

Temporary Custody of Adults

903.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Red Bluff Police Department for processing prior to being released or transferred to jail, a housing facility, or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy.

903.1.1 DEFINITIONS

Definitions related to this policy include:

Secure Interview Room - Any locked enclosure for the temporary custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Red Bluff Police Department prior to being released or transported to a jail, housing facility, or other type of facility.

903.2 POLICY

The Red Bluff Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

903.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

903.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Red Bluff Police Department, but should be transported to a jail facility, a medical facility, or another type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision, or medication while he/she is in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Mental Illness Commitments Policy).

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1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed (15 CCR 1030).
 - (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
 - (f) Individuals who are under the influence of alcohol, a controlled substance, or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
 - (g) Any individual who has exhibited extremely violent or continuously violent behavior including behavior that results in the destruction of property or demonstrates an intent to cause physical harm to him/herself or others (15 CCR 1053; 15 CCR 1055).
 - (h) Any individual who claims to have, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk (15 CCR 1051).
 - (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.
 - (j) Any individual who is obviously developmentally disabled (15 CCR 1057).
 - (k) Any individual who appears to be a danger to him/herself or others due to a mental disorder, or who appears gravely disabled (15 CCR 1052).
 - (l) Any individual who needs restraint beyond the use of handcuffs or shackles for security reasons (15 CCR 1058).
 - (m) Any individual obviously suffering from drug or alcohol withdrawal (15 CCR 1213).

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

903.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision.

903.4 SAFETY, HEALTH AND OTHER PROVISIONS

903.4.1 RELIGIOUS ACCOMMODATION

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

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Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

903.5 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person.

The Shift Sergeant shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Sergeant shall attempt to prove or disprove the claim.

903.6 SECURE INTERVIEW ROOM

A thorough inspection of the secure interview room shall be conducted before placing an individual into the secure interview room to ensure there are no weapons or contraband and that the secure interview room is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the secure interview room should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched and anything that could create a security or suicide risk should be removed.
- (b) Safety checks by department members should occur no less than every 15 minutes.
 - 1. Safety checks should be at varying times.
 - 2. The safety check should involve questioning the individual as to his/her well-being, when applicable.
 - 3. Individuals who are sleeping or apparently sleeping should be awakened.

903.6.1 PREGNANT ADULT

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

903.7 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY

The Operations Division Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Red Bluff Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate
- (b) Immediate notification of the Shift Sergeant, Chief of Police and Investigation Division Commander
- (c) Notification of the spouse, next of kin or other appropriate person

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- (d) Notification of the appropriate prosecutor
- (e) Notification of the City Attorney
- (f) Notification of the Coroner
- (g) Evidence preservation
- (h) In-custody death reviews (15 CCR 1046)
- (i) Notification to the Attorney General within 10 days of any death in custody including any reasonably known facts concerning the death (Government Code § 12525)