

conduct that would not, under law, be a crime if committed by an adult (i.e., runaway, truant, child in need of supervision).

- 3.6 Prison Rape Elimination Act** – Within the context of this directive, the term “Prison Rape Elimination Act” (PREA) is an act created to prevent sexual assault, sexual advances, requests for sexual favors, sexual comments/gestures, to a detainee by another detainee, sworn officer, or staff employee.

4. RESPONSIBILITIES

- 4.1.** The Administrative Bureau Commander is responsible for the control and operations of temporary detention areas within the GPD.
- 4.2.** Agency employees will ensure that non-agency employees follow applicable weapons, security, and facility directives. Failure to comply will result in denial of use of the department’s temporary detention areas.

5. TRAINING REQUIREMENTS

- 5.1.** The Training Coordinator will ensure that documented initial training will concentrate on the operation and control of the temporary holding facility to include the GPD 810, “Detainee Processing and Detention Log.”
- 5.2.** The Training Coordinator will ensure that in-service training related to temporary detention areas occurs at least once every four years. In-service training on PREA standards, sexual abuse, and sexual harassment policies and procedures will occur annually.
- 5.3.** A documented administrative review of the temporary detention area procedures will be conducted by the Administrative Bureau Commander annually.

6. GENERAL DUTIES

- 6.1.** Use of temporary detention areas will be controlled to ensure separation by both sight and sound:
- 6.1.1 Of juveniles from adults, and
 - 6.1.2 Between adult males and females.
 - 6.1.3 If necessary, officers will use a system of cycling detainees through these areas to maintain sight and sound separation of adults and juveniles.
- 6.2.** Records of detention of adults and juveniles, regardless of juvenile status, will be documented on the GPD 810. The reason, date and time in and out of the facility, and any meals, if provided, will be documented on the GPD 810.

6.3. Six Hour Time Limit

6.3.1. Adult detainees may be held in the facility for up to six hours without personal supervision and control by agency personnel. The time when detainees are under continuous control and supervision by agency personnel does not count toward the six-hour limit. There may be an aggregate total of more than six hours for adult detainees going through administrative or investigative processes.

6.3.2. Juvenile offenders cannot be held in a secure setting for more than six hours. Juvenile non-offenders or status offenders may not be placed in a holding cell. All processing and detention of juveniles will be in accordance with Juvenile Justice and Delinquency Act of 1974, as amended through 2022 (JJDP A) that prescribes limits on who may be held and for designated time periods.

7. PROCESSING

7.1. Although many detainees are taken to CPU, officers bringing detainees into the department's temporary detention areas will follow these procedures.

7.2. All weapons will be locked in a gun locker prior to entering the temporary detention area.

7.3. Detainees will be searched prior to entering the temporary holding areas by an officer of the same gender in which the detainee self identifies in an area affording privacy to the detainee.

7.4. An itemized inventory of all property taken from the detainee will be documented on the GPD 810 form. Upon release or transfer to another agency, the GPD 810 will be completed, signed by both the releasing officer and the detainee upon receiving the property. The completed form shall be given to the Administrative Bureau Commander.

7.5. Front Desk Notification – Any time a detainee or status offender is brought into the facility during business hours, the officer will notify the front desk of the detainee's name.

7.6. Under the Influence of Alcohol/Drugs – Unruly, disorderly detainees under the influence of alcohol or other drugs or who are violent or self-destructive will be housed separately from other detainees. Such detainees should remain under close observation by the arresting officer. If the officer is unable to continue observation, the officer will notify an on-duty supervisor.

7.7. Suicidal, Escape Potential, or Security Threat – Detainees, who exhibit any suicidal tendencies, commit any self-destructive act, or state an intent to harm themselves, or are believed to be an escape risk may not be placed in a department temporary detention area without continuous uninterrupted observation by an officer. For these cases, officers should:

- 7.7.1. Immediately notify an on-duty supervisor;
- 7.7.2. Document it on the GPD 810 form; and
- 7.7.3. Notify the other agency receiving personnel upon transfer to that facility.

7.8. Holding Cells –The officer will ensure that documented welfare checks are performed every 30 minutes on each detainee. If the detainee is still in the holding cell when the officer is scheduled to go off-duty, the officer should consult with an on-duty supervisor or an on-coming supervisor to determine if another officer should be responsible for the detainee.

7.9. Monitoring Alarm System – All personnel assigned to the front desk will monitor the holding facility alarm system as a normal course of business. Only sworn personnel will respond to requests for assistance from detainees.

7.10. Outside Agencies – Agencies, other than the Gaithersburg Police Department (GPD), who wish to place a detainee in a department temporary detention area for detention purposes, will be assisted by a GPD officer. Agency employees will ensure that non-agency employees follow applicable weapons, security, and facility directives.

7.10.1 Officers from outside agencies shall provide their credentials and state the reason for holding the detainee (e.g., DUI, warrant, statement of charges, etc.) prior to placing the detainee in a department temporary detention area.

7.10.2. The on-duty supervisor will be notified to ensure that the appropriate detainee welfare checks are conducted.

7.10.3. The arresting agency officer will not leave the building without coordinating with the on-duty supervisor.

7.11. Mass Arrest – Facility SOPs will provide large group arrest procedures and detainment when those instances exceed the capacity of the temporary detention areas.

7.12. Positive Identification – Prior to the release or transfer of a detainee, positive identification will be made.

7.13. Detainee Phone Calls – Detainees will be afforded reasonable use of telephones to contact a family member, attorney, or bail bondsman. Phone use must not compromise ongoing investigations or unduly interfere with agency activities.

8. SECURITY

8.1. Access – Access to temporary detention areas will be limited to only those

with a valid reason for entry (e.g., police personnel, defendant's attorney, commissioners, etc.). Visitors are not allowed in the facility.

- 8.2.** Firearms/Knives Security – Firearms and knives or other sharp instruments will be secured in weapon lockers prior to placing a detainee into or entering any temporary detention area (to include processing areas, holding cells, etc.). Emergency situations may preclude such storage (e.g., emergency evacuation of detainees during a fire, etc.).
- 8.3.** Officers will secure the processing area doors behind them prior to removing the restraints from detainees.
- 8.4.** When a detainee is left unattended in a cell, the officer will remove the detainees:
 - 8.4.1.** Restraints:
 - 8.4.1.1.** After the detainee is secured in a cell if the cell is of a design which would allow an officer to reach through an opening;
or
 - 8.4.1.2.** Immediately prior to placing the detainee in the cell.
 - 8.4.2.** Officers shall remove any shoelaces, belts, drawstrings, or other similar items that could cause harm or could be used to tie to an object.
- 8.5.** Detainees may be temporarily restrained by securing them to fixed objects within the holding area for processing.
- 8.6.** Holding Cell Keys – Keys to the holding cells will be stored in a limited access area or control box. Key access will be available to other agency personnel for emergency access situations. Holding cell keys will not be removed from the facility without approval from a bureau commander. In emergencies (such as fires, emergency medical incidents, floods, etc.), it may be necessary for a civilian employee to have access to the keys.
- 8.7.** Holding Cell Inspections – Any officer placing a detainee in a cell or releasing a detainee will search the holding cells for contraband and weapons after each detainee is released and prior to placing the next detainee in the cell. The Administrative Bureau Commander will be notified of any safety concerns and the cell will be placed out of service until the issue has been corrected.
- 8.8.** Temporary Detention Area Repairs – If a repair is made within the facility, an inspection should be made of that area to ensure that contraband or safety issues do not exist.
- 8.9.** Detainee Attorneys – Detainees will have reasonable access to their attorneys. Department personnel will not hinder the detainee's efforts to obtain and meet with counsel. Should an attorney want to meet face to face with a detainee, the attorney will be subject to a search by an officer of the same gender in which

the attorney self identifies. Attorneys are not permitted to take items which can be used to conceal contraband or weapons (e.g., purses, briefcases, etc.) into the temporary detention area. All such searches and contacts will be documented on the GPD 810 form.

8.10. Escapes – If an escape from department temporary detention area occurs:

8.10.1. Officers will notify ECC as soon as possible and provide a complete description of the detainee, direction of travel, charges for arrest, and if the detainee is a danger to self, officers, or the community;

8.10.2. Officers must request that ECC notify the officer's supervisor and the duty/district commander;

8.10.3. Officers will fully document the incident on the incident report; and

8.10.4. The responding supervisor will:

8.10.4.1. Define the scope of the escape and coordinate search efforts.

8.10.4.2. Ensure reporting requirements are met.

8.11. Escape Attempts – In instances of attempted escapes from department temporary detention areas:

8.11.1 Officers will notify their supervisor of any escape attempts and fully document the incident on the incident report; and

8.11.2. The officer's supervisor will ensure departmental reporting requirements are met.

9. AUDIO/VIDEO (CCTV) SYSTEMS

9.1. The CCTV systems will be used for monitoring and recording detainees within the facility. The system will not be turned off, tampered with, or otherwise compromised. Attorneys and their detainee clients will be provided privacy inside the temporary holding facility to confer.

9.2. A minimum of one sworn police officer must be in the station during the time that any prisoner is in the facility to monitor CCTV systems to ensure appropriate action is taken during emergencies. Life threatening situations, such as fires or medical emergencies, may dictate emergency entry by non-sworn personnel. Monitoring of the audio surveillance devices will be consistent with security and safety requirements, while at the same time respecting the privacy of the detainee.

9.3. Each temporary detention area will have a duress alarm installed to be used in the event of an emergency. Within the temporary detention areas, there are duress alarms in the sallyport, juvenile processing, adult processing, and hard interview room areas.

10. EMERGENCY OPERATIONS

- 10.1. Emergency Evacuation Plan** – There will be a posted emergency evacuation route within the temporary detention areas. Detainees will be evacuated by officers via posted evacuation routes in the event of fires or other environmental emergencies.
- 10.2. Fire Prevention** – The facility is equipped with automatic heat, smoke, and fire detection and suppression systems.

11. HEALTH and HYGIENE

- 11.1** Detainees will have access to toilet facilities and drinking water. Supervising officers will respect the sexual privacy of detainees utilizing toilet facilities or attending to other personal hygiene needs.
- 11.2. Medications** – Detainees will not be allowed access to medicine, even if part of the detainee’s property. Department personnel will not dispense medications. If an emergency exists, department personnel will notify and request assistance from Montgomery County Fire and Rescue Service (MCFRS) personnel of any medical conditions that arise while in the facility. Detainees should be provided with medical care prior to placement into the holding cells.
- 11.3. Visual Checks** – A documented visual check of detainees shall occur once every 30 minutes. During visual checks, officers should check for signs of altered consciousness or mental status deterioration. If any uncertainty about a detainee’s condition occurs, MCFRS will be contacted to transport the detainee to a medical facility.
- 11.4. First Aid Kits** – A first aid kit will be available and maintained in the immediate vicinity of the temporary detention area.

12. INSPECTIONS

- 12.1.** Documented inspections of the facility will occur weekly except for the duress alarms which will occur monthly. Completed inspection forms (GPD 811) will be given to the Administrative Bureau Commander.
- 12.2.** Inspections will be conducted of:
 - 12.2.1. Heat/smoke/fire detector, sprinkler systems and fire extinguishers;
 - 12.2.2. Sanitary conditions, notifying Facilities Management when cleaning is necessary;
 - 12.2.3. Doors, windows, locks, and other mechanical conditions;
 - 12.2.4. Emergency Duress Alarms;

12.2.5. AED, First Aid and PPE kits, and replenishing supplies;

12.2.6. CCTV system; and

12.2.7. Weapon lockers and keys.