees must be capable of walking and able to effectively communicate prior to being transported to a Department detention facility; otherwise, the detainee shall be transported directly to a medical facility unless exigent circumstances dictate a different course of action.
- B. All intoxicated/substance-impaired detainee(s) who are transported to a Department detention facility shall be viewed face-to-face by the Desk Sergeant. Whenever the Desk Sergeant determines that a detainee exhibits impairedness to the level of semi-consciousness or greater impairment upon entering the detention facility, said detainee shall be transported to the hospital for medical treatment prior to their booking.

## **VI. MEDICAL TREATMENT FOR INJURY/ILLNESS**

- A. Whenever a detainee requires medical care for a serious illness, condition or injury while in police custody, he/she shall be transported to any Providence care hospital either by rescue or by patrol vehicle. In the event that the detainee is transported via rescue, a sworn officer will also travel in the rescue along with the detainee and remain with him/her until properly relieved by department personnel. If the detainee is violent or considered a high flight risk, a marked PPD cruiser will follow the rescue to the medical facility. Where indicated, detainees may be treated in a Department detention facility by EMS personnel.
- B. In all cases where a detainee is brought to a medical facility or where a detainee is examined in the detention facility by EMS personnel, a written entry is to be made into the detainee's electronic booking module indicating:
  - 1. The medical problem requiring treatment.
  - 2. The date and time that the detainee is transported to the hospital.
  - 3. The date and time that the detainee is returned to the detention facility.

4. The medical treatment received; and by whom.

- C. An unimpaired detainee who is sick or injured shall not forfeit their right to refuse treatment. However, if it appears that the injury, incapacitation, or a mental deficiency is influencing the detainee's decision to refuse treatment that is objectively in his/her best interest, rescue may be summoned for treatment within the detention facility or at a medical facility. Additionally, an entry documenting this type of occurrence will be made in the detainee's electronic booking record.
- D. Any detainee who is brought to a Department detention facility by another law enforcement agency shall not be admitted into the facility if the detainee reports that they are sick or injured and no documentation is presented to show that the detainee has been medically treated and cleared. If a detainee who has been brought to a Department detention facility by another law enforcement agency requires medical attention at any point during their detention and is transferred to a medical facility, the arresting agency will be contacted to guard their own detainee at that facility. Detainee(s) arrested by another law enforcement agency on a Providence Police warrant and who are processed and held at the Providence Police Department will be guarded by a member of the Providence Police Department if it is necessary that the detainee(s) receive medical treatment at a medical facility.
- E. Detainees who are taken to a medical facility for treatment shall be handcuffed and leg-shackled by a police officer in a manner that is in accordance with applicable Department directives, regardless of whether or not the detainee is transported in a police vehicle or rescue. If it is obvious that the detainee has difficulty walking due to injury, intoxication, or medical condition, the use of shackles should be evaluated to prevent loss of balance, the likelihood of a fall, and potential injury.
- **NOTE:** The key for the leg-shackles will be taken by the transporting officer(s) to the hospital. Also, the leg-shackles shall be returned to the men's cellblock (locker 20 C),
    1. Police officer(s) who are guarding a detainee must have with them a standard handcuff key to remove handcuffs and or shackles should that removal become medically necessary. If the detainee is secured using flexi-cuffs, the guarding officer(s) must have a cutter available to him. The removal of handcuffs or shackles are only to occur when necessary to facilitate medical treatment. Prior to any such removal, measures to prevent escape or physical attack of or by the detainee shall be put into place where possible (i.e. the handcuffing of the other hand or the shackling of the other foot to a bed/gurney, etc.).
    2. Police officer(s) who are guarding a detainee shall remain with the detainee at all times, when possible, during treatment. If it is medically necessary for an officer to leave a detainee's immediate presence (i.e. to allow for the taking of an x-ray, etc.), the officer shall, as best as practicable, notify the district sergeant and request an additional officer to assist in the security of the detainee. The

officer(s) shall then ensure that all avenues of escape are secured and that there are no items accessible to the detainee that might be used as weapons.

3. Prior to or at the outset of the detainee's transport to a medical facility, the Desk Sergeant shall be notified to make arrangements for a guarding and relief. This notification shall include necessary information to Communications to ensure knowledge of the location of the detainee. In order to maintain the safety of officers and the public, neither telephonic communications nor visitors shall be allowed by the detainee while at the hospital.
4. When the detainee is admitted to the hospital or will be there for a prolonged period, a request by the officer guarding the detainee should be made to hospital personnel to 'block' the detainee's name, which would prevent the switchboard operator from re- routing a call to the detainee from a friend or family member or allowing others to know the detainee's location. Before returning the detainee to the detention facility or the court a search of their person shall be conducted to ensure that no weapon or contraband was secretly concealed while in the hospital.

## **VII. DETAINEE SEARCHES AND INVENTORY**

- A. When an individual is taken into custody, he/she is subject to several search processes of his/her person and the belongings in close proximity to him/her.
  1. The first process is a search incident to arrest or subsequent to a protective seizure and is generally conducted at the time and place of arrest, although detainee relocation and a later search may be permitted under exigent circumstances. The objectives of this search are to (1) search for contraband and/or weapons; and (2) locate and seize evidence related to the arrest. Areas in close proximity to the detainee such as "lunging areas", and vehicle passenger compartments and containers, may be searched, and area protective sweeps may be conducted, whenever doing so is consistent with both law and Department policy (also see General Order 330.03 *Search & Seizure*). This process shall be repeated whenever a transfer of custody takes place prior to arrival at any (i.e. detention, medical, etc.) facility.
  2. The second process occurs anytime an individual arrives at a facility following an arrest or protective seizure. The detention officer is required to conduct an inventory of that person's belongings for the following purposes:
    - a. To preserve his/her property while he/she is incarcerated.
    - b. To prevent escape, self-injury or harm to others.
    - c. To protect police from disputes over lost or stolen property, or whether the property was returned.

- d. To keep dangerous items from entering detention areas.
3. Anything the detainee may be carrying (i.e., backpacks, handbags, shopping bags, etc.) may be searched. If during the course of the inventory process other evidence/contraband/weapons are discovered, it shall be seized, and the suspect criminally charged accordingly.
  4. In cases where property/evidence is to be turned over to the Property, Evidence, and Supply Bureau (PESB) for storage and safekeeping, the following procedures shall be followed:
    - A. When possible, all articles that are impounded will be packaged, utilizing envelopes, Denison tags, plastic bags or boxes and appropriate labels, to ensure preservation. If the size of an article precludes packaging, a legible identification tag or label will be conspicuously affixed to the item. However, the seizing or impounding officer may be required to provide temporary protective packaging and identification for articles which are fragile or which present a safety hazard.
    - B. In compliance with the property changes made by the Department of Corrections (DOC), arrestee's will be limited to those items listed below that will remain on their person when being transported to the Adult Correctional Institution (ACI).
      - A wallet and/or purse - applies to both men and women
      - Wedding Band
      - Keys
      - State or other Government identification, e.g., driver's license.
      - Cash (which will be deposited in Inmate Accounts on the business day following commitment- to include coin change)
      - Credit Cards (may be needed for self-bail - gift cards if they are on said person at time of arrest)
      - Cell phones (so arrestee has emergency contact information at hand)
      - Prescription medications in original pharmacy packaging with arrestee's name on the label (So as not to deny someone access to potential life-saving medications)'
      - Paperwork to include citations and/or summons issued by law enforcement or the court(s)
  1. The Department of Corrections Committing Officers are not authorized to accept or store any personal property other than what is listed.

This includes all forms of jewelry, including religious items. Religious headgear will be allowed but may be placed in their property within the

ACI if it doesn't conform to policy. Belts and watches, including Apple watches, will not be accepted.

All other property in an arrestee's possession at the time they are taken into custody will be the responsibility of the arresting/transporting agency.

2. Prisoner's property that is required to be held by the Providence Police Department will be submitted in the following manner:
  - a. Cellblock attendants shall present the arrestee with a PERSON IN CUSTODY PROPERTY RELEASE FORM (attached below).
  - b. An explanation of how the arrestee's property can be retrieved by someone other than themselves.
  - c. Once the form has been completed it shall be given to the arresting officer. The form will then be placed in the property locker accompanied with the Property Receipt Form.
  - d. A release form will be provided to each arrestee where personal property will be held by the Providence Police Department.
  - e. Should the arrestee refuse to sign the release form it should be noted into the arrestees booking form.
  
5. Officer(s) shall conduct a search of the detainee passenger compartment of the transport vehicle for weapons, contraband, and or a means of escape prior to securing a detainee within the transport vehicle. Upon the completion of a transport, officer(s) shall conduct another such search of the detainee passenger compartment after the removal of the detainee.

## **VIII. TRANSGENDER / GENDER IDENTITY / GENDER EXPRESSION CONSIDERATIONS**

- A. Some detainees who come into our custody may be transgender or gender non-conforming, meaning that the gender they were assigned at birth does not match their current gender identity and/or that they do not identify with the gender binary (i.e. as strictly male or female). Furthermore, a detainee's gender expression (the external appearance of one's gender identity, usually expressed through behavior, clothing, haircut, and/or voice) may differ from their gender assigned at birth even without medical or other physiological modifications.
  1. In any such cases, detainees shall be taken to and processed within the detention facility that corresponds to their gender identities as presented by them.
  
- B. In cases where the gender expression of a detainee is unclear and/or unknown to the detention officer(s) or arresting officer(s), it is reasonable to inquire of the detainee, in a tactful and respectful manner, as to their gender identity.



- C. The anatomical sex of a detainee is not relevant to their gender identity/expression. Accordingly:
1. Personnel shall not inquire about the intimate details of a detainee's anatomy or medical/surgical status/history in order to determine the detainee's birth sex, anatomy, or gender identity/expression.
  2. A search or frisk shall not be performed for the purpose of determining a detainee's anatomical gender.
- D. Individuals who identify as transgender or gender non-conforming have the right to indicate their preference to be searched by either a male or female officer or detention officer. If an individual's gender request can be reasonably and expeditiously accommodated without risk to officer safety, the request should be granted. Under exigent circumstances, including but not limited to the existence of reasonable suspicion of imminent threat of bodily harm or escape, any officer or detention officer may conduct a search of any detainee, regardless of the gender identity/expression of the detainee, officer, or detention officer.
1. In the event that the individual's request cannot be honored, the search shall be conducted with proper dignity and due consideration for the privacy of the individual and, whenever possible, shall be conducted in the presence of another officer.
- E. Requests for detainee(s) to remove appearance-related items such as prosthetics, accessories and/or clothing that convey gender identity, wigs, or cosmetics shall be consistent with requirements for the removal of similar items for non-transgender individuals. In the event that the aforementioned appearance-related items play a potential role for the subsequent identification of the detainee(s) by a victim or witness, the BCI photographer or a supervisor may exercise his/her discretion insofar as the detainee wearing appearance-related items during the photographic process. In no case shall the detainee be subjected to undue embarrassment during the detainee processing.
- F. Barring exigent circumstances, and in order to provide increased protections for such individuals, transgender and gender non-conforming detainees shall be housed alone within a cell.
- G. In the event that an officer of the same sex/gender identify/expression as a detainee is not available at or cannot be feasibly summoned to the scene, a search of the arrested person shall be conducted by any officer under the following circumstances:
1. In order to discover and confiscate any contraband and/or weapons.
  2. Whenever a reasonable belief exist that evidence concealed on the person may be lost or destroyed.
- H. Search of such individuals shall be conducted in the presence of another officer whenever practicable and will be conducted with proper dignity and with due regard for privacy and for the safety of all involved. The back of the hand, rather than the palm, should be used when searching a detainee

of the opposite gender identification. Anything that the detainee possesses, (i.e. backpacks, handbags, shopping bags, etc.) may be searched.

## **IX. DETAINEE MEDICATIONS**

- A. Properly prescribed medicines in properly labeled prescription containers found to be in the detainee's possession shall be seized and placed in the detainee's trap bag. If the detainee so requests, the Desk Sergeant shall allow prescribed medicines to be dispensed to the detainee in accordance with the directions on the label. Dosages and their frequency of ingestion shall not exceed the limitations set forth on the prescription container. Each dose of medication dispensed shall be recorded in the detainee's electronic booking record, to include the name of medication, the date and time dispensed, who dispensed the medication, and who authorized its dispensing.
- B. In cases where a detainee requires medication that they do not possess at the time of incarceration, said medication may be brought to the Providence Public Safety Complex (PPSC) by the detainee's family member(s) or representative(s). These medications are subject to search and verification and may only be administered in accordance with applicable Department directives. These medications must be in their original prescription container with the detainee's name clearly affixed on the original prescription container sticker.
- C. Whenever concerns arise regarding the authenticity of medicines found in the custody of or delivered to the detainee, verification should be made with paramedics, the emergency room personnel of a bona fide medical facility, or a pharmacist at the issuing pharmacy, prior to dispensing. All steps taken in the verification process shall be documented in the detainee's booking module record.
- D. Detainees who require medication to be administered through injection shall be transported to a medical facility and the administration of the medication shall be conducted by properly trained medical staff.
- E. Detainees who can verify that they are patients of a recognized methadone and/or suboxone dispensing clinic and who demonstrate satisfactorily that they require a prescribed dose of methadone may be transported to the dispensing clinic, but no more than once per each 24-hour period.

## **X. DETAINEE MONITORING**

- A. Physical, Face-To-Face Checks
  - 1. A visual, face-to-face check of each detainee shall be made at the beginning of every shift by the oncoming detention officer, prior to the departure of the outgoing detention officer. Detention officers making these checks shall have in their possession the keys to the cells in the event that an immediate entry is required. Any unusual condition of a detainee shall result in the outgoing detention officer remaining in the detention facility until being dismissed by the Desk Sergeant, who shall be immediately notified and shall immediately

respond to the detention facility whenever such unusual conditions arise.

2. Notwithstanding the above, detention officer(s) shall be required to conduct physical, face-to-face checks of detainees. This includes one-time checks, as well as intervals checks, (i.e. conducting a check on a detainee(s) every 30 minutes) and/or at the request of the Desk Sergeant for exceptional circumstances.
3. Additionally, whenever the video monitoring system is not functioning such that a live video stream of the detention facility (i.e. common areas, and those cells that are equipped with cameras) are unavailable for viewing by the detention officer(s), physical, face-to-face checks of all detainees shall be conducted by the detention officer(s) every fifteen (15) minutes.

B. Video Monitoring System

1. Detention officer(s) shall be responsible for continually monitoring the real-time live video streams of the detention facility in which they are working, whenever practicable.
2. Video monitoring of cells that contain toilets shall be setup such that the area of the toilet shall be concealed in the interest of ensuring personal privacy.

C. Gender-Based Considerations

1. Whenever the detention officer is responsible for monitoring detainees of the opposite sex, that detention officer shall undertake all reasonable precautions necessary to ensure the privacy and dignity of said detainee.

D. At no time will detainees be left unsupervised within any Department detention facility.

## XI. BOOKING AND RELEASE PROCEDURES

- A. The predominant objective of the detention facility operations is to effectively and efficiently process and maintain custody of incarcerated persons while ensuring that the safety and security of Department personnel, detainee(s), and detainee's property are maintained at all times.

The following procedures are to be adhered to:

1. *Hostile, Combative, Unruly Detainees:* When detainees exhibit signs of hostility, combativeness, or fail to follow directions, the detainee should be verbally advised that his booking cannot proceed unless he cooperates with the process and demonstrates a diminished level of aggression. An entry shall be made in the detainee's electronic booking module detailing each and every attempt to book a hostile detainee. This will alleviate allegations regarding a violation of prompt bail review and right to a telephone call within one hour. The

detention officer shall enter what detainee information is available in the booking forms (i.e. detainee name if known, arresting officer(s), charges, detainee height, weight, color of hair, skin, etc.). This booking record shall be completed when the person is calm and ready to answer the remaining questions to complete the booking.

- a. If a prisoner causes a physical confrontation, the detention officer(s) should allow the police officer(s) present to handle the prisoner. Where circumstances indicate that the police officer(s) present will be unable to handle the situation, the detention officer(s) should seek assistance from other police officers via the police radio that resides within each detention facility for this express purpose and/or its emergency button. Every effort should be exhausted before a detention officer involves him or herself in a physical confrontation. A detention officer should never involve her or himself in a physical confrontation unless a true emergency exists which threatens the safety of a police officer.
2. *Verbal Communication with Detainees:* No unnecessary conversation with the detainee is permitted. It is important that the detention officer be the primary person speaking with and directing the detainee being booked. Other personnel who are present during the booking procedure with the detainee may have conversation with the detainee to the extent necessary to carry out processing however, in the interest of expediency and accuracy; the detainee's attention should be focused on his or her exchange with the detention officer.
    - a. For the purposes of booking a deaf or hearing-impaired detainee, a detention officer may communicate with the person being booked through written communications, verbal communications (if possible), a non-certified interpreter or a certified interpreter. Please be aware that some deaf and hearing-impaired persons have limited written language skills, particularly involving difficult matters such as reprimands and legal warnings.
  3. *Cooperative Detainees:* The non-hostile detainee is to be brought to the front of the detention officer and remain handcuffed. If a detainee displays objective signs of intoxication to a level of semi-consciousness, that detainee shall be transported to the hospital by rescue for medical treatment. Any of their property, which may have been removed prior to entering the transport vehicle and is contained within an Inventory Bag, shall be placed on the counter between the detention officer and the detainee for video recording.
  4. *Mandatory Detainee Discourse and Observation:* During the booking procedure, the detention officer is responsible to record the applicable biographical and identification information from the detainee. If the detainee is deemed to be on file with this department through the Booking Records within the Records Management System, the information on that record which includes address, phone number and workplace must be updated where necessary.

5. Additionally, the detention officer shall ask the following questions during the booking process:
  - a. You have the right to a telephone call. Do you wish to use the telephone? (Note: see #17, below).
  - b. Are you sick? If so, what is wrong?
  - c. Are you injured? And if so, when and how were you injured?
    - i. If the detainee is visibly injured or complains of an injury, a detailed description of the injuries/complaints shall be entered by the detention officer in the detainee's electronic booking module record, and the Desk Sergeant shall be notified as soon as practicable.
    - ii. Did the detainee allege the use of excessive force or misconduct on the part of police? If yes, the detention officer shall notify the Desk Sergeant as soon as practicable.

It is necessary that the detention officer inputs all pertinent information into the computer system memorializing the detainee's responses to each of the aforementioned questions.

6. *Detainee Inventory Procedure:* Once the detention officer has completed the information collection portion of the booking procedure, the arresting/transporting officer or detention officer will then conduct a thorough pat down and search of the detainee to ensure that no weapons, contraband, or other dangerous items are concealed on his/her person.
  - a. While conducting the search of the detainee, all personal items shall be removed, and the detention officer shall inventory all items of personal property and money and list this inventory on the detention authorization form. This inventory shall include all items of jewelry, shoes and belts. If a detainee is wearing multiple layers of clothing, he/she shall be required to remove all but one layer of outer garments, not to include undergarments (e.g. one shirt and one pair of pants). However, should an article of clothing (i.e. wired bra) be considered a safety hazard to both the detainee and/or members of the department, they shall be removed in accordance with the aforementioned. The inventory shall be supervised and signed by the Desk Sergeant.
  - b. A change of clothing may be allowed if it is searched thoroughly before being given to the detainee
  - c. The Department shall make reasonable accommodations for detainee(s) who are wearing clothing or possess items that conform to the detainee's religious beliefs and practices.

Such accommodations may include allowing the wearing of the clothing, limiting the possession of an item during prayer for a limited time period, etc. In all such instances, the Desk Sergeant shall be notified prior to the accommodation being granted, and he/she shall implement extra precautions as deemed necessary.

7. *Indications of Special Medical Conditions:* Special attention shall be given to the presence of any 'Medic-Alert' jewelry. If one is inventoried from the detainee, the information contained thereon shall be entered onto the detainee's electronic booking module record.
8. *Handcuff Removal:* Once the detention officer is of the opinion that it is safe to do so, the handcuffs can be removed by a police officer only, and the detainee shall be instructed to place all of his/her property on the property inventory counter. A complete search of the detainee shall be made to ensure proper identification by examining driver's licenses, social security cards, letters, etc. If a person has a driver's license or other identification it shall be placed on the counter so that the detainee's information may be confirmed by the detention officer(s).
9. *Detainee Safety Issues:* Any such item that detention facility personnel perceive that may be used by a detainee to harm himself shall be taken from him/her at this time and held in his or her property. Unless an officer assigned to the detention facility believes that it would create a hazard: the following items may be retained by a detainee in the cell; wedding ring, prosthesis. Footwear and belts for all detainees shall be removed prior to placement of the detainee in a cell. Strip Searches shall be conducted in accordance with GO 390.03 - Strip Searches & Body Cavity Searches.
  - **NOTE:** Those individuals that are hearing impaired or require the assistance of a mechanical devise (i.e. hearing aid) will be given reasonable accommodation in accordance with GO 400.02 Effective Communication with the Hearing Impaired.
10. *Detainee Inventory Search Objectives and Scope:* The legitimate purposes of an inventory procedure are: to safeguard the detainee's property, the protection of police personnel from charges of theft, to ascertain or verify the identity of a detainee, and to keep out of the cells anything dangerous to the detainee, other detainees, visitors, and police officers. While conducting an inventory procedure, police personnel shall open all closed containers the detainee(s) had in their possession at the time of arrest and examine its contents solely to meet the legitimate purposes of inventory previously stated. Documents or other records may be read or otherwise examined only to the extent necessary for such inventory purposes, including identity verification and ensuring the detainee's physical wellbeing.
11. All money and other valuables in the detainee's possession shall be inventoried by both the detention officer and the transporting officer and shall be witnessed by the detainee whenever practicable.

When the counting of money is agreed to by all parties, the money and/or other valuables or property (i.e. watches, rings, chains, earrings, cigarettes, etc.) shall be sealed in a Department-approved plastic trap bag, upon which any fields reserved for the writing of information shall be filled-out completely and accurately. The plastic bag shall then be placed in the locked cabinet reserved for the purpose of storing detainee property. An inventory of the detainee's property shall then be entered in the detainee's electronic booking module record by the detention officer.

- a. In cases where the amount of money and/or valuables exceeds \$100, the Desk Sergeant shall be summoned to witness the accounting and inventory of said money/valuables, and his/her presence shall be noted in the detainee's booking module record.
  - b. The Booking Sheet shall be signed by the detainee, the detention officer, the transporting officer(s), and the Desk Sergeant, whenever applicable.
12. At the discretion of the Desk Sergeant, property items of extreme value or sensitivity may be submitted to the property room in accordance with established Department procedure, instead of being held in the locked cabinet in the detention facility. If this occurs, the transfer of the property shall be indicated in the detainee's electronic booking module record and in all applicable electronic reporting systems. Similarly, the return of these item(s) to the detainee must be noted in the electronic booking module record and in all required electronic reporting systems.
13. *Confiscation of Detainee Property:* Any property, including but not limited to money, keys, etc., confiscated from a detainee(s) at or after booking as evidence of criminal activity, must be documented in the detainee's electronic booking module record by the detention officer, and in the Department RMS by the seizing officer, and only after notification is made to the Desk Sergeant. The handling of that confiscated evidence must be in accordance with procedures delineated in established evidence handling procedures.
- a. Whenever such circumstances arise, the remaining property shall remain in the original trap bag, and any required notations shall be made upon it. The original trap bag shall then be placed within a new trap bag, which shall be sealed. Any necessary notations shall be made upon the new trap bag, after which the bag shall be placed and locked within the cabinet located in the detention facility and designed for this use.
14. *Magnetometer Use:* The detention officer shall use the handheld magnetometer in accordance with Department training to conduct a search of the detainee. If the detector is signaled, a more thorough search shall be conducted by both the detention officer and the transporting officer until both are satisfied that no weapons,

contraband, or other dangerous items remain in the possession of the detainee.

15. *Cell Escort:* Once these processes are completed, the detention officer and at least one sworn officer shall escort the detainee to the appropriate holding cell.
  - a. A police officer shall remain with the prisoner in the detention area at all times until the prisoner is secured in a cell.
16. *Cell Pre-Inspection:* Prior to placing the detainee in the cell, the detention officer shall check the cell for weapons and/or contraband. Any such items found shall be immediately seized by the detention officer and the Desk Sergeant shall be notified verbally and in writing as soon as practicable.
17. *Phone Call:* The detention officer shall permit the use of the telephone within the holding cell by the detainee for the purpose of arranging release on bail and/or to engage the services of an attorney. Any such person shall be informed upon his arrival at such station or place of detention, of his right to so use the telephone, and such use shall be permitted within one hour thereafter. Accordingly, every effort shall be made to permit the detainee to make use of the phones that are installed in each individual cell within the appropriate time frame.
  - a. Exceptions to permitting a detainee to use the telephone within one hour of his/her arrival in a detention facility shall be allowed when in accordance with applicable state and/or federal law. In such cases, the officer requesting the delay shall obtain the permission of the Desk Sergeant on duty, and the names of the requestor, Desk Sergeant, and reason for the delay shall be noted in the booking module by the detention officer.
  - b. Detainee(s) who have been brought to a Department detention facility by federal officers for federal charges do not have guaranteed phone rights that state detainees do. Upon booking, the Desk Sergeant is to consult with the arresting federal officer(s) and inquire whether a phone call by the detainee would jeopardize an ongoing case. If the case or investigation would not be compromised by allowing the detainee call privileges in his or her cell, then phone access shall be permitted.
  - c. Detainee telephone calls shall neither be monitored nor recorded, so as to conform with all applicable state and federal laws relating to a detainee's personal privacy.
18. The detainee(s) shall be locked into his or her designated cell where he or she shall remain until transported to court, released or removed from the cell by an appropriate authority. Detainee(s) shall not be removed from a cell by a civilian detention officer without a police officer present unless the failure to remove them from the cell



is likely to result in serious bodily injury or death to the prisoner. Any time a prisoner is taken out of a cell, his or her removal and return shall be documented in the detainee's electronic booking module record.

19. *Meals:* Detainees shall be fed once per shift. Only food or beverages provided by the Department shall be given to a detainee.
  - a. Reasonable accommodations shall be made whenever possible to meet special diet requirements when prescribed by a physician, when verified as essential to the detainee's health (i.e. allergies), or to meet religious restrictions.
  
20. *Cell Post-Inspection:* Whenever a detainee is no longer confined to a cell, the cell shall be closely examined and searched for any articles that may have been left behind; including such items as razor blades, needles, weapons, contraband, etc., and the interior shall be examined for any damage that may have occurred. Such cell post-inspections shall be done as soon as practicable after the removal of the detainee but prior to release, and prior to the occupancy by another detainee.
  - a. Any such items found shall be immediately seized and any damage detected noted, by the detention officer, and the Desk Sergeant shall be notified verbally and in writing as soon as practicable.
  - b. The Desk Sergeant shall ensure that any and all applicable criminal charges of the detainee resulting from the finding of such items and/or the damage noted are properly charged.
  
21. *Detainee Release:* A detainee charged with a crime shall be released from custody only when directed by proper legal authority; when he or she has been positively identified by photograph and fingerprints, and all appropriate criminal background checks have been completed; and when at least two officers, preferably including the Desk Sergeant and/or a representative from the Department's Prosecution Bureau, have reviewed and authorized the release.

Detainee(s) shall be asked to sign the receipt for their personal property, after items have been compared against the original inventory log and found to be complete.

- a. Any discrepancies shall be reported immediately to the holding facility supervisor or the officer in charge.
- b. Refusal of the detainee to sign shall be noted by the releasing officer.
- c. Items held as contraband or evidence shall be noted separately on the inventory report and held by the agency upon the detainee's release.

22. *Transferred Detainees:* Authorities taking custody of transferred detainee(s) shall be provided with a document that contains all relevant information on the detainee(s), to include information on pending charges, illness or injury, suicide attempts or potential risks, use of illegal or prescription drugs, records of medical treatment or diagnosis, and potential for violence or escape.

a. Detainee property shall be released to and signed for by the accepting authority after it has been audited.

## **XII. JUVENILE DETENTION PROTOCOL**

A. Only juveniles who have committed a felony or misdemeanor will be secured in a cell. Secured detention is not allowed in cases of suspicious persons (so called SPs) and mere violations.

B. The arresting or transporting officer(s) shall proceed with the handcuffed juvenile to the Women's Detention Facility after notifying their immediate supervisor and a Youth Service Detective.

C. Upon arrival in the Women's Detention Facility, the detention officer(s) shall contact the Desk Sergeant for prisoner viewing purposes.

1. All necessary steps shall be taken so that the juvenile will be separated from both the sights and sounds of adult detainees, and vice-versa.

D. The Women's Detention Officer shall process (book) the juvenile, and inventory and secure all property, in accordance with Departmental procedures.

E. Once the juvenile is booked, the arresting or transporting officer shall escort the juvenile to the Juvenile Detention Facility.

F. The arresting officer or transporting officer shall maintain care and custody of the juvenile until the relief (sworn officer/detention officer) arrives to take custody and control of the juvenile.

- Note: that when two detention officers are on duty, one detention officer shall respond to the Juvenile Detention Facility in lieu of their duty as male and/or female detention officer.

G. The sworn officer/detention officer shall maintain care, custody, and surveillance of the juvenile until the juvenile is released from the custody of the department (i.e. parent, guardian or Training School).

H. The juvenile will never be left alone, and may only be retained for a period of time not to exceed six-hours in a secured facility.

I. The Youth Services Bureau will remain operational until 3:00 AM and will be available to assist officers. If the detention of a juvenile should occur after 3:00AM, an officer and/or a detention officer shall maintain care of the juvenile until the relief from a sworn officer/detention officer which shall be coordinated by the Desk Sergeant.

- J. To release a juvenile, the releasing detention officer or officer shall:
  - 1. Retrieve the juvenile's property and a property release form
  - 2. Have the juvenile sign the property release form, along with the detention officer/ sworn officer signatures, which will be archived in the Youth Service Bureau and
  - 3. The Juvenile Release Authorization Form will be signed by the detention officer/sworn officer when released to the parent/guardian.

### **XIII. CARE AND SAFETY OF DETAINEES IN CELLS**

- A. During the booking of each detainee, the detention officer shall perform a check of the detainee in the Department's electronic booking module to determine if the person has made any threats, has acted violently while detained, or has attempted suicide in the past. Whenever such a check reveals the existence of any of the above in the detainee's past history, the Desk Sergeant shall be immediately notified and, at his/her discretion may order that the detainee be subjected to enhanced supervision and restraint, to include but not limited to the following:
  - 1. Verbal inquiry with the detainee as to harmful intent.
  - 2. Video- Monitored cell.
  - 3. Consideration of removal of clothing that may be used to harm oneself.
  - 4. Use of padded cell/restraints.
  - 5. In-cell clinical assessment.
  - 6. Heightened in-person checks and observation.
- B. Detainee(s) who may have acute psychiatric issues, threaten or actually attempt suicide or self-harm, or are experiencing emotional crises, appear depressed or overly withdrawn, have profound adaptive issues with respect to being in a detention facility, or otherwise present themselves in such a way to cause reasonable concerns for their mental or physical well-being shall either be assessed by a Providence Center liaison on-scene or be brought to a mental health facility for evaluation, per the discretion of the Desk Sergeant.
  - 1. Transportation to a mental health facility may be made by a patrol vehicle or by rescue, whichever appears in the best interest of safety for the detainee at the time.
- C. If a detainee is physically injured while incarcerated, the Desk Sergeant shall immediately be notified, and a rescue shall be summoned. The detainee shall be brought to a medical facility at the discretion of the Desk Sergeant after weighing the advice of rescue personnel and his/her personal observations, so that the detainee may be treated for both the physical injury as well as any emotional crisis that may exist.

- D. If released to police custody post-evaluation/post treatment, the detainee is to be assigned to a padded and/or video monitored cell for the balance of their stay at the PPD detention facility, and all recommendations of the clinician must be followed to the extent that is practicable.
- E. The detention officer shall report ALL suicides to the On-Duty Desk Sergeant, and, as soon as practicable, shall post a notation in the detainee's electronic booking module record regarding the incident. The Officer in Charge (OIC) shall be notified immediately of any suicide that occurs, and in turn, he/she shall immediately notify the Uniformed Division Commander and the Commanding Officer from the Office of Professional Responsibility (OPR). A field report shall be made, and witness statements concerning the incident shall be made in fulfillment of any requests issued by OPR.
- F. In the event of an attempted suicide the Desk Sergeant shall conduct an investigation and remedial action shall be taken to reduce the possibility of similar attempts by the involved or any other detainee. This shall be documented by the On-Duty Desk Sergeant in a letter to the Officer in Charge. The OIC shall ensure that the Uniformed Division Commander as well as the Commanding Officer from the Office of Professional Responsibility (OPR) is notified of the incident. A member from the Bureau of Criminal Identification shall be requested to report to the detention facility for the collection of any pertinent evidence.
- G. Record of a suicide attempt or threat must be recorded in the detainee's electronic booking module.

#### **XIV. ACCESS TO PRISONERS**

- A. Personnel assigned to and/or required for the safe and secure operations of the holding facility are considered essential persons and are authorized access to the holding facility. All other personnel are considered non-essential and are only authorized access to a detention facility in order to conduct official Department business.
- B. Under no circumstances will unauthorized persons be permitted into the holding facility to view or speak with detainees.
- C. Only in the most exceptional circumstances, and then, only at the discretion of the Patrol Bureau Officer in Charge (OIC), will detainees be permitted visitors. The detention officer shall enter a record of visits into the detainee's electronic booking module record.
- D. In the event that a request is made that a detainee be removed from a detention facility for an interview, the detention officer shall notify the Desk Sergeant prior to the removal of the detainee. In all such cases, the name of the officer(s) removing the detainee, the date/time of removal, the name of the officer(s) returning the detainee, and the date/time of return, shall be noted by the detention officer in the detainee's electronic booking module record.

## **XV. ESCAPE OF DETAINEES**

- A. In the event of a detainee escaping from any detention facility, the following information shall be immediately transmitted over the portable radio by the detention officer:
  - 1. Detention area where the escape occurred.
  - 2. Name, physical description, and clothing.
  - 3. Direction of flight.
  - 4. Time elapsed since escape.
  - 5. Medical or mental concerns.
  - 6. Access to weapon(s).
- B. The Patrol Bureau Shift Supervisor shall establish a perimeter as soon as practicable and direct a search for the person using all available resources.
- C. When the escapee has been recaptured applicable charges shall be added to the criminal complaint and notifications via Communications shall be made.
- D. The officer/detention officer who suffered escape shall submit, through the chain of command, to the Chief of Police, a complete and detailed written letter outlining the chain of events that led to the escape.
- E. The detention officer shall enter a notation regarding the escape in the detainee's electronic booking module record.

## **XVI. SPECIAL ARRAIGNMENTS**

- A. In the event a detainee attempts to arrange bail, the following procedures will be adhered to:
  - 1. When necessary, the Commanding Officer of the charging bureau shall notify the OIC of Detectives, Youth Service Bureau, the Narcotics Bureau, and Organized Crime Bureau of the identity of the detainee requesting a bail commissioner.
    - a. Accommodations shall be made for those respective bureaus to conduct interviews of the detainee, (i.e. if the detainee is a person of interest in an investigation).
  - 2. The Commanding Officer of the charging bureau is to determine whether or not the detainee is a violator of probation and/or bail.
    - a. A check of the detainee's record will be made with the Rhode Island Bureau of Criminal Investigation.
    - b. The detainee will not be afforded the use of a Bail Commissioner if it is determined that he/she is under bail and/or probation on any previous case.
  - 3. If, in the opinion of the Commanding Officer, the detainee is considered to be a threat to himself/herself or others, the Commanding Officer shall deny the use of a Bail Commissioner.

4. The Commanding Officer of the charging bureau shall advise the detainee of any fees, which may be associated in securing a bail commissioner.
  - a. Per Rhode Island General Laws 12-10-2 (2d), "The fee for any justice of the peace shall be fifty dollars (50) paid by EACH individual who appears before him or her; provided that when a special session is requested between the hours of 2300 hours and 0800 hours, the fee shall be arranged between the defendant and the justice of the peace but shall not exceed two hundred dollars (200).
5. The Commanding Officer of the charging bureau shall ensure that the detainee is properly processed by BCI prior to release.
6. Where a Bail Commissioner is to be provided, the Commanding Officer of the charging bureau shall be responsible for completing a State of Rhode Island Criminal Complaint.
  - a. The complaint must be signed in the presence of the Bail Commissioner or by a ranking sworn officer.

**APPROVED:**



COLONEL OSCAR L. PEREZ  
CHIEF OF POLICE



**PERSON IN CUSTODY PROPERTY RELEASE FORM**

(PERSONA EN CUSTODIA – FORMULARIO DE AUTORIZACIÓN PARA DEVOLVER PERTENENCIAS)

NAME: \_\_\_\_\_

(Nombre)

DOB: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

(Fecha de Nacimiento)

(Número de Teléfono)

ADDRESS: \_\_\_\_\_

(Dirección)

CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

(Ciudad)

(Código Postal)

DRIVERS LICENSE NUMBER/STATE: \_\_\_\_\_

(Número de Licencia de Conducir – Estado)

CASE NUMBER: \_\_\_\_\_

(Número del Caso)

ITEMS SEIZED: \_\_\_\_\_

(Artículos Incautados)

**PERSON TO WHOM ITEM(S) CAN BE RELEASED** (In addition to the person from whom the item(s) were seized)

(Persona a la cual el/los artículo/los se le pueden devolver (además de la persona a quien le incautaron el/los artículo/los)

Include name and phone number of the individual who you are giving authority to pick up your belongings. It will be your responsibility to contact this individual informing them they are allowed to pick up the item(s) on your behalf. Please designate only one (1) individual to pick up all items. The individual will be required to present acceptable photo identification prior to picking up said items.

*(Incluir el nombre y número de teléfono del individuo a quien usted le esta otorgando la autorización para que recoja sus pertenencias. Sera su responsabilidad de comunicarse con este individuo informandole que se le permite recoger sus pertenencias en su nombre. Por favor autorize solamente un (1) individuo para que recoja todos los artículos. El individuo debe presentar identificación fotográfica valida antes de recoger dichos artículos.*

NAME \_\_\_\_\_

(Nombre)

PHONE \_\_\_\_\_

(Número de Teléfono)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

(Firma)

(Fecha)

*By signing above, I hereby waive any right I may have to institute legal action or related proceedings for any alleged liability of the City of Providence related to releasing my property to third parties. The above items will remain in Providence Police custody for six (6) months following their seizure. After six (6) months any unclaimed property will be disposed of by the Providence Police Department. This does not include items retained as evidence.*

*Al firmar arriba, por la presente renuncio a cualquier derecho que pueda tener de iniciar acciones legales o procedimientos relacionados por cualquier supuesta responsabilidad de la Ciudad de Providence relacionada con la entrega de mi propiedad a terceros. Los artículos arriba citados permanecerán bajo custodia de la Policía de Providence durante seis (6) meses después de su incautación. Al cumplirse los seis (6) meses, cualquier propiedad no reclamada será desechada por el Departamento de Policía de Providence. Esto no incluye artículos retenidos como evidencia.*