

**Change Notice No. 2.3:  
Recognition Standards for Law Enforcement Agencies Amendments  
Enacted by the Commission on July 25, 2008**

***Background***

This is the third change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notice 2.1 and Change Notice 2.2 were previously sent to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 1.1 bear the dates July 2006 and November 2006 and Change Notice 2.1 bear the dates July 2007, November 2007, and March 2008.

***Standards Amendments and Other Revisions Accompanying This Change Notice***

***Table of Contents:*** New Standards.

***Standard 33.5.4:*** Language change.

***Introduction to Chapter 42:*** Added paragraph 3.

***Standard 42.1.6:*** Revised.

***Standard 71.1.1:*** New Standard.

***Standard 71.5.1:*** New Standard.

***Appendix H: STANDARD TITLES***

H-10 – 46.3.4 changed to Hazemat Awareness.

H-16 – 81.2.14 moved to 82.2.5 (H-17).

H-16 – 81.2.15 changed to 81.2.14.

The following corrections to typographical errors in the original publication are also made as part of this change notice:

APPENDIX G: File Construction and Documentation - now refers to 42.2.4, not 42.2.6, page G-3.

Index-4: Employee Assistance Program (EAP) changed to 22.2.6.

***Where to Insert This Notice and Accompanying Pages***

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old, correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.

## **Change Notice 2.1 (January 2007)**

Standard 22.2.7: Standard and Commentary language were changed.

Standard 71.3.3: Changed language for bullet a and added commentary language.

Chapter 72 Introduction: Language change.

APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.

APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

## **Change Notice 2.2 (March 2008)**

Standard 16.3.3: Addition of Commission Interpretation.

Standard 25.1.3: Language and Levels of Compliance changes.

Standard 35.1.2: Language change.

Standard 42.2.8: Language change.

Chapter 45 Introduction: Language change.

Standard 46.3.4: Language change.

Standard 52.1.5: Levels of Compliance change.

Chapter 71 Introduction: Language change to Introduction.

Standard 71.3.3: Language change.

Standard 71.4.1: Language change.

Standard 71.4.2: Language change.

Standard 71.4.3: Language change.

Subsection 71.5 Processing and Testing: New.

Standard 71.5.1: New.

Standard 81.2.10: Language change.

Standard 81.2.14: Moved to Standard 82.2.5.

Standard 81.2.15: Renumbered to Standard 81.2.14.

Standard 84.1.6: Commentary Language change.

APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.

Language change to Temporary Detention.

APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

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rules and regulations, with emphasis on changes; leadership; ethics and integrity, taking into consideration cultural influences, policy compliance, and doing what is correct rather than what is not illegal (see standard 26.1.1); statutory or case law affecting law enforcement operations, with emphasis on changes; the functions of agencies in the local criminal justice system; exercise of discretion in the decision to invoke the criminal justice process; interrogation and interviewing techniques; agency policy on the use of force, including the use of deadly force; emergency medical services; the performance evaluation system; emergency fire suppression techniques; new or innovative investigative or technological techniques or methods, if any; hazardous materials incidents; contingency plans, if any, including those relating to special operations and critical incidents; crime prevention policies and procedures; collection and preservation of evidence; report writing and records system procedures and requirements; and victim/witness rights, policies, and procedures. (M M M M)

### **33.5.2** *A written directive governs shift briefing training.*

**Commentary:** Shift briefing training is a technique that may supplement all other training. Shift briefing training may be a useful element of agency training, if it is well managed and supervised. The goal of this training should be to keep officers up to date between formal retraining sessions. Agencies which do not have formal shift briefings, e.g., resident state troopers, deputy sheriffs, may accomplish the purpose of shift briefing training through other methods, to include in-car computers and other electronic means. To be useful to the agency, the shift briefing training program should be well structured and reflect the needs of the agency while being flexible enough to fit into a shift briefing setting. The written directive should include: planning for shift briefing training; techniques used in shift briefing training; relationships with the academy; instructional methods; instructional personnel; evaluation of shift briefing training; scheduling of training; and role of supervisors and officers (see standard 41.1.2). (O O O O)

### **33.5.3** *Agency personnel shall receive information regarding the accreditation process as follows:*

- a. *to all newly hired agency personnel within thirty days after their employment begins or within thirty days after completing the recruit academy;*
- b. *to all agency personnel during the self-assessment phase associated with achieving initial accreditation; and*
- c. *to all agency personnel prior to an on-site assessment.*

**Commentary:** The intent of this standard is twofold. First, it ensures that all employees are familiar with accreditation and what it entails during the self-assessment process. Second, familiarizing new employees with the process will provide a historical perspective and emphasize the importance of accreditation to the organization. It is recommended that familiarization include the history and background of accreditation and the agency's involvement in the process, the accreditation process, the goals and objectives of accreditation, and the advantages of accreditation and its impact on the agency. Familiarization may be achieved by such means as classroom instruction, newsletter, memo, and periodic attendance by command staff at conferences of the Commission on Accreditation for Law Enforcement Agencies, Inc. (M M M M)

**33.5.4** *A written directive requires agency employees assigned to the position of accreditation manager shall receive specialized accreditation manager training within one year of being appointed.*

**Commentary:** The role of accreditation manager is very specialized and requires familiarization with the accreditation process. At a minimum, the training should include information on the essential components of the process, the standards manual, and file maintenance. The individual selected as accreditation manager should attend at least one CALEA Conference during the self-assessment period or current award period. Agencies are urged to join and participate in Police Accreditation Coalition (PAC's) within their state or province. (O O O O)

### **33.6 Specialized In-Service Training**

**33.6.1** *A written directive identifies the assignments for which specialized training is required, and includes the following:*

- a. *a description of the required training; and*
- b. *retraining requirements, if any.*

**Commentary:** The agency should identify all of the functions for which both pre- and post-assignment specialized training is required. Specialized training includes supervised on-the-job training provided by the agency, training mandated by governmental authority such as training for certification as a breathalyzer operator, and training deemed necessary by the agency for the development and enhancement of the skills, knowledge, and abilities particular to the specialization, such as motorcycle units or marine patrol.

Persons responsible for crime scene processing should receive specialized criminalistics training commensurate with their duties and responsibilities. For example, DNA evidence should be collected only by persons appropriately trained.

The supervision and management of specialized functions includes responsibility for ensuring that persons assigned to the function receive adequate training and support services. (M M M M)

**33.6.2** *If the agency participates in a tactical team, the agency requires that all personnel assigned to the team engage in training and readiness exercises.*

**Commentary:** The purpose of this standard is to ensure that tactical team members have ample opportunity to practice their special skills and develop their abilities to function effectively as a team. This is necessary because many skills are perishable and should be exercised to build and maintain proficiency. Operational simulations should be included in the training program, and if the agency also has a separate hostage negotiation team, its personnel should be required to train periodically with the tactical team. All tactical training must be documented and the records retained pursuant to standard 33.1.6. (M M M M)

# 42

## CRIMINAL INVESTIGATION

Standards in this chapter relate to the criminal investigation function as performed by both uniformed officers and officers specializing in investigations. The standards reflect the perspective that agencies have discretion in determining the degree of specialization necessary to accomplish this function.

The standards provide for administrative and operational programs that should result in efficient and effective criminal investigations. This approach does not direct the agency's investigative functions in each specific crime category, such as homicide, rape, robbery, etc., but rather identifies those elements common to every investigation.

In this post-9/11 environment, law enforcement agencies at all levels recognize that they have a stake in the international law enforcement criminal intelligence effort, in addition to their crime-fighting responsibilities in their communities. The criminal intelligence function within each agency will provide the ability to gather, analyze, protect, and share credible and timely information. It will also provide intelligence to identify, investigate, prevent, deter, and defeat criminal and terrorist activities, both domestically and internationally, as well as protect the security of our homeland and preserve the rights and freedoms of our citizens.

Standards in this chapter are closely related to topical areas addressed in other chapters, including Vice, Drugs, and Organized Crime (Chapter 43), Juvenile Operations (Chapter 44), and Collection and Preservation of Evidence (Chapter 83). Agencies have several options here. Some may treat these functions independently or combine them according to their individual needs. Other agencies, particularly smaller ones, may assign all of these responsibilities to the criminal investigation function. Once functional responsibility is assigned, applicability of standards can be determined.

### 42.1 Administration

**42.1.1** *The criminal investigation function provides 24-hour service capabilities.*

**Commentary:** In agencies in which investigators are not assigned to duty shifts throughout a 24-hour period or on weekends, the criminal investigation function should establish an on-call investigator duty roster, which is furnished to the communications center and the commander of the patrol force.

(M M M M)

**42.1.2** *The agency uses a case-screening system and specifies the criteria for continuing and/or suspending an investigative effort.*

**Commentary:** The objective of case screening is to assign available personnel to those investigations that have the best chance of being resolved. The written directive should specify how such screening is to be conducted, by whom, and what criteria (solvability factors) should be used. Screening of preliminary investigative information should assist in the decision on whether a follow-up investigation should be made.

The decision about the extent of follow-up or the suspension of investigative efforts should be made at a management level. Adherence to this standard should provide law enforcement administrators with improved management control over the productivity of investigations. Decision-making involves the continued application of solvability and degree-of-seriousness factors plus operational input from periodic reporting by investigators on the progress of assigned cases. Suspension criteria may include lack of further leads or solvability factors, unavailability of investigative resources, and/or insufficient degree of seriousness. Unsolved homicides and other serious crimes deserve consideration for cold case investigative efforts. Cold case investigations can increase the agency's success rate, often with minimal resources. Larger agencies may staff a full-time cold case investigation unit for this purpose.

Cases requiring specialized skills, knowledge, or ability should be assigned to those personnel having that expertise. This does not preclude others from assisting but should discourage the perfunctory assignment of personnel based on a rotation or other criteria-free system. A practice of assigning a single person as the "principal investigator" for each case is encouraged. This, too, does not preclude the assignment of more than one person to an investigation but is designed to place accountability for each case. (O O O O)

**42.1.3** *A written directive establishes a system of case file management for the criminal investigation function, to include:*

- a. *a case status control system;*
- b. *administrative designators for each case;*
- c. *types of records to be maintained;*
- d. *accessibility to the files; and*
- e. *procedures for purging files.*

**Commentary:** A system for case status control should be established to specify information that should be recorded for each case, such as investigator assigned, date assigned, case number, and report due date. Administrative designations such as "open," "suspended," and "closed" are also recommended for assisting internal case management and control.

Case files should be maintained on all cases in which investigative activities are ongoing. The case files provide an immediate information resource to investigators. The case files should contain a copy of preliminary investigative reports (all originals should be maintained in central records), records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes. These files should be consolidated into the central records system when the case is suspended or closed. (M M M M)

**42.1.4** *A written directive specifies accountability for conducting preliminary and follow-up criminal investigations.*

**Commentary:** To assign responsibility and to establish investigative continuity, a written directive should define which element of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of incidents. (O O O O)

**42.1.5** *A written directive requires the following:*

- a. specification of criteria designating certain individuals as habitual/serious offenders;*
- b. identification of all cases in which a designated habitual/serious offender is a party; and*
- c. notification to the prosecuting agency of such cases.*

**Commentary:** The directive should propose a process for identifying cases in which habitual or serious offenders play a role and for establishing criteria for handling such cases. Liaison with the prosecutor's office is very important in ensuring the success of a coordinated career criminal approach. (O O O O)

**42.1.6** *A written directive addresses the collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities (including information detailed in 43.1.1 and 46.3.2) with appropriate entities, to include:*

- a. a description of the function;*
- b. the responsibilities of all agency personnel;*
- c. training of personnel;*
- d. procedures for safeguarding, securing, and storing information;*
- e. procedures for ensuring that information collected is limited to criminal conduct or relates to activities that present a potential threat to the jurisdiction;*
- f. legal and privacy requirements;*
- g. documentation, reporting, and dissemination of information;*
- h. procedures for purging out-of-date or incorrect information; and*
- i. an annual review of procedures and processes.*

**Commentary:** The intent of this standard is to document agency accountability for the collection and sharing of suspicious incidents and criminal intelligence information.

Intelligence-gathering activities are important in all agencies. All agencies, regardless of size, must have a criminal intelligence function. The need to develop and share information and criminal intelligence across all levels of government is imperative. Each agency has a stake in the development and exchange of suspicious incidents, information, and criminal intelligence.

Law enforcement agencies should operate under specific guidelines to ensure that no abuses occur. The sensitive nature of criminal intelligence files requires that they be maintained separately from other agency records to prevent compromise and protect the integrity of the file system. If the intelligence function is performed by an individual with other responsibilities (e.g., CEO, deputy chief) or as an activity of a larger function (criminal investigations), the separation and security intentions of this stan-

dard still apply. It is recommended that agencies utilize file procedures (i.e., Law Enforcement Intelligence Unit [LEIU] *Criminal Intelligence File Guidelines*) as a check and balance against inappropriate activities. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

Law enforcement personnel should be trained and encouraged to document information gleaned from a variety of sources. Training should emphasize that all personnel, regardless of their jobs, have a role in criminal intelligence and the sharing of information. Training can range from roll-call to more advanced training and is frequently available at little or no agency cost.

The *National Criminal Intelligence Sharing Plan* (NCISP) identifies a wide array of suggested accountability mechanisms, such as periodic review by management on decision making throughout the criminal intelligence function; audit trails within criminal intelligence processes and computer systems; staff surveys and questionnaires; effective training on department policies, procedures, and professional criminal intelligence practices; and periodic audits of criminal intelligence operations and files.

Agencies should leverage a number of resources, including existing information sharing initiatives—such as INTERPOL, the Homeland Security Information Network (HSIN), the Regional Information Sharing Systems (RISS), and Law Enforcement Online (LEO)—and reference materials such as *Fusion Center Guidelines: Law Enforcement Intelligence, Public Safety, and the Private Sector*, *LEIU Criminal Intelligence File Guidelines*, the *Justice Information Privacy Guideline* document, and the NCISP. (M M M M)

## 42.2 Operations

**42.2.1** *A written directive establishes steps to be followed in conducting preliminary investigations, to include:*

- a. *observing all conditions, events, and remarks;*
- b. *locating and identifying witnesses;*
- c. *maintaining and protecting the crime scene and arranging for the collection of evidence; and*
- d. *interviewing the complainant, witnesses, and suspects.*

**Commentary:** A properly conducted and documented preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. The investigation usually includes the following tasks: (1) providing aid to the injured; (2) protecting the crime scene to ensure that evidence is not lost or contaminated; (3) determining whether an offense has actually been committed and, if so, the exact nature of the offense; (4) determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or through immediate pursuit; (5) furnishing other field units, through the communications system, descriptions, method, and direction of flight, and other relevant information concerning wanted persons or vehicles; (6) obtaining complete identification of all witnesses; (7) determining what information is known by the victims and witnesses; (8) arranging for the collection of evidence; (9) determining in detail the exact circumstances of the offense; (10) obtaining written statements from victims, witnesses, and if legally possible, from the suspect; and (11) accurately and completely recording all pertinent information on

prescribed report forms. The standard is not intended to preclude the officer conducting the preliminary investigation from being assigned to the follow-up investigation. (MMMM)

**42.2.2** *A written directive establishes steps to be followed in conducting follow-up investigations to include, at a minimum:*

- a. *reviewing and analyzing all previous reports prepared in the preliminary phase, departmental records, and results from laboratory examinations;*
- b. *conducting additional interviews and interrogations;*
- c. *seeking additional information (from uniformed officers, informants);*
- d. *planning, organizing, conducting searches, and collecting physical evidence;*
- e. *identifying and apprehending suspects;*
- f. *determining involvement of suspects in other crimes;*
- g. *checking suspects' criminal histories; and*
- h. *preparing cases for court presentation.*

**Commentary:** These procedures should be used only in the event they are found to be necessary. For example, every follow-up investigation may not include a search. The written directive should be intended as a guide. The investigation may include the following activities: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing, and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact circumstances of the offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing case for court presentation.

Maintaining contact with principals in any investigation is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case. Cross-reference with 55.2.4 (Victim/Witness Assistance). (MMMM)

**42.2.3** *The agency provides checklists to aid in criminal investigations.*

**Commentary:** The field report, properly prepared, serves as a satisfactory checklist for most investigations. However, more complicated investigations require additional efforts, and checklists aid in ensuring that critical areas of investigation are not overlooked. (OOOO)

**42.2.4** *The agency has a system that provides for periodic attendance of criminal investigators at shift briefings conducted for patrol officers.*

**Commentary:** Joint shift briefings conducted for patrol and criminal investigative personnel should enhance relationships between these entities and provide for the exchange of information. (NAOOO)

**42.2.5** *If agency personnel participate in formal, long term, multi-jurisdictional investigative task force(s), a written directive describes the task force activities, to include:*

- a. *the purpose;*
- b. *defining authority, responsibilities, and written agreements; and*
- c. *evaluating results and the need for continued operation(s).*

**Commentary:** The directive may be a product of the task force or the participating agency. The criteria for the use of task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined. (MMMM)

**42.2.6** *If technical aids for the detection of deception are used, a written directive governs their use in criminal investigations. Examiners must be graduates of institutions providing training for this purpose.*

**Commentary:** The written directive should govern the use of such devices as polygraphs, voice stress analyzer, and other detection of deception equipment. The directive should also specify those persons who may be authorized to use the equipment and the conditions under which it may be used. Adherence to this standard ensures a uniform training base for all operators of technical aids for detection of deception. (MMMM)

**42.2.7** *A written directive specifies the procedures to be followed when using confidential informants, to include:*

- a. inclusion of informants in a master file;*
- b. content of the informant file, to include biographical and background information, criminal history record, if any, and code name or number of each informant;*
- c. maintenance and security of informant file and related codes;*
- d. other methods to protect the identity of informants;*
- e. criteria for paying informants, if applicable;*
- f. precautions to be taken with informants, generally; and*
- g. special precautions to be taken with juvenile informants.*

**Commentary:** The use of confidential informants is important to the satisfactory completion of many investigations, including patrol related investigations; drug, vice, and organized crime control functions; and intelligence functions. Procedures should be established to provide for this resource within a controlled system to avoid abuse. In some instances, agencies may promulgate policy governing use of parolees, if required by an authorizing corrections agency.

If the agency does not centralize this function, then each agency function that controls and manages informants should be responsible for compliance with this standard. Investigating officers should take additional precautions when dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.

A master file on informants should be maintained with an emphasis on security and rigid control of access. A single individual should be identified and given exclusive control over this file. The file should contain information on informants, to include their backgrounds, a record of transactions, and information on how they can be located. Coded information should be used in all transactions with informants, including pay. All funds maintained and used for informants should comply with all procedures in Chapter 17.

Agencies outside the United States should contact CALEA staff for special interpretation of this standard as it relates to the differences in defining the terms “informants” and “agents.” (MMMM)

**42.2.8** *The agency has a written directive concerning identity crime and procedures for:*

- a. taking identity crime reports;*
- b. specialized report forms, if any;*
- c. providing information and assistance to identity crime victims;*
- d. coordination of investigations with other agencies; and*
- e. providing public information on prevention of identity crime.*

**Commentary:** Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

**42.2.9** *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. defining a cold case;*
- b. establishing cold case evaluation criteria; and*
- c. recording agency investigative actions or activities.*

**Commentary:** Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

**42.2.10** *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. weapons control;*
- b. security concerns;*
- c. number of personnel allowed in the interview room;*
- d. means and methods for summoning assistance, if needed;*
- e. equipment or items to be kept in the interview room or area; and*
- f. access to restrooms, water, or comfort breaks.*

**Commentary:** For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. (MMMM)

# 71

## PROCESSING AND TEMPORARY DETENTION

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 Facilities).
- 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 Investigations).

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** *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)

## **71.2 Training**

**71.2.1** *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)

## 71.3 Temporary Detention Room (s)

**71.3.1** *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)

**71.3.2** *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** *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)

## 71.4 Temporary Detention Facility Conditions

**71.4.1** *A written directive establishes minimum physical conditions for temporary detention or 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)

**71.4.2** *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)

**71.4.3** *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)

## 71.5 Processing and Testing

**71.5.1** *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)

- 42.2.2 Follow-Up Investigations Steps
- 42.2.3 Investigative Checklists
- 42.2.4 Patrol Shift Briefing Attendance
- 42.2.5 Investigative Task Forces
- 42.2.6 Polygraph Examinations
- 42.2.7 Informants
- 42.2.8 Identity Crimes
- 42.2.9 Cold Cases
- 42.2.10 Interview Rooms

### **43.0 Vice, Drugs, and Organized Crime**

- 43.1 Administration and Operations
  - 43.1.1 Complaint Management
  - 43.1.2 Records, Storage and Security
  - 43.1.3 Confidential Funds
  - 43.1.4 Equipment, Authorization and Control
  - 43.1.5 Covert Operations

### **44.0 Juvenile Operations**

- 44.1 Administration
  - 44.1.1 Juvenile Operations Policy
  - 44.1.2 Policy Input, Others
  - 44.1.3 Annual Program Review
- 44.2 Operations
  - 44.2.1 Handling Offenders
  - 44.2.2 Procedures for Custody
  - 44.2.3 Custodial Interrogation
  - 44.2.4 School Liaison Program
  - 44.2.5 Community Recreation Programs

### **45.0 Crime Prevention and Community Involvement**

- 45.1 Crime Prevention
  - 45.1.1 Activities
  - 45.1.2 Organizing Prevention Groups
  - 45.1.3 Prevention Input
- 45.2 Community Involvement
  - 45.2.1 Activities
  - 45.2.2 Quarterly Progress Report
  - 45.2.3 Procedures for Transmitting Information

- 45.2.4 Citizens Survey
- 45.2.5 Survey Summary to CEO

## **46.0 Critical Incidents, Special Operations, and Homeland Security**

- 46.1 Critical Incidents
  - 46.1.1 Planning Responsibility
  - 46.1.2 All Hazard Plan
  - 46.1.3 Command Function
  - 46.1.4 Operations Function
  - 46.1.5 Planning Function
  - 46.1.6 Logistics Function
  - 46.1.7 Finance/Administration Function
  - 46.1.8 Equipment Inspection
  - 46.1.9 Annual Training
- 46.2 Special Operations
  - 46.2.1 Special Operations Activities
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  - 46.2.3 Tactical Team Equipment
  - 46.2.4 Hostage Negotiator Selection
  - 46.2.5 Search and Rescue
  - 46.2.6 VIP Security Plan
  - 46.2.7 Special Events Plan
- 46.3 Homeland Security
  - 46.3.1 Liaison with other Organizations
  - 46.3.2 Terrorism Related Intelligence
  - 46.3.3 Providing Awareness Information
  - 46.3.4 Hazemat Awareness

## **52.0 Internal Affairs**

- 52.1 Organizational Integrity
  - 52.1.1 Complaint Investigation
  - 52.1.2 Records, Maintenance and Security
  - 52.1.3 CEO, Direct Accessibility
  - 52.1.4 Complaint Registering Procedures
  - 52.1.5 Annual Summaries; Public Availability
- 52.2 Complaint Procedures
  - 52.2.1 Complaint Types
  - 52.2.2 CEO, Notification
  - 52.2.3 Investigation Time Limits

- 70.3 Special Transport Situations
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  - 70.3.2 Hospital Security and Control
  - 70.3.3 Special Situations
- 70.4 Transport Equipment
  - 70.4.1 Vehicle Safety Barriers
  - 70.4.2 Rear Compartment Modifications
- 70.5 Documentation
  - 70.5.1 Prisoner ID and Documentation

## **71.0 Processing and Temporary Detention**

- 71.1 Authorization
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  - 71.2.1 Training of Personnel
- 71.3 Detainee Processing and Control
  - 71.3.1 Procedures
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  - 71.3.3 Security
- 71.4 Temporary Detention Facility Conditions
  - 71.4.1 Physical Conditions
  - 71.4.2 Fire Prevention/Suppression
  - 71.4.3 Inspections
- 71.5 Processing and Testing
  - 71.5.1 Security Concerns in Designated Processing or Testing Rooms/Areas

## **72.0 Holding Facility**

- 72.1 Organization, Administration, and Management
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  - 72.1.2 Access, Nonessential Persons
  - 72.1.3 Records Security
- 72.2 Physical Plant
  - 72.2.1 Minimum Conditions

- 72.3 Safety and Sanitation
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  - 72.3.2 Posted Evacuation Plan
  - 72.3.3 Weekly Sanitation Inspection
- 72.4 Security and Control
  - 72.4.1 Securing Firearms
  - 72.4.2 Entering Occupied Cells
  - 72.4.3 Key Control
  - 72.4.4 Facility Door Security
  - 72.4.5 Security Checks
  - 72.4.6 Security Inspections
  - 72.4.7 Tool and Culinary Equipment
  - 72.4.8 Alerting Control Point
  - 72.4.9 Panic Alarms
  - 72.4.10. Procedures, Escape
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- 72.6 Medical and Health Care Services
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  - 72.6.3 Receiving-Screening Information
  - 72.6.4 Posted Access to Medical Service
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- 72.7 Detainee Rights
  - 72.7.1 Procedure, Detainee Rights
- 72.8 Supervision of Detainees
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  - 72.8.2 Audio/Visual Surveillance
  - 72.8.3 Supervision, Opposite Sex
  - 72.8.4 Receiving Mail/Packages
  - 72.8.5 Visiting

- 73.0 Court Security**
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  - 73.5.22 Posted Access to Medical Service
  - 73.5.23 Audio/Visual Surveillance
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## **74.0 Legal Process**

- 74.1 Records
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## **81.0 Communications**

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## **82.0 Central Records**

- 82.1 Administration
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- 83.1 Administration
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- 84.1.4 Security of Controlled Substances, Weapons for Training
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