

Greer Police Department

General Order 810.1 Detainee Transport

This order consists of the following numbered sections:

- I. GENERAL DETAINEE TRANSPORTATION PROCEDURES
- II. TRANSPORTING MULTIPLE DETAINEES
- III. SPECIAL TRANSPORT SITUATIONS
- IV. TRANSPORT TO OTHER DETENTION FACILITIES
- V. ESCAPES DURING TRANSPORT

October 1, 2007

2007

I. GENERAL DETAINEE TRANSPORT PROCEDURES

- A. Every detainee transported in a police vehicle shall be searched and handcuffed by the transporting officer prior to being transported, unless specifically exempted under provisions of this procedure.
- B. To reduce the presence of weapons and contraband, every police patrol vehicle shall be searched by the assigned officer:
 - 1. At the beginning of that officer's shift.
 - 2. Prior to and after transporting detainees.
 - 3. At the end of the officer's shift.
- C. At the beginning of each shift, the assigned officer shall examine the police vehicle to ensure that it is in good operating condition and equipped with the proper required safety items such as first aid kit, bloodborne pathogen kit, spare tire and jack.
- D. Detainee(s) transported by police officers shall be secured in handcuffs that are checked for fit and double locked with their hands behind their back. Every detainee shall be, unless extenuating circumstances exist, secured with seat belts.
- E. Exemptions to handcuffing behind the back may be made in limited circumstances at the discretion of the transporting officer, keeping in mind the safety of the officer and others. These persons should, when possible, handcuffed in the front. Examples are:
 - 1. Persons with obvious or stated disabilities incapable of placing their hands behind the back.
 - 2. Elderly or ill persons arrested for minor offenses.
- F. Additional transporting considerations:
 - 1. Detainees may be restrained with a restraining belt, leg shackles and/or hobble restraint, when deemed appropriate.
 - 2. All property of the detainee and identifying arrest/booking information shall be transported with same.
 - 3. No person shall be handcuffed to any stationary object or to any part of the transporting vehicle except in emergency situations where no alternative exists. If such a situation arises, proper documentation of the incident shall be required.
- G. If a detainee becomes disorderly during transport:
 - 1. The transporting officer should continue to his destination if the detainee does not pose a threat to the safe operation of the vehicle. The Communications Section should be informed that there is a disorderly subject in the vehicle, and assistance

will be required when the subject is removed from the vehicle. The detainee must be kept in the vehicle until help arrives.

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2. If the detainee poses a threat to safe operation of the vehicle, the officer should pull to the side of the road, notify the Communications Section of his/her location and the nature of the problem, exit the vehicle and wait for help to arrive.
- H. A detainee shall not be allowed to communicate with others while being transported.
- I. Whenever there is an indication that a detainee may be a potential hazard to the safety and security of others or themselves, while undergoing transportation, confinement, or trial, this fact shall be brought to the attention of the transporting officer, judge or clerk of court and holding facility.
1. Specific reasons (escape risk, suicidal, mentally disturbed, medical issues) shall be detailed.
 2. The intake officer at the holding/detention facility or the judge of the court shall be notified so that additional personnel, precautions or restraining devices may be used if necessary.
- J. Prior to being transported to or from a detention facility, the transporting officer will ensure that a positive identification of the detainee has been made and that all required paperwork has been completed and accompanies the detainee.
1. Identification verification may be accomplished by comparing the detainee's physical appearance with jail records, comparing fingerprints, comparing signatures, interviewing the detainee, or any other method which will assure the officer of the correct identity of the detainee.
 2. Commitment papers or the general sessions warrant, and when required, tickets, and all personal property shall be transported with the detainee. Pre-detention forms for County Detention Facilities will be completed here or at the Facility. For interstate transports, a properly executed governor's warrant, extradition warrant or waiver shall be obtained in advance and transported with the detainee.
- K. Incidents During Transport
- The primary duty of the transporting officer is the safe delivery of the detainee. Diversionary incidents, whether or not instigated by the detainee or others, may enhance the chances for an escape or potential danger to the safety of the detainee being transported.
1. An officer transporting a detainee shall stop to render assistance only when there is a clear, immediate and grave risk of physical harm to a third party, and no other police unit is readily available to render the assistance.
 2. Prior to assisting, the dispatcher will be notified of the identity of the unit, the fact that the officer is transporting a detainee, and the location and nature of the incident.
 3. The officer shall only remain until the arrival of emergency assistance.

4. Officers who are transporting detainees shall not become involved in a pursuit, road block or other situation which might potentially cause harm to the detainee.

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- L. Transporting officers will be able to visually observe detainees in their custody at all times. If a detainee is not viewed while using toilet facilities, they will be searched immediately after leaving the rest room. On trips of extended length, whenever possible, a female officer should accompany female detainees, and a male officer should accompany male detainees.
- M. Vehicles used primarily for transporting detainees will have a safety barrier present that separates the driver from the detainee and will be modified to minimize opportunities for the detainee to exit from the rear compartment without the aid of the transporting officer. This will be accomplished by making the windows inoperative from the rear seat and disconnecting the door handles from the inside compartment.

II. TRANSPORTING MULTIPLE DETAINEES

- A. A single officer transporting a single detainee in a screened vehicle will transport the detainee in the rear seat, passenger side, handcuffed and, unless extenuating circumstances exist, with the seat belt fastened. As a general rule, one officer should transport one detainee unless extenuating circumstances exist. A single officer should not transport a detainee in an unscreened vehicle, unless approved by a supervisor or under emergency circumstances. When transporting a detainee in an unscreened vehicle, the detainee will be handcuffed behind the back, seat belted and sit on the rear passenger side.
- B. Two officers transporting a single detainee, or two or three detainees, in a screened vehicle may transport with both officers in the front seat and the detainee(s) secured in the rear seat, handcuffed, with the seat belt(s) fastened.
- C. Two officers transporting a single detainee in an unscreened vehicle shall place the detainee in the rear seat, handcuffed and with the seat belt fastened. The second officer will ride in the rear seat with weapon on the opposite side from the detainee.
- D. In any situation with a number of persons to be transported such as picking up detainees at the Detention Center for transport to City Court, the Transport Van will be utilized.

III. SPECIAL TRANSPORT SITUATIONS

- A. When a meal is required during the transport of a detainee (when transportation is to or from a long distance which takes several hours), the eating place will be selected at random so that predicted patterns of behavior by transporting officers may be avoided.
- B. When a detainee is transported to a local hospital for any reason, the following shall apply:
 1. Extreme caution will be taken to ensure the detainee is isolated from any other patients and is not left unattended or permitted to escape the immediate control of the transporting officer.
 2. The transporting officer will not leave the medical facility until relieved by another officer or instructed to do otherwise by a supervisor. Should a detainee need to be admitted to the hospital, the transporting officer must notify the on-duty supervisor of the circumstances. The on-duty supervisor shall make a decision on whether

or not the detainee must be guarded.

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3. The transporting officer will remove the restraints only when it is deemed necessary, and is requested to do so by the medical staff.
- C. When transporting a juvenile detainee or a detainee of the opposite sex, the officer will notify the dispatcher (specifying w/f, juv w/f, b/f, etc) advising the current mileage and destination. Upon arrival, the officer will go out of service and again announce the exact location and mileage. These items will be recorded on the audio tape logging system for future reference if needed.
- D. Physically and mentally handicapped detainees present conditions for their transportation that dictate special care and attention. For example, the type of vehicle used would be a consideration when transporting non-ambulatory detainees or those requiring wheelchairs, crutches or prosthetic appliances.
1. Detainees in wheelchairs or who require walking aids should not normally require the use of restraining devices. The on-duty supervisor will be summoned whenever the officer is in doubt about the use of restraining devices in situations involving the physically or mentally handicapped. The safety of the detainee and the transporting officer requires care when transporting handicapped detainees. The degree of physical restraint to handicapped detainees will be applied within reason, upon approval of a supervisor, dependent upon such factors as the seriousness of the handicap, mobility of the detainee, and the circumstances of the arrest.
 2. Restraining devices such as handcuffs, leather restraints or hobble restraint may be used if the detainee's actions indicate a risk of physical harm to the detainee or others.
 3. Restraining devices should not be used if the officer determines their use would cause injury to the detainee.
 4. Detainees confined to wheelchairs may be transported in the Transport van.
- E. Any detainees who are sick or injured shall be examined by EMS personnel and offered treatment for their injury or illness prior to being transported to any jail or detention facility.
1. If the detainee refuses treatment, a copy of the refusal form from the hospital or EMS will be presented to the jailer upon admission to the detention facility.
 2. If the detainee was injured incidental to arrest, a Use of Control Techniques report will be completed and forwarded to the supervisor for investigation.
 3. If necessary, EMS may be called to provide an ambulance for transportation to a medical facility. If the subject is under arrest or still in custody, a Greer police officer will accompany the EMT and the detainee will remain under guard by the officer.
 4. While being transported, a sick or injured detainee shall be restrained or handcuffed unless the handcuffs would compound the injuries. Sufficient

personnel will be aboard the ambulance to assist in transporting an unrestrained detainee.

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5. Any equipment such as wheelchairs, prosthetic devices or crutches may be placed in the ambulance or transported by cruiser at the officer's direction. Any medicine, insulin or other special needed by the detainee should be transported in the ambulance with the detainee.

F. Special Transport Situations

As a non-holding facility, we may seldom, if ever, be called upon to transport detainees to funerals, hospital visits or reading of a will. If, however, we are called upon to do this, there are considerations to be made:

1. Special details of this nature will only be performed by an order of the court.
2. The detainee will remain handcuffed at all times unless the court order directs otherwise. If the handcuffs are to be removed, it will be done with all necessary precautions taken by the officers and only for the prescribed period of time as stated in the court order.
3. These details will always be performed by two or more officers. Upon approval of a supervisor, leg restraints may be used, if appropriate.

G. Mentally disturbed detainees may pose a significant threat to themselves and/or the transporting officers. Therefore, mentally disturbed detainees are to be restrained securely without causing injury.

1. If the detainee is violent, an EMS ambulance may be called for transport. In the absence of an available ambulance, the supervisor may authorize additional officer to assist in the transport in a police vehicle.
2. When it appears that a detainee's violent or bizarre behavior may constitute a risk of harm to himself or others, the detainee may be transported on a stretcher in the ambulance, with handcuffs and/or body restraints applied. This method of transportation should only be utilized after other methods have been eliminated as infeasible.

IV. TRANSPORTATION TO OTHER DETENTION FACILITIES

The transporting officer will be aware of and follow the procedures at the different state and county institutions, forensic hospitals and mental units. The following procedure will apply to all detention facilities:

- A. The transporting officer will at no time enter a secure area or receiving area with his/her firearm. If the institution does not have the facilities for securing firearms, they are to be locked in the trunk of the vehicle.
- B. The restraints will only be removed on the instructions of the receiving officer.
- C. The transporting officer will be responsible for making sure all the necessary paperwork is properly exchanged with regard to the transfer and obtain a signature of the receiving

officer.

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V. ESCAPES IN TRANSPORT

Following the escape of a detainee during transport, the transporting officer must take action which includes the following:

- A. Persons to be notified:
 - 1. Communications, with a location and description of the escapee.
 - 2. Supervisor
 - 3. All surrounding jurisdictions.
 - 4. Police jurisdictions of the escapee's residence and jurisdictions of known associates.

- B. Reports to be prepared:
 - 1. Offense report (escape from custody) including the circumstances of the escape and listing any and all equipment lost (the restraints, etc.).
 - 2. Supervisory memorandum detailing his investigation of the circumstances surrounding the escape to be forwarded via the chain of command to the Chief of Police.

- C. Other actions to be taken:
 - 1. A teletype will be sent, with additional messages directed to any agencies with the likelihood of coming into contact with the escapee.
 - 2. Sign additional charges and ensure additional wants and warrants are entered into the computer.

- D. Should an escape occur outside the jurisdiction of the Greer Police Department, the transporting officer will:
 - 1. Notify local authorities of:
 - a. His/her identity.
 - b. Current status.
 - c. Location.
 - d. Description of escapee.
 - e. Direction of flight.
 - f. Description of vehicle, if any.

g. Charges against escapee.

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2. Have the local authorities notify the on-duty Greer supervisor of the situation.
3. Prepare reports in section B on previous page.

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This order consists of the following numbered sections:

- I. AUTHORITY AND RESPONSIBILITY
- II. DETENTION FACILITY
- III. SECURITY AND MAINTENANCE
- IV. FIRE PREVENTION/EVACUATION
- V. TRAINING
- VI. DETAINEE RIGHTS
- VII. UNUSUAL INCIDENTS

October 1, 2007

I. AUTHORITY AND RESPONSIBILITY

- A. The Detention Section of the Operational Support Division (OSD) is responsible for the booking, processing and short-term detention of adult male detainees arrested by Greer Police Officers or ordered detained by the Greer Municipal Court. Detention Officers, or police officers serving as Detention Officers, are under the command of the OSD Commander and Sergeant, who shall be responsible for all activities of the Detention Section. In the absence of the OSD Commander and Sergeant, the Detention Section functions will be supervised by the on-duty Patrol Supervisor.
- B. The Greer Police Department Detention Facility is a Type I facility as defined by the South Carolina Department of Corrections. Under that definition, detention in the facility will not exceed forty-eight (48) hours. The facility is routinely inspected by SCDC and has been deemed to be in compliance with SCDC standards pertaining to the adequacy of lighting, fresh air circulation, beds and bedding and access to toilets, drinking water and showers.

II. DETENTION FACILITY

- A. The Greer Detention facility is equipped with twelve cells which are designed for and restricted to single occupancy. In the event of mass arrests, supervisory personnel will follow the mass arrest/processing procedures found in the Department's Civil Disturbance and Natural/Manmade Disaster Plan. Single arrests which are made during periods when the facility is full will be booked, processed and transported to the appropriate County facility within six hours of the arrest.
- B. The holding cell located in the detainee-processing area may be utilized for the short-term detention of no more than five detainees. As a rule, detainees should not be held in the holding cell for longer than six hours.
- C. All external Detention facility doors will be locked as soon as a detainee is escorted into the facility and whenever a detainee is in the processing area. When all detainees are secured in either the cell block or the holding cell, the Front Desk door may be unlocked. The back door to the Detention Facility will remain closed and locked at all times.
- D. The detainee will be thoroughly searched in the presence of the transporting officer and all personal property inventoried and listed on the Booking Sheet. The detainee will sign the Booking Sheet acknowledging the correctness of the inventory. All non-clothing items including belts, suspenders, shoe laces, tobacco products, matches and lighters will be removed from the detainee and placed in an envelope labeled with the detainee's name, assigned identification number and cell number.
- E. All money removed from the detainee, regardless of amount, will be counted by the Detention Officer in the presence of the transporting officer who will both verify the amount by initialing the booking sheet next to the appropriate box. The money will be listed by denomination and total amount on the booking sheet. The Detention Officer will place the money in a plastic bag separate from other property, heat seal it and initial across the seal.

When the amount of money is \$300 or more, the Detention Officer will contact the on duty Supervisor who will physically count the money separately from the Detention Officer's count and both will initial across the heat seal. If the plastic bag should be opened for any reason, i.e. for the release of a portion of the money to a third party, it should then be re-sealed with the Detention Officer's and in the case of \$300 or more, the on duty Supervisor's initials

placed along the new seal.

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- F. All personal property removed from a detainee, including money in a sealed bag, will be secured in a locked locker. The number of the locker will correspond with the detainee's cell number. Upon release, the detainee's property will be compared to the inventory taken at the time of booking. The detainee will sign the Booking Sheet acknowledging receipt of all property. All property released to a third party must have the written authorization to release by the prisoner. This written authorization can be in the form of a brief notation on the booking sheet stating the intent to release the property followed by the prisoner's signature. At no time will anyone other than the Detention Officer, Police Officers relieving the Detention Officer or the on duty Supervisor take part in the transfer of inmate property to a third party.
- G. Strip searches will only be conducted if authorized by a Supervisor and only when a reasonable belief exists that the detainee is concealing a weapon or contraband. Strip searches will always be conducted by two officers of the same sex as the detainee and will be conducted in a private area of Detention Facility with the detainee out of the view of the cameras. However, whenever possible, the officers **should** remain in view of the cameras. The authorizing Supervisor will document the search and the circumstances requiring it on a Strip Search Report form which is forwarded to the OSD Commander. Body cavity searches require a search warrant and will only be conducted by authorized medical personnel at the Emergency Room. To avoid destruction of the suspected item, the detainee must be under constant observation until the search. A same sex officer may stand by while the body cavity search is being conducted. Body cavity searches will be documented in the Incident Report.
- H. A Booking report and Medical Screening form will be completed prior to the detainee being placed in the Cell Block detailing arrest information and relevant medical information including current health, medications taken, behavior including state of consciousness and mental state, markings, bruises, the reported presence of tuberculosis, hepatitis, ~~venereal~~ or other communicable disease. Those detainees reporting that they have active tuberculosis will not be brought into the Facility. They must be transported directly to the appropriate County facility, bonded by a Municipal judge while in the vehicle or sally port area, or released on their own recognizance. Detainees with non air borne communicable diseases may be booked in the Facility and transported to the appropriate County Facility. A detainee with a known non air borne communicable disease should be isolated in the booking cell until the booking and arraigning process is complete and should not be placed in the cell blocks. The transporting officer must advise the County facility of the communicable disease upon arrival.

All records pertaining to the detainee which are not matters of public record will be safeguarded by detention personnel to avoid unauthorized release of information. At the beginning of each month, the preceding month's records will be archived in the Records Room which will remain locked and has limited access. The current month's records will be maintained in the Booking Area of the Detention Facility which is monitored by the Detention Officer and is under video surveillance.

- I. Any detainee who is injured to the extent that treatment is required, who appears acutely ill, or who is in a stupor or coma, even though the apparent cause is intoxication, shall be transported to Greer Memorial Hospital and examined by a physician prior to admission to rule out the possibility of brain injury or organic disease as a cause of the apparent disability. No contact with anyone except hospital personnel involved in treatment is permitted during the detainee's stay in the hospital. The Shift Sergeant may permit the detainee to have contact with his/her attorney after all circumstances, such as, officer safety and length of time the detainee will be kept in the hospital have been considered.

The police officer must remain with the detainee during any attorney visits. Once admitted with medical authorization, they will be kept under constant observation by the

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Detention Officer until such time as they have completely recovered from the stupor or coma. If a detainee's condition deteriorates or recovery is not complete within eight hours, the detainee will be transported back to the hospital for further examination and treatment. Detainees who are disabled and require special accommodations will not be housed in our Facility and will be transported to the appropriate County facility as soon as possible.

- J. Once detainees have been booked and photographed, they will be dressed in a jail uniform, all other clothing, with the exception of socks and underpants, must be taken from the detainee and stored with their other property. The Detainee will then be placed in an assigned cell. Detainees will not be handcuffed or secured in any way to fixed, immovable objects. Detention officers will conduct a search of each cell for weapons and contraband immediately before it is occupied and as soon as it is vacated.
- K. Females and juveniles will not be detained in the Cell Block of the Greer Detention facility. They will be booked and processed and then transported to an appropriate facility or released according to procedure.
 - 1. In no case will a female or juvenile be detained beyond six hours.
 - 2. During the time they are in processing, they will be separated by sight and sound from the adult male population and held in the Holding Cell. All male adult detainees will be removed from the Booking Area/Holding Cell and placed in the Cell Block prior to a juvenile entering the Booking Area. The door to the Cell Block will be shut anytime a juvenile is in the facility.
 - 3. Offenders will not be placed in holding cells with members of the opposite sex and juveniles will not be placed in a holding cell with adults.
 - 4. Status offenders shall not be held in a secure area at any time. They are to be held in the Roll Call Room and guarded by a police officer until such time as they are released or transported.
 - 5. Juvenile offender's booking records shall be kept separate from adult records.
- L. Detention Officers will use the audio/video system to monitor detainee welfare and conduct and to communicate with detainees without entering the cell area.
- M. Detention Officers will visually check the welfare and security of detainees every 30 minutes and document the inspection on the appropriate log.
- N. Detainees who become ill or injured while in detention will be examined by Greer Fire Department first responders or EMS personnel. If circumstances warrant, EMS will be requested to transport the detainee, accompanied by a police officer, to Greer Memorial emergency room for examination and treatment. The escorting officer will remain with

the detainee at all times while out of the Detention Facility for treatment. No contact with anyone except hospital personnel involved in treatment is permitted during the detainee's stay in the hospital. The Shift Sergeant may permit the detainee to have contact with his/her attorney after all circumstances, such as, officer safety and length of time the detainee will be kept in the hospital have been considered. The police officer must remain with the detainee during any attorney visits. In the event medical procedures

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require the detainee to be out of the officer's sight, the officer shall remain as close as possible to the area occupied by the detainee and will request that attending medical personnel keep the officer informed of the status and location of the detainee. The Patrol supervisor should be notified if this eventuality occurs. A first aid kit is available in the facility. It will be subject to a documented weekly inspection and replenished as necessary. The facts and circumstances pertaining to the illness or injury will be noted on the detainee's medical form. Additionally, next of kin will be notified in cases involving serious illness, injury, death or attempted suicide.

- O. Detainees who have prescription medication will be provided the prescribed dosage if the medication is in a properly labeled prescription container and the contents have been identified by hospital or pharmacy personnel. Detention Officers will note what medication was provided and when on the detainee medication form. No medication, prescription or non-prescription, will be retained by the detainee during the period of confinement.
- P. Access to the detention facility is limited to detention personnel, employees acting as detention officers, on-duty police officers, command and supervisory personnel, emergency medical technicians, fire department first responders, maintenance personnel under escort and on official business, and the Ministerial Recorder.
- Q. Detainees receive 24 hour supervision and are counted face to face once per shift.
- R. A positive photographic identification will be made prior to releasing any detainee.

III. SECURITY AND MAINTENANCE

- A. Firearms are prohibited in the Detention Facility at all times when detainees are present in the facility. Transporting officers will secure their weapon in the trunk of the police vehicle prior to removing the detainee from the vehicle. Officers inside the Police Department will lock their firearms in the gun lockers at the Front Desk prior to entering the Detention Facility. Pepper spray, Tasers and ASP batons may be carried within the facility for defensive purposes. In the event of a disturbance within the facility, the decision to enter with firearms rests with the OSD Commander, Captain or Chief of Police and will be made after careful consideration of the circumstances then existing within the facility.
- B. The Interview Room is to be considered part of the Detention Facility; however, it is not to be used as a holding area for any detainee. At no time is a detainee, suspect or witness to be left alone in the Interview Room, a Detention or Police officer must stay in the room with them. No detainee, suspect or witness will be placed in the Interview Room until they have been thoroughly searched. Items brought into the Detention Facility by a witness or suspect not under arrest will be thoroughly searched. No contraband or weapons will be permitted in the Detention Facility. Firearms are not permitted in the Interview Room and must be secured either in the trunk of the Officer's vehicle or in the Firearm Lockboxes at the Front Desk.

Interview
time ready

Witnesses and suspects not under arrest will be immediately searched and placed in the Interview Room, they are not to be left in the Processing Area, and will not be allowed to enter the Detention Facility until such time as the person conducting the interview is to begin the interview. Only one suspect, witness or detainee is permitted in the Room at one time. No more than two officers will be in the interview room at one unless unusual circumstances require more. Officers will wear a portable radio on their

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person at all times while in the Interview Room to enable them to summons emergency assistance and/or report distress.

will view
shut the door of
Victim/Witness should be placed in
No interaction between suspects, witnesses and detainees will occur within the Detention Facility at any time. Witnesses/Victims asked to identify suspects or detainees them through the two way mirror. It is necessary to turn off the light and the Viewing Room to utilize the two way mirror. The the Viewing Room prior to the suspect/detainee being placed in the Interview Room. No victim or witness may be left in the Viewing Room alone. Persons being interviewed will be permitted access to restroom, water and comfort breaks as requested.

- C. Detention Officers will wear a portable radio on their person at all times while on duty to enable them to summons emergency assistance and/or report distress.
- D. Detainees will not be permitted to have visitors during their period of detention. They will, however, be permitted to consult with attorneys in the Court's Interview Room.
- E. Detention Officers will inspect the facility at the beginning of each tour of duty. Such inspection shall address security concerns, cleanliness and evidence of vermin or pest infestation. Deficiencies will be documented on the appropriate inspection report and the OSD Commander will be immediately notified so that corrective action can promptly be taken. The OSD Commander will maintain all inspection reports on file. The facility will be treated by a pest control specialist on a regular basis.
- F. All storage areas and vacant cells will be kept locked when not in use.
- G. Detainees who are known to be an escape risk, suicidal or prone to violence against authorities will not be detained at the Greer Police Department but, rather, transported immediately after processing to the appropriate County facility.
- H. Except in extreme emergencies, Detention Officers shall not enter an occupied cell unless accompanied by a second officer.
- I. No food, packages or mail will be received by detainees during their confinement in the facility. Attempts to deliver such material will be refused. Detention officers and police officers serving temporarily as detention officers are prohibited from accepting from, or presenting to, a detainee, the detainee's family, or any other person, loans, favors, or gratuities on behalf of the detainee.
- J. All detainees will receive three hot meals during each 24 hour period of confinement. The on-duty Detention Officer shall ensure that all eating utensils are collected and accounted for

after each meal.

- K. Emergency keys which will fit both interior doors to the facility are located on the board at the Front Desk and attached to the Front Desk Detention Facility door. Swipe Card access is on exterior doors and the Sally Port.
- L. Outside maintenance personnel will be escorted at all times while in the facility and the escorting officer will ensure that all tools and equipment brought into the facility by maintenance personnel are removed when those personnel depart.

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- M. The OSD Commander will personally conduct a documented weekly security inspection searching for weapons and contraband. A record of such inspections will be maintained on file in the OSD Commander's office.
- N. The OSD Commander will ensure that an incident report is completed and an investigation conducted on all incidents which threaten the facility or any person- employee or detainee- therein.
- O. No detainee will be supervised by another detainee.
- P. Video monitoring cameras will be positioned in such a manner that they do not invade the personal privacy of detainees. They will monitor the area outside the cells only, with the exception of the Holding Cell, the Interview Room, and the Data Master room, and will not monitor the shower area. Showers will be monitored by a detention officer or police officer of the same sex as the detainee. If a female detention officer is on duty, a male police officer from the patrol shift will supervise showers. The officer will remain in the detention area during detainee showers.
- Q. Detainees leaving the confines of the detention facility even temporarily, for any reason, shall be searched prior to leaving and/or before re-entering the facility.
- R. Once detainees have been admitted to the facility, restraints such as handcuffs, chains and straightjackets shall not be used except:
 - 1. As a precaution against escape during transport;
 - 2. On medical grounds by direction of a physician;
 - 3. By order of the OSD Commander to prevent a detainee from injuring himself or others.
- S. No detainee, either under arrest or turning themselves in on a warrant, will be permitted in the Detention Facility lobby without being handcuffed and searched prior to entry. No detainee, either under arrest or turning themselves in on a warrant, will be left unattended in the Detention Facility lobby
- T. Cleanliness of the facility is the primary responsibility of the City's custodial personnel who clean the area daily. On weekends, holidays and those days when the custodial staff is not on duty, responsibility for the cleaning of the Facility rests with the on-duty Detention Weekly sanitation inspections by the OSD Commander or Sergeant will be completed

and documented on the monthly report. Treatments by a pest control professional are done on a routine basis and as needed if a pest problem is detected.

IV. FIRE PREVENTION/EVACUATION

- A. Matches and lighters will be removed from detainees upon their arrival at the facility.
- B. The building is protected by a fire alarm with a control box located at the front desk. The alarm is visually inspected by the OSD Commander weekly and tested once a month. The system is inspected by a fire system professional annually. A monthly fire alarm drill review will be conducted by every Detention Officer and documented on the monthly report.

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- C. Commercial grade fire extinguishers are wall mounted in the Data Master room, at the Front Desk and at the entrance to the Cell Block. They are visually inspected on a weekly basis by the OSD Commander and tested annually by an authorized technician. The City Fire Marshall will inspect the fire prevention equipment as established by local fire codes.
- D. A written evacuation plan is posted in the facility as well as signs identifying emergency exits.
- E. If the need exists to evacuate the holding area, the Detention Officer will first alert the dispatcher of the emergency and request code three assistance from Patrol personnel. The detainees will be handcuffed and promptly removed through the rear exit door and into the Sally Port. It shall be the responsibility of the Patrol Division Squad Supervisor to ensure that there are an adequate number of officers to properly control the detainees while they are out of the facility.

V. TRAINING

All Detention Officers are trained and certified by the South Carolina Criminal Justice Academy and receive regular mandated in-service training to maintain their certification. Only those police employees who have successfully completed the mandated pre-service training course shall be used as relief officers. Such training shall include fire suppression techniques, use of the Scott Air-Pack, and A.E.D. All such training will be documented in the Departmental training records.

VI. DETAINEE RIGHTS

- A. Detainees have the right to a timely court appearance. The Municipal Ministerial Recorder will conduct bond hearings daily, including weekends and holidays. Detainees will be taken before the Ministerial Recorder at the first opportunity to do so. No cash will be accepted or received by the Detention Officer. It will be the responsibility of the Ministerial Recorder to maintain and deposit all monies received for bond. Individuals appearing at the Detention Facility to post bond during non-working hours will be notified of the time of the next Ministerial Recorder appearance and directed to return at that time.
- B. Detainees shall have reasonable use of the Booking Area phone to arrange for bail and to consult with an attorney. Bail bondsmen are posted in the Detention Facility and attorney phone numbers are in the phone book. The detainee may call a private citizen to arrange bail, but as their cell phone is considered contraband within the Detention Facility, their cell phone cannot be used to look up numbers, text or call anyone. The detainee's cell phone will remain secured with the detainee's belongings. As the Detention phone is in an open area, a notice will be displayed at the telephone informing detainees that telephone calls are subject to be monitored by Detention personnel.

- C. Detainees have the right to confidential access to an attorney. In the event an attorney appears at the Detention Facility to confer with a client housed there, the detainee will promptly be informed of such arrival. If the detainee wishes to talk to the attorney, he will be allowed to do so through the glass partitioned holding area. The attorney will not be allowed physical interaction with the detainee and will not be permitted into the Detention Facility. The conversation between the detainee and attorney, in the Detention Facility, is a privileged communication and will not be monitored by any Greer Police employee.
- D. Detainees housed in excess of twenty-four hours have the right to a shower.

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- E. Detainees have the right to file a grievance with the OSD Commander pertaining to treatment received from Detention Officers. Such grievance shall be in writing and shall be immediately delivered to the OSD Commander with a copy going to the Captain and Chief of Police. The OSD Commander will investigate and formulate a written decision within 24 hours of receipt. After review by the Captain or Chief of Police the written decision will be provided to the detainee
- F. Detainees have the right to avoid any unsolicited counseling. Inasmuch as Greer Police employees are not trained counselors, they are prohibited from engaging in conversations with detainees wherein any kind of counseling, legal, religious or otherwise, is offered. Detention Officers will not discuss the merits of the charge against the detainee or any material fact stemming from the events or investigation leading to the charge.

VII. UNUSUAL INCIDENTS

The Operational Support Commander shall be notified immediately of all unusual incidents which involve or endanger the lives or physical welfare of detention officers or detainees. They will also be recorded in the daily log and retained. Unusual incidents shall include:

- A. Deaths occurring in the facility will be reporting immediately to the Greenville County Coroner and to the Jail and Prison Inspection Division of SCDC. A written report will be forwarded to SCDC on a form provided by them within 72 hours. SLED will also be contacted to investigate any such occurrence.
- B. Attempt suicides will be investigated by CID, made a part of the detainee's record and reported to SCDC by telephone to the Jail and Prison Inspection Division of SCDC on the day it occurs and in written form within five days.
- C. In the event an escape from the Detention facility occurs, the Detention Officer on duty will immediately notify the Communications Section. The dispatcher will immediately send appropriate units, including the Patrol Squad Supervisor, to the vicinity of the facility where the supervisor will organize and begin search operations. The Command Staff, including the Chief of Police will also be immediately notified. As soon as practical, the Detention Officer, accompanied by additional officers, will inspect the facility, including cells, to evaluate the extent to which security has been compromised. If necessary, remaining detainees will be transported to the appropriate County facility. Officers involved in the search will continue the search until relieved by higher authority. The CID Commander will respond and initiate a

criminal investigation of the escape. Detainees who escape and are re-captured or detainees involved in unsuccessful escape attempts will be transferred to the appropriate County facility after being charged and booked as deemed appropriate by the CID Commander. The incident will be reported by telephone on the day it occurs to the Jail and Prison Inspection Division of SCDC and in written form within five days. These reporting requirements also apply to attempted escapes.

- D. Any fire which causes property damage in excess of \$50.00 or which causes evacuation of a cell or any portion of the facility or medical attention for a staff member or detainee will be fully investigated by CID and reported by telephone on the day it occurs to the Jail and Prison Inspection Division of SCDC. A written report will be forwarded to SCDC within five days.
- E. Riot or disturbance, battery on a staff member, battery on a detainee requiring medical attention and reported sexual assaults will be immediately investigated by CID and reported to SCDC as in paragraphs B, C, and D above.

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- F. Serious infectious disease within the facility for which the medical protocol indicates or requires special procedures will also be reported to SCDC as in B, C, D, and E above.
- G. In the event a hostage is taken within the facility, the Patrol Division will cordon off the building, secure all exits and request the assistance of the Greenville County SWAT team.
- H. The Chief of Police and the Command staff, will be immediately notified as will the Department's or Greenville County Sheriff's Office's hostage negotiators.
- I. In the event of a natural disaster which damages or threatens the facility, detainees will be removed as expeditiously as possible and transported to the appropriate County facility.
- J. In the event of a power failure, the Detention officer will be positioned inside the facility with supplemental and auxiliary lighting. The detainees will remain under direct control of the Detention Officer until power is restored. The generator will be tested weekly and the tests documented on the Monthly Report.
- K. The Detention Officer will request the Detention Supervisor to make a disc recording of the video tape when any unusual occurrence listed above, as well as other incidents, such as hostile or threatening behavior by a detainee; a detainee reporting an illness or injury; use of any control technique; the booking of a detainee that would garner the interest of the media; whenever a detainee threatens civil action against the Department; and any other type of incident the Detention Officer feels needs video documentation occurs. This request will be in writing and will include the detainee's name, the time and date of the occurrence and reason the video tape should be copied. The request must be given to the Supervisor, or if he is not on duty, placed in the Detention Supervisor's mailbox prior to the end of the Detention Officer's shift.

Greer Police Department

General Order 830.1 Court Security

This order consists of the following numbered sections:

- I. ADMINISTRATION
- II. BAILIFF DUTIES
- III. FACILITIES AND EQUIPMENT

October 1, 2007

I. ADMINISTRATION

A. Legal Authority

The Code of Laws of the City of Greer vests responsibility with the Police Department for providing bailiff duties in the Greer City Court. Court security functions operate in collaboration with court personnel.

B. Management Responsibility

The responsibility for managing the bailiff function is delegated to the Operational Support Division Commander. That responsibility includes coordinating prisoner transportation, providing courtroom security and monitoring courtroom conduct.

C. The Operational Support Division Commander will coordinate scheduling, planning and problem-solving activities with the City Judge and Ministerial Recorder.

II. BAILIFF DUTIES

A. Non-Jury Trials

The presence of a bailiff in a courtroom setting is necessary and desirable to ensure that victims, witnesses, court staff, police officers, prisoners/defendants and spectators are secure and that the business of the court is conducted in a dignified manner without disruption. In furtherance of those responsibilities, officers serving as bailiff will conduct themselves as follows:

1. Prisoners

- a. Prisoners will be transported to and from court in accordance with established procedure. All prisoners will be searched prior to entering the courtroom.
- b. Prisoners will be seated in the Prisoner Box away in order to prevent the passing of weapons or other contraband to a prisoner, close contact between the prisoner and others in the courtroom is strictly prohibited.
- c. Any person attempting or desiring to give items of any kind, including clothing and money, will be directed to the facility where the prisoner is confined. No such items will be accepted on behalf of a prisoner.
- d. Unless ordered by the Judge, all prisoners will remain handcuffed while in the Courtroom.
- e. Prisoners will be kept under the direct control and observation of the bailiff at all times while in the courtroom. Prisoners will not be shackled to any fixed object or left unattended at any time.

hostile

2. Courtroom Security and Conduct

- a. The bailiff will be positioned at the end of the jury box nearest to the bench. This affords the ability intercept a defendant or spectator who makes a move toward the judge.
- b. The bailiff will maintain order in the courtroom. Individuals disrupting the order in the business will be removed and appropriate enforcement action will be taken.

B. Jury Trials

The rules enumerated for non-jury trials also apply to jury trials, with the following exceptions:

1. Prisoners brought to court from County Detention Facilities will be dressed according to the Facility's policies. Unless considered a flight risk or a danger to the officer or others, prisoners requesting civilian clothing will be permitted to change at the Detention Facility prior to entering the courtroom. Clothing can be brought to the Detention Facility by the prisoner's attorney or relatives. The clothing must be thoroughly searched prior to the prisoner receiving them. **An officer of the same sex as the prisoner must remain with the prisoner while they change clothing.** Upon completion of the trial, the prisoner will be dressed out in the clothing they were transported in. The civilian clothing will be searched again prior to returning them. The prisoner will be searched again prior to transport.
2. They will be searched prior to being brought into the courtroom and out of sight of the jury panel.
3. Unless ordered by the Judge, handcuffs will not be removed except during the changing of clothing.
4. They will be seated at the counsel table during the course of their trial.
5. The bailiff will share responsibility with the presiding judge for isolating the jury from spectators, defendants and witnesses.

III. FACILITIES AND EQUIPMENT

A. Courtroom

1. In-custody clients will be searched by the bailiff at the end of the attorney conference and prior to re-entering the courtroom.
2. All exits are marked in accordance with requirements of the Greer Fire Marshall.

B. Equipment

1. The main doors to the Court Room will be staffed by police personnel who will operate the metal detector walk through and wands.
2. Video cameras will record all court proceedings.
3. Bailiffs will be properly equipped in full uniform, including handcuffs, leg irons, belly chains, service weapon and pepper spray. Bailiff's will wear a portable radio at all times while in the courtroom to provide a means of emergency external communication.
4. A duress alarm button is located under the judge's bench which can be utilized by the judge to summons help in the event of an emergency within the courtroom.

NOTE: Nothing in this order prevents the bailiff or transporting officer from using any necessary restraints at any time, including during jury trials, for violent or high risk prisoners. In such cases, the presiding Judge will be notified in advance of the circumstances requiring additional use of restraints such as belly chains and leg irons.

Greer Police Department

General Order 840.1 Victim/Witness Assistance

This order consists of the following numbered sections:

- I. SOUTH CAROLINA VICTIM AND WITNESS BILL OF RIGHTS
- II. VICTIM NOTIFICATION INFORMATION FORM
- III. LAW ENFORCEMENT RESPONSIBILITIES
- IV. VICTIMS ADVOCATE

October 1, 2007

I. SOUTH CAROLINA VICTIM'S AND WITNESS'S BILL OF RIGHTS

- A. On January 1, 1998, the Victims Bill of Rights became part of the South Carolina Constitution. The rights enumerated below, therefore, are constitutional rights afforded to individual crime victims. The law does not apply to commercial victims:
1. To be treated with fairness, respect and dignity and to be free from intimidation, harassment or abuse.
 2. Be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped.
 3. Be informed of and present at all criminal proceedings which are dispositive of the charges where the defendant has the right to be present.
 4. To be allowed to submit either a written or oral statement at all hearings affecting bond or bail.
 5. To be heard at any proceeding involving a post arrest motion, plea or sentencing.
 6. Be reasonably protected from the accused or persons acting on behalf of the accused throughout the criminal justice process.
 7. To confer with the prosecution before the trial, or before any disposition, and be informed of the disposition.
 8. To have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial.
 9. To receive prompt and full restitution from the convicted person or persons.
 10. To be informed of any post-conviction action or hearing and be present at any hearing.
 11. To a reasonable disposition and prompt and final resolution of the case.
- B. In addition to the rights set forth above, Article 15 is established in the South Carolina Code of Laws which assigns responsibilities pertaining to victims and witnesses to law enforcement agencies, detention facilities, prosecutors, Department of Juvenile Justice and courts.
- C. For the purpose of complying with the requirements of Article 15, a criminal offense is defined as an offense against the person or an offense against the property of the person when the value of the property destroyed or the cost of the damage is in excess of one thousand dollars. Criminal offense does not include the drawing or uttering of a fraudulent check. Victims of a traffic collision, in which the victim(s) suffers personal injury or property damages in excess of one thousand dollars and where the other party is charged with DUI, DUS, vehicular homicide, manslaughter, hit and run or any other offense resulting in incarceration will also be protected by the victims rights law. Additionally, victim services will be provided to all residential burglary victims regardless of value of loss or cost in damages.

II. VICTIM NOTIFICATION INFORMATION FORM

The Victim Notification Information (VNI) form has been created to facilitate compliance with the Victims Rights statute by providing the victim with information required by law, ensuring the victim is notified of all hearings pertaining to the defendant in the victim's case, and informing the victim of defendant transfer, release or escape. The VNI form will be utilized in accordance with the following instructions and procedures:

A. Law Enforcement Incident Report

1. The reporting officer will include in the police incident report a notation that the VNI form was completed and explained to the victim and a copy provided to the victim.
2. The victim will be advised that a copy of the incident report will be available for them at no cost at the Records Section.

B. VNI Form

1. The officer will complete the VNI form and have the victim, a relative or contact person sign the VNI form. If the victim refuses to sign the form or is deceased or incapacitated and no one is available to sign on behalf of the victim, the circumstances will be noted on the VNI form and in the police incident report.
2. The reporting officer will explain that the back of the victim's copy of the VNI form provides the victim with an overview of their rights along with important phone numbers. The victims copy will then be given to the victim.
3. For open cases with no arrest, all other copies will be attached to the incident report.
4. If the initiating officer seeks a warrant, the warrant copy of the VNI form and a copy of the incident report will be presented to the issuing authority who will attach both to the warrant. The remaining copies of the VNI form will be attached to the original incident report.
5. If the initiating officer issues a Uniform Traffic Ticket for a criminal offense covered by the Victims Rights law, the warrant copy of the VNI form will be attached to the green copy of the ticket and given to the magistrate or municipal judge along with a copy of the original incident report.
6. If the initiating officer advises the victim to go before a magistrate or municipal judge to sign a warrant, the warrant copy of the VNI form will be given to the victim who will be advised that the form and a copy of the original incident report must be presented to the magistrate or municipal judge in order for a warrant to be considered.
7. If the incident report is assigned to an investigator or an investigator responds to a scene, the investigator will take the warrant copy of the VNI form and a copy of the incident report to the issuing authority if a warrant is to be sought.

8. When the victim has requested to be informed, Detention personnel will make a reasonable attempt to notify the victim at the time of arrest, prior to arraignment and prior to releasing a defendant. Such attempts will be documented on the back of the warrant copy of the VNI form.
9. When a defendant is transferred to a county facility, the on-duty detention officer will ensure that the warrant copy of the VNI form is forwarded to that facility with the charging documents.
10. Face to face arraignments of City Court cases will be held at Police Headquarters daily, including weekends. If the arraignment is done on video and during normal business hours, the victim is to be advised to go to City Court. The arresting officers are responsible for informing the victim of the date, time and location of the arraignment unless the victim has waived that right on the VNI form. Arraignments will not take place unless the completed VNI form is present for the arraigning officer to review.
11. It will be the responsibility of the on-duty detention officer to notify the victim of the date, time and location of arraignments and bond hearings for defendants who have been incarcerated in the City jail and who are being taken before a county magistrate unless the victim has waived that right on the VNI form.

C. Form Maintenance and Distribution

The data entry clerk will be responsible for removing the CID/Victim Advocate copy of the VNI form from the incident report and forwarding that copy to the CID Commander.

- D. For cases involving DJJ, the warrant copy will be provided to the responding DJJ agent. If there is going to be DJJ involvement but no immediate response from DJJ personnel, it will be the responsibility of the Juvenile Investigator to forward the VNI form to DJJ.

III. LAW ENFORCEMENT RESPONSIBILITIES

A. Delivery of Victim/Witness Services

It shall be the responsibility of the Victim Advocate and the investigating/arresting officer to ensure that victims and witnesses are afforded the rights granted them by state law.

1. Preliminary Investigation

- a. Victims will be provided with VNI form and informed that by contacting the Greer Police Department Victim Advocate they will receive information regarding counseling, medical attention, compensation programs or financial assistance and victim advocacy.
- b. Victims and witnesses will be advised of the action to take if they are subjected to threats or intimidation stemming from their involvement in the incident.

- c. Officers will not assume that victims know how to contact the police Department for assistance. Victim/witnesses will be informed that essential telephone numbers are available on the back of the VNI form.
- d. Victims and witnesses will be informed about the steps in processing the case such as solicitor review, grand jury indictment, preliminary hearing, attorney inquiry, etc.

2. Follow-Up Investigation

- a. In order to assess the impact the crime has had on victims and witnesses, they will be contacted periodically by the Victim Advocate.
- b. The Victim Advocate will explain the prosecution process and the victim advocates role in that process and will answer any questions presented to them regarding the process.
- c. Officers and investigators scheduling lineups, photo arrays, follow-up interviews and other required appearances will consider the convenience of the victim/witness and, if necessary, will provide transportation through the Victim Advocate.
- d. Property which is no longer needed as evidence will be returned to the owner without further delay. Where possible, evidence will be photographed for court and the property returned to the owner. This should only be done with the authorization of the solicitor or city prosecutor.

3. Resource Information

The Communication Section has access via computer to a current list of agencies available to provide appropriate assistance. This list includes County Victim/Witness Assistance Programs, the Rape Crisis Center and other social service agencies. Dispatchers are authorized and encouraged to make referrals as appropriate. Such referrals are available 24 hours a day.

4. Victim/Witness Protection

- a. As much as is allowed by State Law, the identity of victims and witnesses and their role in a particular incident will be kept confidence
- b. Any victim or witness who has been threatened or who presents credible evidence indicating they may be subjected to intimidation or further victimization will receive the amount of protection necessary to ensure their safety, including transportation to and from court and protection while in court.

5. Public Education

The services available to victim/witnesses are described on the victim copy of the VNI form. The Victim advocate will assist in any other way possible in informing the victim of available resources.

6. Arrest and Post-Arrest Notifications

It shall be the responsibility of the arresting/investigating officer to notify victim and key witness personnel when an arrest is made in their case. Detention personnel will be responsible for ensuring that victim are notified of any bond hearings or releases unless that right has been waived by the victim on the VNI form.

IV. VICTIM ADVOCATE

A. The Greer Police Department's Victim Advocate is established within the Criminal Investigations Division. The Victim Advocate is charged with the responsibility of ensuring strict compliance with the provisions of the Victim Rights law. She will establish VNI files and perform such duties as may be required. Those duties include but are not limited to:

1. Keeping victims informed of the progress of their case.
2. Transportation for victims or witnesses, if necessary, to court.
3. Interceding with creditors on behalf of victims who cannot meet their financial obligations as a result of the crime.
4. Providing security for victims and witnesses or are being threatened, intimidated or harassed as a result of their involvement in the case.
5. Informing victims of social service agencies who may be of service to them.
6. The Victim Advocate will respond to all major crimes with victims of violent crime such as criminal domestic violence with significant injuries; assaults with significant injuries; criminal sexual conduct cases; murder; and traffic collisions with death or significant injuries that require victim advocacy. The on duty Supervisor will determine when her services are needed and will request Communications to contact the Victim Advocate to respond. Upon arrival, the Victim Advocate will assume all responsibilities regarding the provisions of the Victim Rights law.
7. When on duty, the Victim Advocate will transport minor children requiring a car seat for police transportation due to incidents such as emergency protective custody. If she is not on duty, a child seat is available at the Police Department.