

Chapter 71 Introduction

This chapter is applicable to situations when detainees are transported to a law enforcement facility, other than a holding facility, jail, or corrections facility, but under the control of the agency, for the purpose of processing, testing, or temporary detention. The length of time a detainee is held in temporary detention is measured in hours, not days and does not involve overnight housing or the provision of meals except in extenuating circumstances. Detainees should be kept in temporary detention areas no longer than necessary and should be monitored closely, particularly when they have not been through an intake and medical screening process as required in jails and holding facilities.

For the purpose of this chapter, temporary detention requires confinement within a facility and is not referring to detention of persons in public places. A contact between a law enforcement officer and a person does not become temporary detention nor does the person become a detainee until such time as the person is in the custody of agency personnel.

This chapter does not apply to the following:

- Detainees in a holding facility (see Chapter 72 Holding Facility).
- Detainees in a courthouse or courtroom (see Chapter 73 Court Security).
- Detainees in a jail.
- Detainees in rooms designed for interviews (see Chapter 42 Criminal Investigation).

Jails or other correctional institutions are not accredited as part of the Standards for Law Enforcement. The American Correctional Association (ACA) should be contacted for information concerning Standards for Adult Detention Facilities.

Once temporary detention is authorized, the agency should have clear written directives and adequate training to ensure the security and safety of agency personnel, detainees, and members of the public who may be in proximity to the temporary detention areas utilized by the agency. An apparent cooperative detainee can become combative quickly and without warning. The agency should consider contingencies for such a situation.

Agency written directives should describe the temporary detention area and authorize its use, specifying time limits, if any, for the activity or process. The agency should also consider other provisions, such as the likely proximity of the detainee to those responsible for the detainee's welfare.

Constant supervision is required for processing and testing. For example, if a detainee is restrained within a booking room, it may be permissible for the person responsible for the detainee to complete paperwork in close proximity to the detainee, but unreasonable to expect that person could leave the area of the booking room without jeopardizing safety and increasing the potential for escape.

Temporary detention usually involves being in close proximity with detainees, such as fingerprinting or administering breath tests or other procedures. Safety considerations such as securing weapons beforehand, how and when to secure weapons when in the presence of a detainee, and what alternative methods, if any, are available for processing unruly detainees should be considered when promulgating the agency's written directives.

The agency should also provide guidance for what to do if it appears the temporary detention time limit may be exceeded. The agency may require its personnel to document the reason for the delay, immediately transport the detainee to a more appropriate facility, or take other appropriate action.

71.1 Authorization

71.1.1(M M M M) (LE1) Designate Rooms or Areas

71.1.1

(M M M M) (LE1) Designate Rooms or Areas

A written directive designates specific room(s) and area(s) within the law enforcement facility authorized for use for detainee processing, testing, and temporary detention.

Commentary

Agencies often need to temporarily detain persons as part of the arrest and booking process or before booking them into a holding facility or jail. Daily police operations are often unpredictable, and it may be necessary to use a room, space, or area in a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. (M M M M) (LE1)

71.2 Training

71.2.1(M M M M) (LE1) Training of Personnel

71.2.1

(M M M M) (LE1) Training of Personnel

Personnel charged with monitoring temporarily detained individuals in the facility are provided initial training on the use of the temporary detention room(s) or area(s) and retraining at least once every three years.

Commentary

Temporary detention occurring outside the confines of a facility such as a holding facility, jail, or other more secure correctional institution can involve close contact with detainees under challenging and less than ideal conditions. To reduce complacency, officer safety issues should be a priority of the agency training for both initial and retraining sessions. A cooperative detainee can quickly turn uncooperative or combative. Agency training should address the resources that are available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. A discussion of alternative procedures, such as immediately transferring combative or uncooperative detainees to a more secure facility, or delaying necessary processing or testing until a court order can be obtained, will create a more efficient and safe environment for detainees and agency personnel. (M M M M) (LE1)




71.3 Detainee Processing and Control

71.3.1(M M M M) (LE1) Procedures

71.3.2(M M M M) Immovable Objects

71.3.3(M M M M) (LE1) Security



71.3.1

(M M M M) (LE1) Procedures

A written directive governs procedures for the following:

- a. *documenting the reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention;*
- b. *supervision and accountability for processing, searching, and temporary detention of individuals within the facility;*
- c. *securing and monitoring unattended detainees within locked spaces, if authorized;*
- d. *temporary restraint of detainees by securing them to fixed objects, if any; and*
- e. *the separation of males, females, and juveniles.*

Commentary

Documenting aspects of the temporary detention and meeting applicable time constraints help ensure the agency's actions were necessary, defensible, and protect the agency from claims that a detainee was denied due process. Time limitations on temporary detention, if exceeded, should be documented with a reason for the delay. (M M M M) (LE1)

71.3.2

(M M M M) Immovable Objects

If a detainee is to be secured to an immovable object, it will be designed and intended for such use.

Commentary

This method of restraint should only be used when no other suitable method is available. Immovable objects designed for this purpose may include a bar or ring to which a handcuff can be secured. (M M M M)

71.3.3

(M M M M) (LE1) Security

A written directive addresses the following security concerns in designated temporary detention room(s):

- a. *firearms will be secured before entering the temporary detention room;*
- b. *panic or duress alarms;*
- c. *authorized access to area and detainee, if any;*
- d. *escape prevention;*
- e. *face-to-face visual observation of unattended detainees at least every thirty minutes; and*
- f. *use of audio and/or video devices, if any, to monitor detainees between the thirty minute face-to-face visual observations.*

Commentary

Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. The use of portable radios with a designated signal and procedures for distress in the temporary detention area will suffice for panic or duress alarms.

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the temporary detention room or areas environment when formulating its directive on the exclusion of firearms. (M M M M) (LE1)

71.4 Temporary Detention Facility Conditions

71.4.1(M M M M) (LE1) Physical Conditions

71.4.2(M M M M) (LE1) Fire Prevention/Suppression

71.4.3(M M M M) (LE1) Inspections



71.4.1

(M M M M) (LE1) Physical Conditions

A written directive establishes minimum physical conditions for temporary detention room (s) and provides for access to water, restrooms, and other needs.

Commentary

These comfort items are not required to be in the room, but the agency is responsible to ensure these items are provided to detainees in a timely manner. (M M M M) (LE1)

71.4.2

(M M M M) (LE1) Fire Prevention/Suppression

There is a plan for fire prevention, fire evacuation, and fire suppression for the temporary detention room(s).

Commentary

The standard does not require a separate plan for the individual area(s) used for temporary detention and can be part of the overall plan for the law enforcement facility. (M M M M) (LE1)

71.4.3

(M M M M) (LE1) Inspections

A written directive governs the frequency of inspections of the temporary detention room(s) and provides for the administrative review of temporary detention areas and procedures at least once every three years.

Commentary

Rooms utilized for temporary detention should receive regularly scheduled inspections for cleanliness and to determine if any unsafe conditions are developing. The administrative review should ensure that agency policies and procedures governing temporary detention are being followed and that the original intent for authorization and use of the facility continues to be adequate for the agency's needs. The administrative review can also disclose more adequate arrangements for detention, such as the availability of a newly built central holding facility or jail that was not previously available or considered by the agency.

(M M M M) (LE1)

71.5 Processing and Testing

71.5.1

(M M M M) (LE1) Security Concerns in Designated Processing or Testing Rooms/Areas

71.5.1

(M M M M) (LE1) Security Concerns in Designated Processing or Testing Rooms/Areas

A written directive addresses the following security concerns in designated processing or testing room(s) or area(s):

- a. constant supervision;
- b. weapons control;
- c. panic or duress alarms; and
- d. escape prevention.

Commentary

Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. Officer safety should always be a priority when an agency exercises discretion related to security of weapons, to include firearms. The agency should consider any other items such as knives, batons, chemical sprays, electronic controlled weapons, etc., it may want to exclude from the processing and testing environment when formulating its directive. The use of portable radios with a designated signal and procedures for distress in the processing or testing area will suffice for panic or duress alarms. (M M M M) (LE1)



Chapter 72 Introduction

Standards in this chapter apply only to those agencies operating holding facilities to maintain custody of detainees for periods not exceeding 72 hours except in documented exigent circumstances which will be reported in the agency's annual report to CALEA.

Such facilities include substations or precinct lockups, as well as facilities operated as collection centers in which detainees are held for periods not exceeding 72 hours before their transfer to longer-term detention facilities.

Not included in this category are holding facilities co-located with and operated as an integral part of a jail or other correctional institution whose primary purpose is to house detainees for periods exceeding 72 hours. Agencies operating such facilities should contact the Commission on Accreditation for Corrections for possible accreditation.

For Court Holding Facilities, see (Chapter 73 Court Security).

Carefully read the Glossary terms: Holding Facility, Jail, and Court Holding Facility before proceeding with this chapter.




72.1 Organization, Administration, and Management

72.1.1(M M M M) (LE1) Training User Personnel

72.1.2(M M M M) Access, Nonessential Persons

72.1.3(M M M M) Records Security



72.1.1

(M M M M) (LE1) Training User Personnel

A written directive requires that personnel receive initial training on the operations of the holding facility, to include fire suppression and equipment provided for use by the agency, and retraining at least once every three years.

Commentary

Types and levels of training should vary with the nature of assignments and responsibilities. Employees who work in direct, continuing contact with detainees require special training, including use of physical restraint, to ensure safety and security of staff and detainees. Employees who do not work in direct contact with detainees should receive an orientation on the operation of the holding facility and their role, if any.

Fire suppression may include smoke and fire detectors, fire extinguishers, fire hoses to one and one-half inches, and air packs (see standard 72.3.1). (M M M M) (LE1)

72.1.2

(M M M M) Access, Nonessential Persons

A written directive governs access of nonessential persons to the holding facility.

Commentary

If nonessential persons are granted access to holding facilities, their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. Access of all nonessential persons should be prohibited in emergency situations.

(M M M M)

72.1.3

(M M M M) Records Security

The agency has procedures for safeguarding detainee records from unauthorized disclosure.

Commentary

A detainee's constitutional right to privacy can be violated if records are improperly disseminated. The agency should establish procedures to limit access to detainee records in accord with federal and state statutes. (M M M M)



72.2 Physical Plant

72.2.1 (M M M M) Minimum Conditions

72.2.1

(M M M M) Minimum Conditions

Holding facilities provide the following minimum conditions for detainees:

- a. *adequate lighting as required by local code or ordinance;*
- b. *circulation of fresh or purified air in accordance with local public health standards;*
- c. *access to a toilet and drinking water;*
- d. *access to a wash basin or shower for detainee held in excess of eight hours; and*
- e. *a bed and bedding for each detainee held in excess of eight hours.*

Commentary

Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. Bedding issued to detainees held overnight should be clean, sanitary, and fire-retardant. The directive may provide exceptions for detainees who are deemed to be suicidal. (M M M M)
Compliance may be OBSERVED.



72.3 Safety and Sanitation

72.3.1 (M M M M) Fire, Heat, Smoke Detection System, Inspections

72.3.2 (M M M M) Posted Evacuation Plan

72.3.3 (M M M M) Weekly Sanitation Inspection

72.3.1

(M M M M) Fire, Heat, Smoke Detection System, Inspections

The facility has an automatic fire alarm and heat and smoke detection system, fire equipment approved in writing by state or local fire officials, and a written directive prescribing fire prevention practices and procedures, to include:

- a. *a weekly documented visual inspection and a semiannual documented testing of fire equipment; and*
- b. *a daily visual inspection; and documented testing of the automatic fire detection devices and alarm systems as required by local fire code.*

Commentary

Reasonable provisions for testing and or self-testing of the technology employed should be established to ensure the integrity and reliability of the system. The agency should plan and execute all reasonable procedures for the prevention and prompt control of fire (see standard 72.1.1). (M M M M)

72.3.2

(M M M M) Posted Evacuation Plan

There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.

Commentary

If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation. (M M M M)

72.3.3

(M M M M) Weekly Sanitation Inspection

A written directive requires a documented weekly sanitation inspection of the facility and specifies procedures for control of vermin and pests.

Commentary

Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility. (M M M M)



72.4 Security and Control

72.4.1(M M M M) (LE1) Securing Firearms

72.4.2(M M M M) Entering Occupied Cells

72.4.3(M M M M) Key Control

72.4.4(M M M M) Facility Door Security

72.4.5(M M M M) Security Checks

72.4.6(M M M M) Security Inspections

72.4.7(M M M M) Tool and Culinary Equipment

72.4.8(M M M M) Alerting Control Point

72.4.9(M M M M) Panic Alarms

72.4.10(M M M M) Procedures, Escape

72.4.11(M M M M) Report, Threats to Facility



72.4.1

(M M M M) (LE1) Securing Firearms

A written directive specifies that firearms will be secured before entering the holding facility, and if any exceptions or conditions are permitted in emergencies, they are included in the directive.

Commentary

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the holding facility environment when formulating its directive on the exclusion of firearms. (M M M M) (LE1)

72.4.2

(M M M M) Entering Occupied Cells

A written directive governs conditions under which an employee enters an occupied cell.

Commentary

To ensure that detainees held in cells do not have an opportunity to take keys from an employee and escape, it is preferable that employees not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. (M M M M)

72.4.3

(M M M M) Key Control

A written directive governs control and use of electronic and manual keys.

Commentary

The key control system should provide an accurate accounting of the location and possessor of each key. Duplicate emergency keys or a master key should be readily available in emergency situations. (M M M M)

72.4.4

(M M M M) Facility Door Security

A written directive specifies which holding facility doors are to be secured and when.

Commentary

It is essential that staff members know which doors should be locked, when and under what circumstances they should be opened. Doors to vacant units, unoccupied cells, and storage rooms should be locked when not in use. Doors should be tested for vulnerability after they are secured. (M M M M)

72.4.5

(M M M M) Security Checks

A written directive requires regularly scheduled security checks of holding cells, including searching for weapons and contraband.

Commentary

The written directive should indicate who is responsible for making this security check and require that any conditions observed be reported immediately to supervisory personnel either verbally or in writing. Searches should be accomplished based upon frequency of use and a focus on facility safety and security. (M M M M)

72.4.6

(M M M M) Security Inspections

A written directive requires a documented security inspection, including searching for weapons and contraband, of the holding facility at least weekly.

Commentary

At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied and unoccupied cells. Results of these inspections should be submitted in writing to the chief executive officer or his/her designee. All defective security equipment should be replaced or repaired immediately. All holding areas and other areas to which detainees have access should be searched for weapons and contraband. (M M M M)

72.4.7

(M M M M) Tool and Culinary Equipment

A written directive governs control of tools and culinary equipment.

Commentary

A strict accounting should be made of all tools and utensils coming in and going out of the facility, as well as strict visual supervision of their use while inside the facility. A system to control tools and culinary equipment brought into the facility should apply to agency personnel and outside maintenance persons alike. (M M M M)

72.4.8

(M M M M) Alerting Control Point

The agency has a system in the holding facility to alert a designated control point in the event of an emergency.

Commentary

An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs (see standard 72.8.2). (M M M M) Compliance may be OBSERVED.

72.4.9

(M M M M) Panic Alarms

If employees are not equipped with "alert" or "panic alarm" systems or a means of two-way communication, there is a security alarm system, which is monitored at all times, linked to a designated control point.

Commentary

None. (M M M M) Compliance may be OBSERVED.

72.4.10

(M M M M) Procedures, Escape

A written directive prescribes procedures to be followed in the event of an escape.

Commentary

The procedures to be followed if an escape occurs should be made known to all personnel. They should include provisions for sounding alarms, alerting officials, mobilizing resources, and ending the alert. (M M M M)

72.4.11

(M M M M) Report, Threats to Facility

A written directive requires a documented report of all incidents that threaten the facility or any person therein.

Commentary

None. (M M M M)

72.5 Detainee Processing

72.5.1(M M M M) Detainee Searches

72.5.2(M M M M) Intake Forms

72.5.3(M M M M) (LE1) Sight and Sound Separation

72.5.4(M M M M) Segregation

72.5.5(M M M M) Procedure, Outside Detainees

72.5.6(M M M M) Procedure, Exceeding Capacity

72.5.7(M M M M) Identification, Released Detainees

72.5.1

(M M M M) Detainee Searches

A written directive establishes procedures for maintaining control of the detainee's property, to include:

- a. *an inventory search of the detainee at the time of booking and prior to entry to the holding facility;*
- b. *an itemized inventory of property taken from the detainee;*
- c. *secure storage of property taken; and*
- d. *return of property upon release.*

Commentary

The written directive should precisely identify the types and scope of searches to be conducted by agency personnel. The directive should be consistent with current legal standards concerning the conduct of strip searches and body cavity searches (see standard 1.2.8). The written directive should also specify which items may be retained by the detainee and which may not. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature, and a copy placed in the detainee's file. Property should be compared with the inventory list and, if everything is in order, the detainee should sign a receipt for property returned. Property retained for evidentiary or other purposes should be noted on the receipt. If the detainee is released to a transporting employee for transfer to another facility, the property should be given to the transporting employee, who should sign the receipt. The facility should maintain a copy of the receipt for its files. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted. (M M M M)

72.5.2

(M M M M) Intake Forms

A written directive requires that an intake form is completed for every person booked into the facility and contains the following information to the extent permitted by law:

- a. arrest information; and
- b. property inventory and disposition.

Commentary

Intake information should enhance the ability of the facility staff to promote conditions that contribute positively to the health and security of the detainee, to the safety of others, to the security of property, and to the positive identification of the detainee. Standard 72.6.3 sets forth the requirements for medical screening of detainees on booking into the facility and before transfer to another facility. This information may be included on the same intake form. (M M M M)

72.5.3

(M M M M) (LE1) Sight and Sound Separation

If males, females, and/or juveniles are required to be detained at the same time, their holding areas are separated from each other by sight and sound.

Commentary

The intent of this standard is to ensure the segregation of three detainee types. Juveniles should not be processed in the presence of adult violators and should be held in areas away from adult detainees. Females should be separated from areas where males are detained.

Sound, for the purpose of this standard, is defined as normal/loud conversation and does not include deliberate yelling or screaming. Yelling and screaming should be controlled by persons supervising detainees.

Agencies may comply with this standard by developing written procedural alternatives to avoid detaining males/females/juveniles in the same area. (M M M M) (LE1) Compliance may be OBSERVED.

72.5.4

(M M M M) Segregation

A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.

Commentary

The holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol. Such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized. Such detainees should remain under close observation by facility staff. (M M M M)

72.5.5

(M M M M) Procedure, Outside Detainees

If detainees are received from an outside agency, positive identification is made of the person presenting the detainee for detention, including verification of the person's authority to make the commitment.

Commentary

If unknown, the person presenting the detainee for detention should be required to produce appropriate identification and his or her legal authority to make the commitment. Phone calls may be necessary to verify the identity of the presenting party. (M M M M)

72.5.6

(M M M M) Procedure, Exceeding Capacity

A written directive prescribes space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the holding facility.

Commentary

The directive should address such matters as provision for extra personnel, additional physical facilities, and booking and detention procedures. (M M M M)

72.5.7

(M M M M) Identification, Released Detainees

A written directive requires positive identification be made before a detainee is released.

Commentary

None. (M M M M)

72.6 Medical and Health Care Services

72.6.1(M M M M) Procedure, Medical Assistance

72.6.2(M M M M) First Aid Kit

72.6.3(M M M M) Receiving-Screening Information

72.6.4(O O O O) Posted Access to Medical Service

72.6.5(M M M M) Dispensing Pharmaceuticals

72.6.1

(M M M M) Procedure, Medical Assistance

A written directive, approved by a licensed physician, identifies the policies and procedures to be followed when a detainee is in need of medical assistance.

Commentary

Arrangements for detainee emergency health care should be made with a local medical facility. If possible, a licensed health care professional should be identified as the emergency health care contact person. At least one on-duty person should be certified in first aid. The intent of this standard is to ensure that staff recognize, take immediate action on, and report all detainee medical emergencies. (M M M M)

72.6.2

(M M M M) First Aid Kit

A first-aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.

Commentary

First-aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M M) Compliance may be OBSERVED.

72.6.3

(M M M M) Receiving-Screening Information

A written directive requires that detainee "receiving screening" information be obtained and recorded when detainees are admitted to the facility and before transfer to another facility. Receiving screening must include an inquiry into:

- a. *current health of the detainee;*
- b. *medications taken by detainee;*
- c. *behavior, including state of consciousness and mental status; and*
- d. *trauma markings, bruises, lesions, jaundice, ease of movement, etc.*

Commentary

The purpose of the screening is to determine whether medical attention is required. Female detainee screening should take into account the special needs of women.

Receiving screening may be performed by allied health personnel or by trained correctional employees at the time of booking. The information obtained may be recorded on a separate form designed for this purpose or recorded with other information obtained during the booking process (see standard 72.5.2). In addition, a record should be kept of all treatment and medication administered to a detainee, including circumstances or events necessitating such treatment. (M M M M)

72.6.4

(O O O O) Posted Access to Medical Service

Procedures for gaining access to medical services are posted in areas used by detainees, in the language(s) prevalent to the area.

Commentary

It is important that detainees know that emergency health care services are available to them. The procedures for requesting emergency health care should be posted in conspicuous places in English and in any other languages that may be prevalent in the area. Access procedures should be explained orally to detainees unable to read. Signs should be permanently mounted and legible. (O O O O) Compliance may be OBSERVED.

72.6.5

(M M M M) Dispensing Pharmaceuticals

A written directive controls distribution and documentation of pharmaceuticals within the facility, to include over the counter medications and medications belonging to the detainee.

Commentary

Procedures should be in place to verify detainee medication and the dosage limits and requirements. (M M M M)

72.7 Detainee Rights

72.7.1 (M M M M) Procedure, Detainee Rights

72.7.1

(M M M M) Procedure, Detainee Rights

A written directive sets forth procedures regarding a detainee's rights that include, at a minimum:

- a. *a timely court appearance;*
- b. *opportunity to make bail;*
- c. *confidential access to attorneys;*
- d. *access to a telephone;*
- e. *alerting the detainee to monitored or recorded telephone conversations; and*
- f. *three meals are provided to all detainees during each 24-hour period.*

Commentary

None. (M M M M)



72.8 Supervision of Detainees

72.8.1(M M M M) 24-Hour Supervision

72.8.2(M M M M) Audio/Visual Surveillance

72.8.3(M M M M) Supervision, Opposite Sex

72.8.4(M M M M) Receiving Mail/Packages

72.8.5(M M M M) Visiting



72.8.1

(M M M M) 24-Hour Supervision

A written directive requires 24-hour monitoring of detainees by agency staff, including a face to face count of the detainee population at least once every shift, and establishes procedures to ensure that the detainee is visually observed by agency staff at least every thirty minutes.

Commentary

Twenty-four-hour monitoring is essential for maintaining security and ensuring the safety and welfare of detainees. Monitoring, as used in this standard, assumes agency staff is present in the same building that houses the holding facility and not at a remote location. One intent of this standard is to prohibit delegating supervision to a trustee. In addition to a count of the detainee population at least once every shift, other counts may be necessary prior to and following certain activities, such as night lockup, recreation, and meals.

Care should be taken during physical checks that the detainee does not anticipate the appearance of agency staff. Detainees who are security risks should be under closer surveillance and require more frequent observation. This classification includes not only detainees who are violent but also those who are suicidal or mentally ill or demonstrate unusual or bizarre behavior. (M M M M)

Commission Interpretation (March 22, 1996)-term "Visually Observed": Agencies are encouraged, but not required, to introduce direct physical checks whenever possible, but detainees may be observed through audio/visual means.

72.8.2

(M M M M) Audio/Visual Surveillance

If audio and/or visual electronic surveillance equipment is used, a written directive specifies the equipment will be controlled to reduce unnecessary invasion of a detainee's personal privacy.

Commentary

Electronic surveillance devices should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made, and they should be noted in the directive (see standard 72.4.8). (M M M M)

72.8.3

(M M M M) Supervision, Opposite Sex

A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.

Commentary

It is extremely difficult for staff to supervise detainees of the opposite sex; agency staff should be carefully advised of procedures to be followed and, if possible, have all contact monitored by another employee in these instances. (M M M M)

72.8.4

(M M M M) Receiving Mail/Packages

If detainees are allowed to receive mail or packages while incarcerated, a written directive regulates procedures, to include:

- a. *accepting and inspecting items;*
- b. *listing items which are not authorized;*
- c. *recording received items in the detainees' property record; and*
- d. *distribution to the detainee.*

Commentary

Holding facilities are generally not prepared to deal with the problems and hazards associated with receiving property on behalf of a detainee in their custody. To avoid problems, agencies may wish to prohibit all deliveries to detainees until they are released or transferred to a long-term correctional institution.

If allowed, cash, checks, or money orders received from incoming mail or from visitors should be carefully inspected, duly receipted, added to the detainee's property inventory report, and housed with the detainee's other property. All items received should be carefully inspected for weapons, contraband, or threats to the security of the holding facility.

The policy chosen by the agency should be in writing and consistently applied in all situations. (M M M M)

72.8.5

(M M M M) Visiting

A written directive governs procedures for visiting detainees.

Commentary

Holding facilities are generally not equipped to handle visitors. Visits should be discouraged until detainees arrive at the appropriate correctional institution where visitations can be appropriately managed.

Holding facility security is paramount. All contact with a detainee should be closely monitored and controlled to avoid transfer of weapons or contraband. In exceptional situations, where a detainee should meet with a visitor, such as an attorney, the detainee should be removed from the holding facility and brought to another location for the meeting.

The detainee should be carefully searched before leaving and re-entering the holding facility. Each visitor should be required to register his or her name, address, and relationship to detainee upon entry. Generally, all visitors, and their belongings, coming into direct contact with detainees should be searched. (M M M M)

Chapter 73 Introduction

Courts adjudicate cases, while ensuring that due process is honored in accordance with the rule of law. Courts may be civil or criminal. In criminal court, an accused's liberty is at stake. A criminal court is part of the judicial branch of government. In civil court, the tribunal adjudicates controversies between individual parties or an individual party and a governmental entity. A civil court may be part of the judicial or executive branch of government, the latter sometimes referred to as an administrative court. By way of illustration, and not by way of limitation, a civil or administrative court may hear matters concerning driver license revocations and suspensions, and forfeiture proceedings. While the threat of violence may be greater in a criminal court environment, civil courts experience violence and threats of violence as well. It is a self-evident proposition that violence, or a threat of violence, in a courtroom facility would have a profound negative impact on the safety and welfare of the litigants, witnesses, jurors, court and clerk staff, and all who are present. The ability of a court to function is, indeed, adversely affected by violence or the threat of violence. Accordingly, it is imperative that appropriate levels of security should prevail in a court facility (including the courtroom and the courthouse environs) to protect the integrity of court procedures and the physical safety of all present. Security measures used should include those designed to maintain the physical security of facilities and protect the judge, jury, and all other participants in the proceedings in court, as well as the public. These measures should be designed to intercept and remove individuals and items that may represent a threat to the peace, order, and integrity of the court.

Standards specified herein apply only to those law enforcement agencies that have responsibilities for provision of security within the courtroom (including limited-use courtrooms and court facilities), for the courthouse itself, or both. Responsibility for providing court security is often a function of statutory or ordinance mandate. In some jurisdictions, the providing court security is a matter of local custom and practice.

Regardless of the source of authority, whenever an agency provides court security services, it must do so in accordance with existing standards. The categories of standards set forth are administration, operations, policy/procedures, equipment, and court holding facilities. Emphasis is given to the fact that effective security for the court facility will be dependent on the use of written directives and operational plans. Also, it is implicit that written directives prepared in response to these standards are not in conflict with prevailing laws or court orders and are in accord with actual needs.

Moreover, although the size, type, and numbers of courts and/or courtrooms in a particular jurisdiction will vary considerably, a minimum level of security should prevail in each. The security function for the court facility and/or courtrooms may be shared by two or more officials, or one official may carry this responsibility alone. When responsibility is shared by two or more officials, a memorandum of agreement should identify the responsibilities of each.

facilities.



73.1 Administration

73.1.1 (M M M M) (LE1) Role, Authority, Policies



73.1.1

(M M M M) (LE1) Role, Authority, Policies

If the agency has a court security function, a written directive includes:

- a. a clear description of the agency's role and authority for court security;
- b. a clearly defined policy and procedure on court security for agency personnel assigned to the function; and
- c. identification of a position in the agency responsible for the security function.

Commentary

The written directive may be as simple as a general order or as sophisticated as a desktop manual.

This standard is conditional upon the agency's obligation to provide security for a court facility as a part of its responsibility. Responding to the court on routine calls for service is no different from other such requests and does not cause this chapter to be applicable.

If the court security function is shared by two or more agencies, a memorandum of agreement should identify the responsibilities of each.

While the development of a suitable court facility security function is a cooperative effort involving the agency and the court, once established, the agency should maintain full control over its function and personnel. In addition to general agency policy, clear and concise policy and procedures for the court security function should be developed and provided in writing. (M M M M) (LE1)

73.2 Operations

73.2.1 (M M M M) Facilities, Equipment, Security Survey

73.2.1

(M M M M) Facilities, Equipment, Security Survey

The court security function operates in collaboration with court personnel to include, at a minimum:

- a. *facilities;*
- b. *equipment; and*
- c. *plans/procedures based on a documented security survey conducted once every three years.*

Commentary

The intent of this standard is to meet the needs of a variety of situations that may occur in the court.

"Facilities" refers to interior and exterior doors/windows, interior and exterior lighting, emergency lighting and power, fire/smoke detection and suppression equipment, alarms, e.g., intrusion, fire, duress, circulation patterns, secure areas, restricted areas, key control, ADA (Americans with Disabilities Act) accessibility, and communications.

"Equipment" includes fire suppression, medical supplies, restraining devices, communications, weapons (ammunition, gas), magnetometers, and alarms.


"Plans/procedures" refer to the establishment of plans and or procedures to deal with emergencies (fire, medical, hostage, bomb, disaster), high-risk trials, searches (area, person), weapons, use of restraining devices, detainee movement, and circulation pattern. (M M M M)



73.3 Security Policy and Procedures

73.3.1(M M M M) (LE1) Weapon Lockboxes

73.3.2(M M M M) Use of Restraints



73.3.1

(M M M M) (LE1) Weapon Lockboxes

If policies prohibit weapons in areas of the court, a secure area for weapons storage will be provided.

Commentary

Rules of the court or other regulations may prohibit weapons being carried in parts of the court facility. Secure areas should be located so that they are convenient for law enforcement officers as well as secure. (M M M M) (LE1)

73.3.2

(M M M M) Use of Restraints

A written directive governs use of restraints on persons in custody while in the courtroom.

Commentary

These persons may be defendants awaiting trial, detainees appearing as participants in a trial, or persons ordered by the court to be detained. The use of all restraining devices, where and when they are to be used, should be clearly set forth as applicable to the above persons whether they are male, female, juvenile, or handicapped, and exceptions should be included, if applicable. Application of policy should be uniform and consistent. A variety of restraining devices should be securely stored in or near the courtroom(s) and available for use by court security employees. Restraining procedures should be adopted in collaboration with the judiciary. (M M M M)




73.4 Equipment

73.4.1(M M M M) Identification, Availability, Operational Readiness

73.4.2(M M M M) (LE1) External Communications

73.4.3(O O O O) Duress Alarms



73.4.1

(M M M M) Identification, Availability, Operational Readiness

Equipment used for the court security function is specifically identified, available for immediate use, and maintained in a state of readiness.

Commentary

It is important that court security employees know the types, quantity, condition, and location of such equipment. A list that identifies dates of acquisition and shelf life for such material as chemical agents should be readily available to the court security employee. Recorded items may include weapons, chemical agents, electronic gear, such as alarms, communications equipment, etc.; fire detection and fire-fighting items; restraining devices; medical emergency items; crowd control items; and photographic equipment. Inspection forms completed at regular intervals, should attest to the current state of readiness. Actual testing of equipment, where appropriate, should also be scheduled at regular intervals to ensure system integrity. Certification of equipment readiness by bona fide experts, e.g., engineers, fire marshals, doctors, is acceptable in lieu of actual testing. (M M M M) Compliance may be OBSERVED.

73.4.2

(M M M M) (LE1) External Communications

Courtrooms are equipped with at least one means of external voice communication.

Commentary

This may be a telephone, a two-way radio (fixed or portable), or an intercom system. The need to communicate orally with security personnel in specific emergencies, such as a medical emergency, hostage situation, or at other times when assistance is needed, dictates this standard. (M M M M) (LE1) Compliance may be OBSERVED.

73.4.3

(O O O O) Duress Alarms

Courtrooms are equipped with duress alarms.

Commentary

Duress alarms are usually operated by switches at the judge's bench. It is also advisable to have switches at the clerk's and the bailiff's positions. Procedures should be in place to ensure operational readiness. The alarms should terminate in an area from which rapid response can be made to the call for assistance; the agency's communications centers would be ideal. The level of sophistication of the alarm system should be consistent with the needs of individual courtrooms. (O O O O) Compliance may be OBSERVED.

73.5 Court Holding Facilities

- 73.5.1(M M M M) Training
- 73.5.2(M M M M) Detainee Searches
- 73.5.3(M M M M) Detainee Property Security
- 73.5.4(M M M M) Segregation
- 73.5.5(M M M M) Procedure for Medical Assistance
- 73.5.6(M M M M) First Aid Kit
- 73.5.7(M M M M) Access of Nonessential Persons
- 73.5.8(M M M M) Minimum Conditions
- 73.5.9(M M M M) Fire Alarm System
- 73.5.10(M M M M) Evacuation Plan
- 73.5.11(M M M M) Sanitation Inspection
- 73.5.12(M M M M) (LE1) Securing Firearms
- 73.5.13(M M M M) Entering Occupied Cells
- 73.5.14(M M M M) Key Control
- 73.5.15(M M M M) Facility Door Security
- 73.5.16(M M M M) Security Checks
- 73.5.17(M M M M) Security Inspections
- 73.5.18(M M M M) (LE1) Designated Control Point
- 73.5.19(M M M M) Panic Alarms
- 73.5.20(M M M M) Escape Procedures
- 73.5.21(M M M M) Report of Threats to Facility
- 73.5.22(O O O O) Posted Access to Medical Service
- 73.5.23(M M M M) Audio/Visual Surveillance
- 73.5.24(M M M M) Supervision of Opposite Sex

73.5.1

(M M M M) Training

A written directive requires that personnel receive initial training on the operations of the court holding facility, to include fire suppression and equipment provided for use by the agency and retraining at least once every three years.

Commentary

Types and levels of training should vary with the nature of assignments and responsibilities. Employees who work in direct, continuing contact with detainees require special training, including use of physical restraint, to ensure safety and security of staff and detainees. Employees who do not work in direct contact with detainees should receive an orientation on the operation of the holding facility and their role, if any. (M M M M)

73.5.2

(M M M M) Detainee Searches

A written directive establishes procedures for a search of the detainee, to include:

- a. *an inventory search of the detainee at the time of booking and prior to entry to the court holding facility; and*
- b. *an itemized inventory of property taken from the detainee.*

Commentary

The written directive should precisely identify the types and scope of searches to be conducted by agency personnel. The directive should be consistent with current legal standards concerning the conduct of strip searches and body cavity searches (see standard 1.2.8). The written directive should also specify which items may be retained by the detainee and which may not. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature, and a copy placed in the detainee's file. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted. (M M M M)

73.5.3

(M M M M) Detainee Property Security

A written directive requires the secure storage of any property taken from detainees.

Commentary

None. (M M M M)

73.5.4

(M M M M) Segregation

A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.

Commentary

The court holding facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol. Such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for detainees to injure themselves or others is minimized. Such detainees should remain under close observation by facility staff. (M M M M)

73.5.5

(M M M M) Procedure for Medical Assistance

A written directive, approved by a licensed physician, identifies the policies and procedures to be followed when a detainee is in need of medical assistance.

Commentary

Arrangements for detainee emergency health care should be made with a local medical facility. If possible, a licensed health care professional should be identified as the emergency health care contact person. At least one on-duty person should be certified in first aid. The intent of this standard is to ensure that staff recognize, take immediate action on, and report all detainee medical emergencies. (M M M M)

73.5.6

(M M M M) First Aid Kit

A first-aid kit is available in all facilities and is subjected to a documented weekly inspection and replenished, as necessary.

Commentary

First-aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M M) Compliance may be OBSERVED.

73.5.7

(M M M M) Access of Nonessential Persons

A written directive governs access of nonessential persons to the court holding facility.

Commentary

If nonessential persons are granted access to court holding facilities, their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. Access of all nonessential persons should be prohibited in emergency situations. (M M M M)

73.5.8

(M M M M) Minimum Conditions

Court holding facilities provide the following minimum conditions for detainees:

- a. adequate lighting as required by local code or ordinance;*
- b. circulation of fresh or purified air in accordance with local public health standards; and*
- c. access to a toilet and drinking water.*

Commentary

Sufficient air, lighting, and sanitary facilities are essential to the health of detainees. (M M M M) Compliance may be OBSERVED.

73.5.9

(M M M M) Fire Alarm System

The facility has an automatic fire alarm and heat and smoke detection system, fire equipment approved in writing by state or local fire officials, and a written directive prescribing fire prevention practices and procedures, to include:

- a. *a weekly documented visual inspection and a semiannual documented testing of fire equipment; and*
- b. *a daily visual inspection; and documented testing of the automatic fire detection devices and alarm systems as required by local fire code.*

Commentary

reasonable provisions for testing and or self-testing of the technology employed should be established to ensure the integrity and reliability of the system. The agency should plan and execute all reasonable procedures for the prevention and prompt control of fire. (M M M M)

73.5.10

(M M M M) Evacuation Plan

There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.

Commentary

If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of detainees. The plan also should include provisions for first aid and hospital transportation. (M M M M)

73.5.11

(M M M M) Sanitation Inspection

A written directive requires a documented weekly sanitation inspection of the facility and specifies procedures for control of vermin and pests.

Commentary

Any condition conducive to harboring or breeding insects, rodents, or other vermin should be eliminated. If necessary, pest control professionals should be used to clean or fumigate the facility. (M M M M)

73.5.12

(M M M M) (LE1) Securing Firearms

A written directive specifies that firearms will be secured before entering the court holding facility, and, if any exceptions or conditions are permitted in emergencies, they are included in the directive.

Commentary

The agency should consider any other items such as knives, batons, chemical sprays, etc., it may want to exclude from the holding facility environment when formulating its directive on the exclusion of firearms. (M M M M) (LE1)

73.5.13

(M M M M) Entering Occupied Cells

A written directive governs conditions under which an employee enters an occupied cell.

Commentary

To ensure that detainees held in cells do not have an opportunity to take keys from an employee and escape, it is preferable that employees not enter a cell alone, unless they are being monitored by visual or audio surveillance devices and/or have a distress alarm in their possession. (M M M M)

73.5.14

(M M M M) Key Control

A written directive governs control and use of electronic and manual keys.

Commentary

The key control system should provide an accurate accounting of the location and possessor of each key. Duplicate emergency keys or a master key should be readily available in emergency situations. (M M M M)

73.5.15

(M M M M) Facility Door Security

A written directive specifies which court holding facility doors are to be secured and when.

Commentary

It is essential that staff members know which doors should be locked, when and under what circumstances they should be opened. Doors to vacant units, unoccupied cells, and storage rooms should be locked when not in use. Doors should be tested for vulnerability after they are secured. (M M M M)

73.5.16

(M M M M) Security Checks

A written directive requires regularly scheduled security checks of holding cells, including searching for weapons and contraband.

Commentary

The written directive should indicate who is responsible for making this security check and require that any conditions observed be reported immediately to supervisory personnel either verbally or in writing. Searches should be accomplished based upon frequency of use and a focus on facility safety and security. (M M M M)

73.5.17

(M M M M) Security Inspections

A written directive requires a documented security inspection, including searching for weapons and contraband, of the court holding facility at least weekly.

Commentary

At least once a week, bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices should be checked carefully for operational wear and detainee tampering. Inspections should include occupied and unoccupied cells. Results of these inspections should be submitted in writing to the chief executive officer or his/her designee. All defective security equipment should be replaced or repaired immediately. All holding areas and other areas to which detainees have access should be searched for weapons and contraband. (M M M M)

73.5.18

(M M M M) (LE1) Designated Control Point

The agency has a system in the court holding facility to alert a designated control point in the event of an emergency.

Commentary

An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs. (M M M M) (LE1) Compliance may be OBSERVED.

73.5.19

(M M M M) Panic Alarms

If employees are not equipped with "alert" or "panic alarm" systems or a means of two-way communication, there is a security alarm system, which is monitored at all times, linked to a designated control point.

Commentary

None. (M M M M) Compliance may be OBSERVED.

73.5.20

(M M M M) Escape Procedures

A written directive prescribes procedures to be followed in the event of an escape.

Commentary

The procedures to be followed if an escape occurs should be made known to all personnel. They should include provisions for sounding alarms, alerting officials, mobilizing resources, and ending the alert. (M M M M)



73.5.21

(M M M M) Report of Threats to Facility

A written directive requires a documented report of all incidents that threaten the facility or any person therein.

Commentary

None. (M M M M)

73.5.22

(O O O O) Posted Access to Medical Service

Procedures for gaining access to medical services are posted in areas used by detainees.

Commentary

It is important that detainees know that emergency health care services are available to them. The procedures for requesting emergency health care should be posted in conspicuous places in English and in any other languages that may be prevalent in the area. Access procedures should be explained orally to detainees unable to read. Signs should be permanently mounted and legible. (O O O O) Compliance may be OBSERVED.

73.5.23

(M M M M) Audio/Visual Surveillance

If audio and/or visual electronic surveillance equipment is used, a written directive specifies the equipment will be controlled to reduce unnecessary invasion of a detainee's personal privacy.

Commentary

Electronic surveillance devices should be used primarily at critical locations of movement in the facility. They should not be used in such a way that they violate the personal privacy of detainees. Exceptions may be made, and they should be noted in the directive. (M M M M)

73.5.24

(M M M M) Supervision of Opposite Sex

A written directive specifies procedures for supervision of detainees of a sex opposite that of the supervising staff member.

Commentary

It is extremely difficult for staff to supervise detainees of the opposite sex; agency staff should be carefully advised of procedures to be followed and, if possible, have all contact monitored by another employee in these instances. (M M M M)

Chapter 74 Introduction

Many law enforcement agencies are mandated by state constitution, statute, or ordinance to serve civil process and/or execute criminal process in support of the judicial function.

The functioning of the courts is affected by the prompt service of court documents. Thus, the effectiveness and image of the judicial system are dependent in part, upon the effective and timely service of court documents.

The types of process to be served or executed vary among jurisdictions as do some of the agencies' accompanying responsibilities, depending on the source of legal authority. Inadequate record-keeping and/or inappropriate procedures may subject the law enforcement agency to litigation and civil liability.

In many cases, the law enforcement agency collects funds derived from fees and sale of property at the direction of the court. Consequently, the agency must ensure proper accountability of these funds.

Standards in this chapter address areas of agency discretion in performing and recording its legal process functions, including records, civil process, criminal process, financial requirements, and property management. The standards are designed to ensure sufficiency of information, accuracy, timeliness, accessibility, and fiscal accountability in the delivery of legal process services but not functional responsibility. Responsibility for functions in this chapter may be shared throughout the agency, e.g., patrol, criminal investigation, communications, records, or provided by a specialized component(s), e.g., warrant/fugitive, civil process.

74.1 Records

74.1.1(M M M M) (LE1) Information, Recording

74.1.2(M M M M) Execution/Attempt Service, Recording

74.1.3(M M M M) Warrant/Wanted Person Procedures

74.1.1

(M M M M) (LE1) Information, Recording

Information regarding each item of legal process, civil and/or criminal, is recorded, and includes the following elements:

- a. *date and time received;*
- b. *type of legal process, civil or criminal;*
- c. *nature of document;*
- d. *source of document;*
- e. *name of plaintiff/complainant or name of defendant/respondent;*
- f. *officer assigned for service;*
- g. *date of assignment;*
- h. *court docket number; and*
- i. *date service due.*

Commentary

Record entries may be cross-referenced so that the information can be retrieved by means of the court's docket number and by the names of any of the parties to the action. In most instances, a unique number should be assigned to permit cross-reference of the return with the entry. (M M M M) (LE1)

74.1.2

(M M M M) Execution/Attempt Service, Recording

A record on the execution or attempted service of legal process documents is maintained, and includes:

- a. *date and time service was executed/attempted;*
- b. *name of officer(s) executing/attempting service;*
- c. *name of person on whom legal process was served/executed;*
- d. *method of service/reason for nonservice; and*
- e. *address of service/attempt.*

Commentary

None. (M M M M)

74.1.3

(M M M M) Warrant/Wanted Person Procedures

A written directive establishes procedures for maintaining a warrant and wanted persons file, to include:

- a. *establishing criteria for entering notices in regional, state, and federal information systems;*
- b. *establishing criteria for receiving information from other jurisdictions;*
- c. *recording the information in agency files;*
- d. *verifying information;*
- e. *canceling information; and*
- f. *requiring 24-hour access to the warrant.*

Commentary

The procedure should include the mechanics of initiating a case report, assigning the case, and filing warrants in a way that ensures immediate accessibility. Warrants and the master name index should be cross-referenced.

Some agencies may place this responsibility with central records; others may have specialized components, such as warrant and fugitive or civil process units. (M M M M)



74.2 Civil Process

74.2.1 (M M M M) Procedure, Civil Service



74.2.1

(M M M M) Procedure, Civil Service

Written directives govern the service of civil process documents.

Commentary

Typically, the written directives should describe the role of the process servers and their general responsibilities relating to the methods of service and the actions required of the servers. Agencies should remember that some protection orders and anti-harassment orders should be included in their directive. Additionally, each type of process in the jurisdiction may be identified and any specific requirements unique to that individual process should be explained. The procedures for execution of the return may be explained, including notations and attachments. The directive should also contain details for service on partnerships and corporations as well as civil process received from, or served, outside of the agency's jurisdiction. (M M M M)

74.3 Criminal Process

74.3.1 (M M M M) Procedure, Criminal Process

74.3.2 (M M M M) Arrest Warrants Require Sworn Service

74.3.1

(M M M M) Procedure, Criminal Process

Written directives govern the execution of criminal process.

Commentary

The directives should address the types of warrants to be executed, including search warrants, territorial limitations upon execution, time requirements for execution, statutory provisions for summoning aid, and procedures for the issuance of summons in lieu of arrest. Consideration should also be given to such matters as standards for the use of force, statutory provisions respecting immunity from arrest, as well as other statutory provisions pertaining to arrest in the jurisdiction. (M M M M)

74.3.2

(M M M M) Arrest Warrants Require Sworn Service

Arrest warrants are executed by sworn law enforcement officers only.

Commentary

Statutory mandates, plus the broader potential civil liability for citizens who effect arrests, make it essential that only sworn officers execute criminal process. (M M M M)

Chapter 81 Introduction

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. It is the latter situation that places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions.

The system conveys information from the public to the law enforcement agency through communications personnel, to the officer who responds to the call for assistance, to other law enforcement and public service agencies, and to information storage facilities and retrieval subsystems. The speed and accuracy with which information flows through each system are measures of the agency's capability to respond to the needs of the community.

It would be virtually impossible to design a law enforcement communications system that would meet every agency's requirements. Each system must be sufficiently flexible in design to fulfill the needs of the individual agency. However, measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, utilizes available information technology in fulfillment of its missions.



81.1 Administration

81.1.1 (M M M M) Agreements, Shared/Regional Facility

81.1.2 (M M M M) Operations Meet FCC Requirements



81.1.1

(M M M M) Agreements, Shared/Regional Facility

If the communications function is provided by a shared or multi-jurisdictional entity, written agreements or authorizing documents govern the authority and responsibility of both the agency and the entity, and include, at a minimum, provisions for complying with all applicable standards for this function on behalf of the agency.

Commentary

When the communications function is shared or delegated to another entity, it is necessary to specify accountability and achieve compliance with this chapter see Guiding Principles 1.1 and 1.2. The agency may rely on documents developed by the outside communications center in proving compliance with these standards. (M M M M)

81.1.2

(M M M M) Operations Meet FCC Requirements

The agency has current Federal Communications Commission (FCC) or applicable regulatory agency licenses and has access to the regulatory agency's current rules and regulations.

Commentary

None. (M M M M) Compliance may be OBSERVED.

81.2 Operations

- 81.2.1(M M M M) (LE1) 24 Hour, Toll-Free Service
- 81.2.2(M M M M) (LE1) Continuous, Two-Way Capability
- 81.2.3(M M M M) (LE1) Recording Information
- 81.2.4(M M M M) (LE1) Radio Communications Procedures
- 81.2.5(M M M M) (LE1) Access to Resources
- 81.2.6(M M M M) Victim/Witness Calls
- 81.2.7(M M M M) Victim/Witness Requests for Information
- 81.2.8(M M M M) (LE1) Recording and Playback
- 81.2.9(M M M M) Local/State/Federal CJI Systems
- 81.2.10(M M M M) Alternative Methods of Communication
- 81.2.11(M M M M) Emergency Messages
- 81.2.12(M M M M) (LE1) Misdirected Emergency Calls
- 81.2.13(M M M M) Private Security Alarms
- 81.2.14(M M M M) (LE1) First Aid Over Phone

81.2.1

(M M M M) (LE1) 24 Hour, Toll-Free Service

The agency provides 24-hour, toll-free voice and TDD telephone access or an equivalent system for emergency calls for service.

Commentary

The public should be able to contact the law enforcement agency at all times for information or assistance that may be needed in emergencies. Agencies that are unable to maintain 24-hour telephone service should arrange for such service through neighboring departments, sheriff's departments, or the state police. Access to emergency services should be toll free within the agency's jurisdiction or permit free access to the operator. Each emergency answering point for the agency should be equipped with a system capable of handling assistance calls from persons who are hearing impaired. (M M M M) (LE1) Compliance may be OBSERVED.

81.2.2

(M M M M) (LE1) Continuous, Two-Way Capability

The agency has continuous two-way communication capability between the communications center and officers on duty.

Commentary

Immediate communications capability provides a measure of safety and security to law enforcement officers and the public. The nature of an officer's assignment, such as undercover, might dictate an exception to this continuous communication requirement.

The intent of this standard is to ensure that on-duty officers have the means for constant communication. In most situations, portable transceivers are required to enable officers on foot patrol and those away from their patrol vehicles to maintain communications with the dispatch center for exchanging information, requesting assistance, receiving orders or instructions, and responding to calls for service. (M M M M) (LE1) Compliance may be OBSERVED.

81.2.3

(M M M M) (LE1) Recording Information

A written directive establishes procedures for obtaining and recording relevant information of each request for service or self-initiated activity, to include:

- a. *control number;*
- b. *date and time of request;*
- c. *name and address of complainant, if possible;*
- d. *type of incident reported;*
- e. *location of incident reported;*
- f. *identification of officer(s) assigned as primary and backup;*
- g. *time of dispatch;*
- h. *time of officer arrival;*
- i. *time of officer return to service; and*
- j. *disposition or status of reported incident.*

Commentary

A control "system" can be a card, log, or computer entry that permits a permanent record to be maintained. Such records permit the agency to establish a control system to ensure a comprehensive field-reporting program. This information should be recorded for all requests, including those received by telephone; letter; in person; self-initiated by officers; or reported to officers in the field.

The control number should be affixed to a communication center control record and the call disposition or result noted thereon. The number may serve as the basis for filing and retrieving subsequent reports of the incident, but it is indispensable for auditing the communications and records systems (see Chapter 82 Central Records).

The procedures should encourage eliciting as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. This is particularly important in certain categories of calls, and checklists may be provided to obtain additional information, e.g., for bomb threats, crimes in progress. (M M M M) (LE1)

81.2.4

(M M M M) (LE1) Radio Communications Procedures

A written directive establishes procedures for communications between field personnel and the communications center, to include:

- a. *specifications of the methods and circumstances requiring communications by field personnel;*
- b. *the recording of the status of field personnel when out of service;*
- c. *the methods used for identifying field personnel during communications;*
- d. *communication with interacting agencies;*
- e. *criteria for the assignment of the number of field personnel in response to an incident;*
- f. *circumstances that require the presence of a patrol supervisor at the scene for the purpose of assuming command; and*
- g. *responding to a field personnel emergency request for assistance or activated emergency alarm.*

Commentary

Identification systems should be based on beat numbers or other assignment numbers, unit identification numbers, or a combination of the two. Operations are more efficient and field personnel safety is enhanced when telecommunicators, supervisors, and fellow officers know the status of field personnel, their locations, the nature of cases or calls for service, and the developments in their investigation. The administrative control "system" can be maintained on a card, log sheet, computer record, or any instrument that permits a permanent record to be retained. The response to emergency requests or activated emergency alarm criteria should relate to a list of critical factors, e.g., officer needs assistance, officer in trouble, felony in progress, life saving situation. The list should be available to all telecommunicators. (M M M M) (LE1)

81.2.5

(M M M M) (LE1) Access to Resources

Communications personnel have immediate access to at least the following departmental resources:

- a. *officer in charge;*
- b. *duty roster of all personnel;*
- c. *residential telephone number of every agency member;*
- d. *visual maps detailing the agency's service area;*
- e. *officer status indicators;*
- f. *written procedures and telephone numbers for procuring emergency and necessary external services to the agency; and*
- g. *tactical dispatching plans.*

Commentary

Communications personnel are often required to contact agency members both on and off duty. They should, therefore, have immediate access to such information as their working hours and residential telephone numbers.

Officer status indicators allow communications personnel to know the status of every officer under their control. All officers depend on the communications center to recognize when they may be in danger. By monitoring the officer status system, operators know where and how long each officer has been out on a call. When dispatching calls, operators also need to know which cars are available for service. A hand-written form updated by communications personnel would satisfy this standard.

Communications personnel also have the need to call other emergency service agencies, such as those pertaining to fire, rescue, ambulance, and animal control. They should have these and other telephone numbers immediately available by private line, telephone index, book, or other means that should expedite contacting the agencies.

Dispatching plans should include procedures to be followed in directing resources and obtaining information on crimes in progress, e.g., bank robbery, pursuits, and/or tactical operations. (M M M M) (LE1) Compliance may be OBSERVED.

81.2.6

(M M M M) Victim/Witness Calls

A written directive describes procedures to be followed by communications center personnel in responding to calls for information or services, to include the following:

- a. *judging characteristics of the call to determine whether an emergency or nonemergency response is required; and*
- b. *informing the caller of the agency's response, including direct law enforcement service and/or referral to other agencies.*

Commentary

Communications center personnel are likely to receive calls requesting information or services and may well represent the first contact made with the agency. Written procedures should be available to communications center personnel regarding the proper handling of such calls. (M M M M)

81.2.7

(M M M M) Victim/Witness Requests for Information

A written directive describes procedures for communications personnel to respond to victim/witness requests for information and/or services to include initial and subsequent requests.

Commentary

The intent of this standard is to ensure victim/witness callers receive timely and appropriate attention to their immediate needs, especially during non-business hours. See (Chapter 55 Victim/Witness Assistance), especially standard 55.2.1. (M M M M)

81.2.8

(M M M M) (LE1) Recording and Playback

The agency has the capability of immediate playback of recorded telephone and radio conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the communications center. A written directive establishes procedures for the following:

- a. *a requirement that recordings be retained for a minimum period of thirty days;*
- b. *secure handling and storage for recordings; and*
- c. *criteria and procedures for reviewing recorded conversations.*

Commentary

These recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system. Access to secure recordings should be limited and available only through a specific procedural method.

The citizen requesting service or the officer wanting assistance may not be able to repeat an emergency conversation that was garbled or too quick for easy understanding. Therefore, the agency should have the capability to replay a conversation while recording other calls and radio transmissions.

The capability of continuous recordings can be provided with a parallel dual-load recorder.

(M M M M) (LE1)

81.2.9

(M M M M) Local/State/Federal CJI Systems

If local, state, and federal criminal justice information systems exist, the agency participates and/or has access to such a system.

Commentary

The effectiveness of investigative efforts depends heavily upon the quality of information resources. Agencies should have the equipment they need to gain access to information from nearby agencies, regional law enforcement information networks, statewide information resources, and the National Crime Information Center. Agencies outside the United States should access like systems, if available. If not available, this standard does not apply. (M M M M) Compliance may be OBSERVED




81.2.10

(M M M M) Alternative Methods of Communication

If the agency utilizes alternative communications as a primary source such as cellular phones, voice-over internet protocol, or other emerging technologies, a written directive establishes criteria and procedures for their use.

Commentary

Consideration should be given to documenting or recording and auditing the use of these technologies. (M M M M)



81.2.11

(M M M M) Emergency Messages

A written directive specifies criteria for accepting and delivering emergency messages.

Commentary

Delivering emergency messages is a legitimate law enforcement function. However, guidelines should be established to define the types of messages to be accepted and delivered. (M M M M)

81.2.12

(M M M M) (LE1) Misdirected Emergency Calls

A written directive establishes procedures for prompt handling and appropriate routing of misdirected emergency calls.

Commentary

It is common for one agency to receive emergency telephone calls intended for another law enforcement or public service agency. Agencies should accept any misdirected emergency call and promptly relay information to the agency having jurisdiction. (M M M M) (LE1)



81.2.13

(M M M M) Private Security Alarms

A written directive establishes procedures for monitoring and responding to private security alarms.

Commentary

The agency should have a formal policy concerning monitoring commercial and private residential alarm systems. The agency should seek regulating legislation for the installation and maintenance of the various alarm systems. Such legislation should specify sanctions for excessive false alarms. Care should be exercised in considering private home alarms that ring into department telephone lines. The agency's policy should also consider the availability of commercial alarm companies to service business alarms. (M M M M)

81.2.14

(M M M M) (LE1) First Aid Over Phone

If the agency authorizes emergency first-aid instruction over the telephone or radio, employees must be trained and have immediate access to approved emergency medical guidelines or materials.

Commentary

The training should be approved by a competent authority and should be designed to provide emergency life saving information to callers until emergency medical personnel arrive at the scene. Retraining should also be provided on a schedule approved by a competent authority. The material/guidelines and training should be complementary. (M M M M) (LE1)

81.3 Facilities and Equipment

81.3.1(M M M M) (LE1) Communications Center Security

81.3.2(M M M M) (LE1) Alternate Power Source

81.3.3(O O O O) Telephone System

81.3.4(O O M M) Mobile/Portable Radios

81.3.1

(M M M M) (LE1) Communications Center Security

Security measures for the communications center are in place to:

- a. *limit access to the communications center to authorized personnel;*
- b. *protect equipment;*
- c. *provide for back-up resources; and*
- d. *provide security for transmission lines, antennas, and power sources.*

Commentary

The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect communications personnel, facilities, and equipment. Protective measures may include locating the center and equipment in areas providing maximum security, installing bullet resistant glass in areas of public access, and restricting access to the communications center. Providing security for equipment may be done with a combination of security cameras, fences, or other measures based on the needs of the agency, location of the equipment, and operational considerations. (M M M M) (LE1) Compliance may be OBSERVED.

81.3.2

(M M M M) (LE1) Alternate Power Source

The agency has an alternate source of electrical power that is sufficient to ensure continued operation of emergency communication equipment in the event of the failure of the primary power source. A documented inspection and test of the alternate power source is completed at least monthly, or in conformance with manufacturer recommendations, and tested or operated under full load at least once a year.

Commentary

Disruptions in the primary power source frequently occur. The agency should ensure continuous emergency communications capability through an alternate power source. The readiness of the alternate equipment should be ensured by reasonable testing or self-testing of the technology employed. A documented observation of a self-testing generator's performance once a month will satisfy this requirement. (M M M M) (LE1) Compliance may be OBSERVED.

81.3.3

(O O O O) Telephone System

The agency's telephone system is designed to separate emergency from nonemergency calls.

Commentary

The potential for receiving a busy signal on an emergency line can be significantly reduced by routing incoming administrative and outgoing calls to a separate line or lines. Line separation may also free up communications personnel to handle emergencies and other important matters in a more efficient and effective manner. (O O O O) Compliance may be OBSERVED.

81.3.4

(O O M M) Mobile/Portable Radios

The agency has multichannel mobile and/or portable radio equipment capable of two-way operation on a joint public safety frequency or frequencies.

Commentary

This communications capability among law enforcement and public service agencies, such as fire departments, ambulance services, public utilities, etc., is necessary to provide proper coordination and deployment of forces in times of emergencies. The capability may range from simple car-to-car arrangements to interagency and statewide networks. (O O M M)
Compliance may be OBSERVED.

Chapter 82 Introduction

The central records function is important to the effective delivery of law enforcement services. In this chapter, the standards address those central records functions that are basic to meeting the management, operational, and information needs of the agency. The standards are principally concerned with the administration, field-reporting, and central records activities and do not address the secondary records activities attendant to functions or components within the agency which are addressed in other chapters. The authorized dissemination of central records information is often governed by law.



82.1 Administration

82.1.1(M M M M) (LE1) Privacy and Security

82.1.2(M M M M) (LE1) Juvenile Records


82.1.3(O O O O) Records Retention Schedule

82.1.4(O O O O) UCR/NIBRS

82.1.5(M M M M) Report Accounting System

82.1.6(M M M M) (LE1) Computer File Backup and Storage

82.1.7(M M M M) Computerized Security Protocol



82.1.1

(M M M M) (LE1) Privacy and Security

A written directive establishes privacy and security precautions for the agency's central records and, at a minimum, includes the following:

- a. *security of and controlling access to agency files;*
- b. *accessibility to operations personnel after hours; and*
- c. *procedures and criteria for the release of agency records.*

Commentary

The privacy and security precautions for the central records function should be in accordance with agency policy, local ordinance, and/or state or provincial statutes.

Dissemination of all records should meet the legal requirements that apply in the agency's jurisdiction. The agency should determine the physical security requirements for the facility and decide who is authorized to access agency files. Facility and file security ensure the integrity of the system and the information it contains.

In some agencies the accessibility of records during evening and early morning hours becomes problematic. In these instances, specific persons working or available through call-in should be given authority to physically access central records information or have access through computer technology, when available (see standard 74.1.1). (M M M M) (LE1)

82.1.2

(M M M M) (LE1) Juvenile Records

A written directive establishes guidelines for collecting, disseminating, and retaining juvenile records, to include:

- a. *methods to distinguish juvenile records;*
- b. *fingerprints, photographs, and other forms of identification;*
- c. *physical security and controlling access to juvenile confidential information;*
- d. *disposition of juvenile records after reaching adult age; and*
- e. *expungement, when ordered by the court.*

Commentary

The privacy and security precautions for juvenile records should be in accordance with agency policy, local ordinance, and/or state or provincial statutes. The agency specifically identifies juvenile criminal and identification records from adult criminal records to prevent unauthorized access and release. This identification may include: specially marked index cards; computer files that are marked for restricted access; or separated files.

Dissemination of juvenile information should meet the legal requirements that apply in certain jurisdictions. The procedures should also provide guidelines for the disposition of juvenile records when the juvenile reaches adult age and for the expungement of records when ordered by the court. The agency should determine the physical security requirements for the juvenile files and decide who has authorized access. (M M M M) (LE1)




82.1.3

(O O O O) Records Retention Schedule

The agency has a records retention schedule.

Commentary

The schedule for retaining records should be consistent with legal requirements (see standard 82.1.6). (O O O O)



82.1.4

(O O O O) UCR/NIBRS

A written directive establishes procedures for collecting and submitting crime data to a national uniform crime reporting program or national incident-based reporting system, or state system if one exists.

Commentary

Participation in a national Uniform Crime Reporting (UCR) or National Incident Based Reporting System (NIBRS) program helps promote the development of good record keeping and aids in the effort to establish a national data base of crime statistics. The standard should be satisfied if the agency reports data to a state or provincial system for subsequent inclusion in the national system. (O O O O)

82.1.5

(M M M M) Report Accounting System

The agency establishes a procedure to account for the status of reports, to include the complaint control recording and field-reporting systems.

Commentary

The procedure should ensure that the original report copy is maintained in the records component and that follow-up reports are prepared on a specified schedule, usually ten days. The procedure should also ensure that the correct control number is assigned and accounted for. (M M M M)

82.1.6

(M M M M) (LE1) Computer File Backup and Storage

The agency has a process for maintaining security of central records computer systems, to include:

- a. *data back-up;*
- b. *storage;*
- c. *access security; and*
- d. *password audits, at least annually.*

Commentary

The integrity of a computer system is only as good as the security system in place. Computer files should be backed up according to a regular schedule and comply with record retention laws or regulations, as they exist. The media, tapes, disks, or drives should be stored off-site in a secure facility or area. If used media is not recycled, methods of destruction should be determined to ensure that data is not retrievable from the discarded media (see standard 82.1.3). A regular check of passwords, access codes, and other security devices will maintain the integrity of the records system. A security system to prevent unauthorized access may be maintained by another government entity. Automated systems for verifying passwords and access security will satisfy the requirements of bullets c and d of this standard. (M M M M) (LE1)

82.1.7

(M M M M) Computerized Security Protocol

If criminal history records are computerized, a written directive establishes security protocol for access and release of records.

Commentary

None. (M M M M)



82.2 Field Reporting and Management


82.2.1(M M M M) (LE1) Field Reporting System

82.2.2(M M M M) (LE1) Reporting Requirements

82.2.3(M M M M) (LE1) Case Numbering System

82.2.4(O O O O) Report Distribution

82.2.5(M M M M) Reports by Phone, Mail or Internet



82.2.1

(M M M M) (LE1) Field Reporting System

A written directive establishes a field-reporting system, to include:

- a. *guidelines to indicate when reports must be written;*
- b. *forms to be used in field reporting;*
- c. *information required in field reports;*
- d. *procedures to be followed in completing field reports; and*
- e. *procedures for submitting, processing, and supervisory review of field reports.*

Commentary

This directive may be in the form of a field-reporting manual that describes and illustrates the information to be included on report forms. The document should be all-inclusive and serve as the complete user's guide, as well as a resource guide in all field-reporting situations.

A suggested set of field-reporting forms would include the following: offense report; supplemental report; traffic accident report; arrest report; property report; prosecution report; and complaint control and miscellaneous incident report. The forms may be more specialized than those listed, e.g., crimes against persons, crimes against property. The forms may also be consolidated to serve the purposes identified in the standard. The complaint control and miscellaneous incident report can be initiated by dispatchers and may serve as a control document and/or as the full report of a miscellaneous incident.

The agency should adopt a set of forms to standardize field reporting and structure them to ensure that basic information is captured for all crimes and incidents. Samples of the forms should be included, with clear instructions for filling out and submitting the field reports.

Supervisory review should be required as the first step in the submission process, and the form should be designed for the signature or initials of the reviewing supervisor. Typically, supervisory review is a function of the first line supervisor and is intended to ensure that the assignment has been satisfactorily completed and reported consistent with the field-reporting system.

If the agency is using a computerized system, the guide should address procedures for use.

(M M M M) (LE1)

82.2.2

(M M M M) (LE1) Reporting Requirements

A written directive requires the reporting of every incident in one or more of the following categories if the incident is alleged to have occurred in the agency's service area:

- a. *citizen reports of crimes;*
- b. *citizen complaints;*
- c. *incidents resulting in an employee being dispatched or assigned;*
- d. *criminal and noncriminal cases initiated by law enforcement employees; and*
- e. *incidents involving arrests, citations, or summonses.*

Commentary

The purpose of this standard is to require a comprehensive reporting system. A record should be made of actions taken by law enforcement personnel whether in response to a request for service or for self-initiated actions. If two or more persons report the same incident, only one case report should be required.

The directive should establish procedures to ensure that proper action is taken to investigate complaints, evaluate suggestions, and correct deficiencies or refer them to proper authorities for correction. The person making the complaint or suggestion should be notified of the action taken. This may be contained in the agency's general field-reporting document. (M M M M) (LE1)

82.2.3

(M M M M) (LE1) Case Numbering System

A written directive establishes a case-numbering system, with provisions for the assignment of a unique number to every case.

Commentary

A single numbering series (case or incident number) should be employed for all incidents of law enforcement service, including traffic collision investigations, criminal investigations, and miscellaneous calls for law enforcement service. Some activities, such as the issuance of traffic citations, need not be recorded as numbered cases; the citation form itself serves as the report. The numbering system should be designed to ensure that all cases receive a number, that no numbers are omitted, and that no numbers are duplicated. (M M M M) (LE1)

82.2.4

(O O O O) Report Distribution

A written directive establishes procedures for the distribution of reports and records.

Commentary

The directive should specify which types of reports should be routed to the various specialized functions or organizational components for follow-up, and those to be distributed outside the agency. Central records should be the main repository for reports completed by all agency components. (O O O O)

82.2.5

(M M M M) Reports by Phone, Mail or Internet

If the agency has a system for receiving specified crime and incident report information by telephone, mail, Internet, and/or other emerging technologies in lieu of on-scene response, a written directive specifies the criteria for acceptance.

Commentary

The intent of this standard is to improve the use of patrol time. Some crime calls do not require the dispatch of a patrol officer and can be effectively handled by receiving information in an alternative manner. Consideration should be given to developing a list of call types that can be dealt with in an alternative manner. (M M M M)

82.3 Records

82.3.1(M M M M) Master Name Index

82.3.2(O O O O) Index File

82.3.3(N/A O M M) Traffic Records System

82.3.4(M M M M) (LE1) Traffic Citation Maintenance

82.3.5(N/A O O O) Operational Component Record

82.3.6(M M M M) ID Number and Criminal History

82.3.1

(M M M M) Master Name Index

The agency maintains an alphabetical master name index.

Commentary

A master name index is a file that includes the names of persons identified in field reports. The index may be manual or automated and should serve as a cross-reference to all documents in which a person has been named. Criteria for including names in the index should be developed based on legal requirements and needs. Typically, agencies include names of victims, complainants, suspects, persons arrested, and in some cases, witnesses. Consideration should be given to persons involved in traffic accidents. (M M M M)

82.3.2

(O O O O) Index File

The agency maintains records to include, at a minimum:

- a. service calls and crimes by type;
- b. service calls and crimes by location; and
- c. stolen, found, recovered, and evidentiary property files.

Commentary

records provide information on experience relative to categories of activity. The agency should identify those activities constituting the prevalent activity for categorization, usually UCR Part I offenses and principal offenses in the Part II category or NIBRS classifications.

Records facilitate measuring caseloads relative to geographic distribution.

Common practice is to maintain one property file by the type of property involved and a separate property file using serial numbers. It is highly desirable to have serial numbers of stolen and recovered property sequenced to facilitate comparison.

These records may be manual and/or automated. (O O O O)

82.3.3

(N/A O M M) Traffic Records System

The agency has a traffic records system or access to a comparable system containing:

- a. *traffic collision data;*
- b. *traffic enforcement data; and*
- c. *roadway hazard information.*

Commentary

The traffic records system should provide accurate information to field personnel who are performing primary traffic functions. It should also provide compilations of data upon which management decisions may be based. Some of the required data may be collected and disseminated by other state, provincial, or local agencies.

The records file should contain the locations of all traffic collisions and citations to provide a ready reference for collision/enforcement data related to specific intersections or segments of highways.

Ancillary information, such as traffic safety reports, traffic volume data, and traffic distribution reports, may also be kept in the records system. (N/A O M M)

82.3.4

(M M M M) (LE1) Traffic Citation Maintenance

A written directive establishes procedures for maintaining records of traffic citations, to include:

- a. *issuing citation forms to officers;*
- b. *accounting for citations; and*
- c. *storing citations in a secure area.*

Commentary

Issuing and accounting for traffic citations should be rigidly controlled. Copies of citations issued by officers should be filed in agency records. Issuing, accounting, and storing of citations may be accomplished by electronic means. (M M M M) (LE1)

82.3.5

(N/A O O O) Operational Component Record

A written directive specifies those records to be maintained in agency operational components.

Commentary

It is not the intent of this standard to require dual record keeping so long as data are readily available to personnel in the agency. The central records function may decentralize some of its record-keeping responsibility.

The directive should specify the types of records and the retention schedule for records maintained in operational units. For example, criminal investigators should maintain case files on active cases being investigated, to be transferred to the records center when inactivated. Similarly, traffic records may be maintained by patrol or a specialized traffic component. Intelligence, vice, drug, and organized crime control units may be permitted to maintain records independently for additional security and control. (N/A O O O)

82.3.6

(M M M M) ID Number and Criminal History

The agency has a system for assigning an identification number and maintaining a criminal history file for each person custodial arrested.

Commentary

An identification number is a person-oriented number and is assigned to a specific person. Once a person has been assigned an identification number, all subsequent arrests and information concerning that person should be referenced to his or her identification number. Each person who has been arrested should have only one identification number, although the individual may have been arrested on a number of different occasions and thus have different case and arrest numbers relating to them. The system should include a procedure ensuring that identification numbers are not duplicated or skipped.

The criminal history file is often referred to as an identification file and should include the following documents: fingerprint card, criminal history transcripts (state and federal), photograph (if available), and copy of arrest report. The file may be sequenced by identification number. The criminal history transcripts may be excluded from agency files if they are immediately accessible through state or federal information systems. It is not necessary to have all the documents in one file so long as cross-references point to the location of each document. (M M M M)