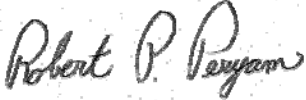


MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 61 - A		TITLE: Court Holding
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 9	AMENDED:
REFERENCE: CALEA 73.5 CFA 30		RESCINDS: Special Order: Court Holding, 05.05.2006
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for the operation of the Court Holding facility at the Monroe County Courthouse Complex in Key West, Florida.

The Court Holding facility is staffed by personnel from the Bureau of Corrections. The Corrections Deputies assigned to the Court Holding facility are referred to as "Transportation Deputies" throughout this policy. Any circumstance not covered by this policy, but addressed by Bureau of Corrections Directives will be handled in compliance with those directives.

The Court House buildings, including the Court Holding, facility are owned and maintained by the Monroe County Board of County Commissioners. Maintenance is performed by the Monroe County Public Works Department, Facilities Maintenance Division.

POLICY: It is the Sheriff's policy to provide services to the Courts of Monroe County in facilitating the movement of detainees between the Monroe County Detention Center and the Court.

PROCEDURE:

DEFINITION

- Detainee – an individual currently incarcerated (convicted or not) or a remanded individual.

COURT HOLDING PERSONNEL

[CALEA 73.5.1]

- Transportation Deputies and any non-certified Corrections Staff assigned to perform duties in the Court Holding facility will undergo an orientation to include, at a minimum:
 - Applicable policy discussion.
 - Job duties of a Transportation Deputy.
 - Functioning of the facility's doors, elevator, and surveillance equipment.
 - Fire escape route(s).
 - Fire suppression equipment unique to the facility.
- This training will be documented in the "Transportation Deputy" FTO Manual.

- Transportation Deputies shall be retrained at least once every three years on the items and topics listed above.

SEARCH OF A DETAINEE

[CALEA 73.5.2]

- Detainees, who are being transported from the Detention Center to Court, shall be searched according to Bureau of Corrections - Transportation Directives prior to leaving the Detention Center.
[CALEA 73.5.2.A]
- Defendants remanded to custody by the court, shall be escorted to the Court Holding facility by a Transportation Deputy on notification of the remand by court security.
- A Court Security deputy shall apply handcuffs, behind the back of the remanded individual at the time the subject is remanded.
- The Court Security deputy shall notify Court Holding personnel that they have a remanded person in custody and give the courtroom location.
- The Court Security Deputy removes the remanded individual from the courtroom and takes them to the secured hallway adjacent to the courtroom
- The Court Security Deputy shall conduct a pat search on the remanded person while that remanded person is still handcuffed, behind their back.
- A Transportation Deputy shall enter the secured hallway and conduct a pat search on the remanded person and assume control of the individual.
- The Transportation Deputy shall ask the remanded person if he/she has any item on his/her person that should not be brought into a secured detention facility, i.e. cigarettes, guns, knives, drugs, etc. These items shall be removed and secured prior to removing the handcuffs from the remanded person.
- A Transportation Deputy shall remove the handcuffs previously applied by the Court

Security Deputy and return them to the Court Security Deputy. The Transportation Deputy shall handcuff the remanded person; hands in the front, using his/her own handcuffs.

- The Transportation Deputy shall apply a belly chain and shackles to the remanded individual prior to moving the remanded person to the Court Holding facility.
- Once the remanded person is secured in the Court Holding facility, a Transportation Deputy may remove the handcuffs and shackles in order to have the remanded individual remove all property from his/her pockets and turn his/her pockets inside out.
- A Transportation Deputy shall have the remanded individual place all of his/her personal property, not already taken, on the counter, to include belts and shoe laces.
- A Transportation Deputy shall have the remanded individual remove his/her shoes and socks and then search these items and examine the individual's feet including between the toes.
- A Transportation Deputy shall examine the inside of the remanded individual's mouth by having him/her open mouth and raise tongue.

INVENTORY OF PERSONAL PROPERTY

- A Transportation Deputy shall inventory all of the individual's property and place it into a brown paper bag. The property shall be itemized on a property receipt which is then stapled to the outside of the bag. The bag will then be locked in the transport vehicle's driver's compartment for safekeeping
[CALEA 73.5.2b]
- A Transportation Deputy should be the one who inventories the remanded person's property.
- If the Transportation Deputy who conducts the actual transport of the remanded person from the Court Holding facility to the jail is not the deputy who inventoried the remanded person's property, the

transporting deputy shall receive the inventoried property from the deputy who inventoried it, sign the property inventory sheet and secure the property in the transport vehicle's driver's compartment. [CFA 30.04, C] [CALEA 73.5.3]

- A Transportation Deputy shall ensure that court minutes remanding the person to custody accompany the remanded person to the Detention Center.

DETAINEES UNDER THE INFLUENCE / OR EXHIBITING SELF-DESTRUCTIVE BEHAVIOR

- If a defendant who is under the influence of alcohol or drugs is remanded into custody by the Judge, the detainee will be transported to the Detention Center as soon as possible.
- With detainees who exhibit self-destructive behavior the standard Bureau of Corrections Directives will be followed and the subject will be transported to the Detention Center as soon as possible
- Both these types of individuals will be under constant supervision while in Court Holding.
- A Transportation Deputy Sergeant or his/her designee shall notify the Detention Center Intake Sergeant of the name and condition of the remanded individual or the individual exhibiting destructive behavior. [CALEA 73.5.4]

MEDICAL ASSISTANCE

[CALEA 73.5.5]
[CFA 30.07, B
[CALEA 73.5.22]

- Legible instructions shall be permanently posted conspicuously in each holding cell instructing detainees how to alert staff of an emergency, including the need for medical assistance. These instructions shall be posted in English and Spanish.
- These access procedures shall be explained orally to detainees who are unable to read.

- If a detainee indicates or appears in need of medical assistance the Court Holding facility Staff will follow these procedures:
 - Non-emergency situations:
 - Follow Bureau of Corrections standing Directives and
 - Contact the Detention Center Medical Unit Nurses Station (or have Main Control page the nurse) and describe the situation to the on-duty nurse.
 - Follow the nurse's direction
 - Emergency situations
 - Provide First Aid up to the level of the responding deputy's training.
 - Summon Emergency Medical Assistance (911)
 - Notify the Detention Center Medical Unit of the emergency
 - Separate the ill detainee and secure all other detainees.
- These and any additional procedures addressing medical situations within the Court Holding facility will be reviewed and approved by the contracted medical services physician. [CALEA 73.5.5]

- At least one on-duty Transportation Deputy shall be certified in First Aid procedures at all times.

FIRST AID KIT

- A first aid kit will be maintained in the Court Holding Facility.
- The first aid kit will be inspected weekly by the Transportation Sergeant or his/her designee. This inspection will be documented at the time it is conducted in the Transportation log book.

- Any used items will be replaced by the Transportation Sergeant or his/her designee as soon as practical and noted as part of the inspection. [CALEA 73.5.6]

ACCESS BY NONESSENTIAL PERSONS
[CALEA 73.5.7]

- Nonessential persons will not be given access to the Court Holding facility.
- If it is necessary to grant access for maintenance, inspection or other legitimate reasons, the nonessential person shall be escorted by a Transportation Deputy while in the holding area.
- Their presence shall 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 defense.
- County maintenance personnel should make repairs, unless an emergency situation exists, while the facility is not being used.
- All nonessential persons shall be prohibited access to court holding facilities in emergency situations.

COURT HOLDING CELLS

- Sanitation Needs

Each cell used to hold detainees at the Court Holding facility shall have:

- Adequate lighting as required by local code
- Circulation of fresh or purified air in accordance with local public health standards
- Access to a toilet and drinking water [CALEA 73.5.8]
- A weekly documented inspection of the facility will be conducted by the Transportation Sergeant or his/her designee to ensure that conditions that may foster infestation by insects, rodents or other

vermin are identified and eliminated. This inspection shall verify that the cells are properly cleaned. If an infestation or a sanitary issue is identified a report shall be made to Bureau of Corrections Operations Commander. [CALEA 73.5.11]

- No detainee shall be held in a Court Holding cell more than 8 hours. [FCAC 10.22]

FIRE ALARM, HEAT AND SMOKE DETECTION DEVICES

- The Court Holding facility shall have automatic fire alarm, heat and smoke detection devices and fire equipment installed. All shall be approved in writing by state or local fire officials.
- Fire equipment shall be visually inspected for tampering or damage weekly by a Transportation Deputy.
- Said inspection shall be documented in writing by the Transportation Deputy and provided to the MCSO Professional Standards Division. Any damage shall be reported to County maintenance and noted in the daily computer activity log. [CALEA 73.5.9.a]
- Fire equipment shall be tested on a semiannual basis by the Monroe County Public Works Division. Said testing shall be documented in writing. [CALEA 73.5.9.a]
- The automatic fire detection devices and alarm systems shall be visually inspected for tampering or damage daily by a Transportation Deputy.
- Said inspection shall be documented in writing by the Transportation Deputy who conducted the inspection. [CALEA 73.5.9b]
- The automatic fire detection devices and alarm systems shall be tested as dictated by local fire code. Said testing shall be documented in writing by the Monroe County Public Works Division. [CALEA 73.5.9]

EMERGENCY EVACUATION PLAN

- An emergency evacuation route map shall be posted by the nearest exit doorway within the Court Holding facility.
[CALEA 73.5.10]
- If an evacuation of the Court Holding facility is necessary due to an emergency the following actions shall be taken:
 - The nature of the emergency should be identified and confirmed by the Transportation Sergeant or his/her designee.
 - If the emergency requires the evacuation of the Court Holding facility a Transportation Deputy shall call for backup stating the nature of the emergency.
 - Court Security deputies shall assist once the Court House has been evacuated, if necessary.
 - Restraints shall be applied to detainees if time allows or as soon as possible. Detainees shall be secured to each other if they are to be moved outside in the open air.
 - Detainees shall be moved into the sally port area. If a transportation vehicle is present the detainees shall be placed into the vehicle and removed from the building to a location just outside.
 - If necessary the detainees will be transported back to the Detention Center.
 - If a fire prevents the detainees from being moved into the sally port they shall be moved to the alternate exit near the female cell.
 - [CALEA 73.5.10]

MEDICAL AID TO BE RENDERED

Transportation Deputies shall provide first aid to detainees if necessary and those detainees requiring hospitalization shall be transported by EMS.[CALEA 73.5.10]

SECURING WEAPONS

[CALEA 73.5.12]

- All armed Deputy Sheriffs or Law Enforcement officers shall secure any weapons in the lockers provided in the sally port prior to entering the Court Holding facility.
- Transportation deputies shall secure weapons before unloading or loading detainees.
- Only OC spray and Tasers may be carried by deputies inside the Court Holding facility in accordance with Bureau of Corrections Directives.

ENTERING OCCUPIED COURT HOLDING CELLS

[CALEA 73.5.13]

- No Transportation Deputy shall enter an occupied cell alone except when responding to an emergency or unless monitored by another deputy or electronic surveillance devices.
- If it is necessary to enter an occupied cell it is recommended that two deputies do so to ensure that the detainees do not have an opportunity to take keys from a deputy and escape.

KEY CONTROL

- All manual keys shall be obtained by the Transportation Deputy at the beginning of shift from the secure key box. All keys inventoried by the Transportation Sergeant or his/her designee at the beginning, during and end of the shift.
- Duplicate emergency keys shall be readily available and kept in a secure key box in the Court Holding control room.
[CALEA 73.5.14]

DOOR SECURITY

[CALEA 73.5.15]

- All doors to and inside the Court Holding facility, including cell doors and areas not in

use or occupied, shall be secured and locked at all times, except for the movement of detainees or staff.

- The sally-port door shall be closed and secured when no transportation vehicle is entering or leaving Court Holding.
- Doors shall be tested for vulnerability after they are secured.

HOLDING CELL SECURITY

- All Holding cells shall be searched by a Transportation Deputy for weapons and contraband prior to placing detainees in them in the morning, mid-day if not in use, and after detainees have been removed for transportation to the Detention Center.
[CALEA 73.5.16]
- Any conditions observed shall be immediately reported to a Supervisor verbally and in writing.
[CALEA 73.5.16]
- The Court Holding facility shall be inspected weekly for weapons, contraband, and to ensure the integrity of the facility. The inspection shall include at a minimum the bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices to determine operational wear and tampering.
- The weekly security inspections shall be documented in writing with the inspection report submitted to the Chief of the Bureau of Corrections or his/her designee.
[CALEA 73.5.17]

TRANSPORTATION DEPUTY SAFETY

[CALEA 73.5.19]

- Transportation Deputies shall have their assigned portable radios, equipped with a Panic Button, on their persons at all times.

EMERGENCIES

[CALEA 73.2.18]

In the event of any emergency within the court holding facility, Transportation Deputies or the Court Holding Control operator will immediately notify the Sheriff's Office communications center (305) 289-2371 and Main Control within the Key West Jail (305) 293-7311.

The Sheriff's Office Communication's Division will notify the Key West Police Department of the emergency and request response assistance.

Main Control within the Key West Jail will become the designated control point in the event of an emergency.

ESCAPES

[CALEA 73.5.20]

[CFA 30.13]

Deputy Responsibilities

If a deputy suspects or discovers that an escape has occurred, the deputy will:

- Call for backup over the radio and/or push the panic button on his/her radio.
- Immediately notify the Communications Division.
- Initiate a general lockdown of all detainees to prevent any further escapes.
- Conduct a head count to identify any detainee(s) not present or accounted for.
- Cause or conduct a search of the entire area in order to:
 - Confirm that any detainee(s) unaccounted for are not within the courthouse.
 - Locate and secure the means of escape.

- Provide the Communications Division the following information:
- The name(s) of any detainees unaccounted for Means of escape, if known
- Description of the detainee(s) and clothing worn, if known
- Any other information, which may be useful to the apprehension of the escapee(s).
- Complete any reports required by the Bureau of Corrections and provide any report requested by law enforcement.

Transportation Sergeant's or His/Her Designee's Responsibility

- Upon notification of a possible escape from the Court Holding facility or the Courthouse Compound the Transportation Deputy Supervisor shall direct available personnel in the area to:
 - Conduct a search of the exterior perimeter
 - Assist the deputies in securing the area, lockdown detainees, and conduct headcount.
 - Assist with the search of the Court Holding facility and Court House Grounds.
 - Assign any available personnel to tasks as needed, such as, facility security, inmate security, search duties, etc.
- Request additional necessary resources as dictated by the situation from District 1 Patrol, the Criminal Investigations, and the Key West Police Department
- Upon confirmation and identification of the escapee(s), request the Communications Division notify all personnel in the field of a "Confirmed Escape."

- Compile, or have compiled, from the detainee's record(s) the following information on the escapee(s) to be communicated to all law enforcement agencies aiding in the apprehension of the escapee(s):
 - Name of escapee(s)
 - Description of escapee(s), physical and clothing
 - Last known residence(s) of the escapee(s)
 - Whether the escapee(s) is/are dangerous
 - Address of each escapee's family and known friends
 - Information relating to the possible direction of travel
 - Any other information that may assist in the capture of the escapee(s).
 - Make required notifications via the Chain-of-Command.
- Upon the apprehension of the escapee(s):
 - Verify that the escapee(s) has actually been captured.
 - Determine the escapee(s) physical condition and direct that medical treatment be given, if necessary.
 - Provide for more secure housing of the escapee(s).
 - Restore the Court Holding facility to regular operation.
 - Ensure all documentation is compiled and forwarded to the Sheriff, via the Chain-of-Command.

ENDING ALERTS

When an escape situation has been resolved, stabilized or otherwise ended the senior deputy on the scene shall notify the Transportation

Supervisor (if not on scene) and the Communications Division of such.

The Communications Division shall notify all responding and on-scene units, both law enforcement and corrections, of the status of the situation.

The Transportation Supervisor shall make the required notifications via the Chain-of-Command.

THREATS TO THE COURT HOLDING FACILITY

- A documented report will be completed of all incidents that threaten the facility or any person therein and submitted as per existing Bureau of Corrections Directives.
[CALEA 73.5.21]

ELECTRONIC SURVEILLANCE OF HOLDING CELLS

[CFA 30.07 B]
[CALEA 73.5.23]

- Cell surveillance cameras are pre-set to minimize invading the detainee's privacy and shall not be adjusted to view other portions of the cell unless authorized by the Bureau of Corrections Operations Commander.
- Holding cells are equipped with video monitoring equipment and when occupied shall be monitored at all times by the Court Holding facility control room personnel.
- A Transportation Deputy shall monitor cell surveillance monitors to detect when a detainee is signaling a need for assistance.

DETAINEE SUPERVISION

[CALEA 73.5.24]

- Two deputies should be present when dealing with detainees of the opposite sex from the Deputy (for example, a female detainee and a male deputy) or other detainees (for example, male and female detainees), i.e. moving them from cell to cell, to Court Security, or other activities

- A Transportation Deputy shall make rounds to the occupied holding cells every 30 minutes. All rounds shall be recorded in the computer log.
- Female detainees shall be placed into a cell physically and visually separate from male detainees.
- Juvenile detainees shall be placed into a cell physically and visually separate from adult detainees. Gender separation applies to juvenile detainees.
- Juvenile detainee shall be on a 15-minute watch which will be recorded in the computer log
- Department of Juvenile Justice (DJJ) detainees shall be in the care and custody of DJJ staff and escorted through the facility to the appropriate courtroom or floor by DJJ staff.
- Special needs detainees (for example: protective custody, high profile, known enemies that are going to court at the same time) shall be separated from other detainees.
- No detainee shall be handcuffed, shackled or otherwise secured to any immovable object.
- A Transportation Deputy shall monitor the video display screens at all times the Holding Cells are occupied.

DETAINEE SECURITY

- When preparing a detainee(s) to arrive or leave the Court Holding facility, the sally port door shall remain closed and secured until all detainees are secured in holding cells or vehicles.
- The Transportation Deputy receiving a detainee shall check the detainee's name on the court docket with the delivering deputy to make sure all requested detainees have arrived at the courthouse for that day.

- Handcuffs and belly chains shall be removed from the detainee while he/she is waiting to go to court or to be returned to the Detention Center. Shackles will remain on the detainee at all times unless he/she has a medical reason not to wear them. The Transportation Deputy shall verify any such provision with Medical Unit.
- If a detainee is in a wheel chair he/she shall be secured to the chair (handcuff to arm).
- Hand restraints shall be used with all detainees when going to court or back into a vehicle.

DISRUPTIVE DETAINEES

[CALEA 73.5.4]

- If a detainee is disruptive the detainee shall be removed to an isolation cell.
- No other detainees will be placed with them.
- Restraints will be applied to the detainee if needed.
- Belly chain and handcuffs will be used for the safety of staff, the detainee, others, or property.
- If the detainee continues to be disruptive Court Security will be notified to determine if the detainee can be returned to the Detention Center.

FIGHTS

- If there is a fight, the deputy shall request backup to respond to his/her location.
- The deputies shall take control of the situation following the use of force policy outlined in General Orders Chapter 31.
- Restraints shall be applied and the detainees will be removed from the area and placed in isolation cells.
- Court Security shall be notified of the situation, and if the detainee(s) involved have not calmed down, they shall be sent back to the Detention Center.

- A Transportation Deputy shall provide first aid if required and seek emergency medical attention for the detainee, if necessary as dictated by the circumstances.
- The appropriate reports will be written, and forwarded to the Corrections Supervisor for review and approval.

COMPUTER ACTIVITY LOG

- Each Transportation Deputy shall log his/her daily activities by time in the computer log in accordance with the Bureau of Corrections Directives.

TOOL AND CULINARY EQUIPMENT CONTROL

- Eating Utensils
 - Detainees will be provided a sack lunch if it is anticipated that they will be in court holding during the mid-day meal.
 - The sack lunch will not contain any eating utensils.
- Tool/Chemical Control
 - Any tools and all cleaning chemicals that are maintained by the Transportation Staff will be stored outside the facility in a locked container in the sally port.
 - If tools, belonging to either Court Holding or County Public Works, are brought into the facility an inspection of the entire area will be made upon completion of work to ensure no tools have been left behind.