

New Berlin Police Department Directives Manual		Directive Title: Municipal Lockup Facility			
Issue Date: 02/10/15	Published Date: 01/06/21	Next Review Date: 11/01/23	Total Pages: Page 1 of 9	Directive Number: 7201	WILEAG Standards: 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.3.5, 7.3.6, 7.3.7, 7.3.8, 7.3.9, 7.3.10, 7.3.11, 7.3.12, 7.3.13, 7.3.14, 7.3.15, 7.3.16, 7.3.17, 7.3.18, 7.3.19, 7.3.20, 7.3.21

Purpose

This directive provides guidelines for the detention of adults and juveniles in the New Berlin Municipal Lockup facility.

Policy

This directive governs the operation and maintenance of the municipal lock-up and is intended to ensure that the standards and recommendations as set forth by the Division of Corrections and the Wisconsin Department of Health and Social Services, as well as applicable statutory regulations, are adhered to in the detention and confinement of persons. The booking room, the adjoining holding cells, and the adjoining interview room all comprise the municipal lockup facility. All personnel having the occasion to utilize the municipal lock-up shall be trained and instructed in this directive prior to using the facility, to include training in the fire suppression system, available first aid equipment, cell extraction equipment, and any other equipment necessary to ensure the safety of the officer and prisoner. A copy of this directive will be available to all personnel using the lockup facility and, upon request, a copy provided to inmates for review.

Related Directives

[7301 - Temporary Detention and Processing](#)

[7201.01 - Detention Facility Key Box.](#)

[2701 - Blood Borne Pathogen Exposure Control Plan](#)

[6306 – Officer Involved Death and Critical Incidents](#)

Use of Municipal Lockup Facility

The use of the New Berlin Municipal Lockup Facility is limited to the following situations:

1. Temporary detention while awaiting booking;
2. Temporary detention while awaiting release to a responsible party;
3. Temporary detention while awaiting transportation to another jail facility.

Firearms and all edged weapons (knives) are prohibited from being brought into the municipal lockup/booking room area. All officers will secure their firearms and edged weapons in a weapons locker prior to entering the municipal lockup/booking room area. Weapons lockers are available outside every entrance to the municipal lockup/booking room. The only exception to this provision is an officer responding to a known threat requiring the escalation of force to that of deadly force. Officers are allowed to enter the municipal lockup/booking room armed with their batons, TASERS, and/or Oleoresin Capsicum (OC) spray. Officers are expected to take necessary precautions in keeping unconventional weapons such as ticket books, clipboards, and/or miscellaneous property, out of the booking area. Officers will carry a body alarm on their person while processing inmates.

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A locked combination box in the municipal lockup/booking room supplies room contains a First Response Emergency Tool (serrated knife and center punch) and spare keys to all of the cells. The box can be accessed by following established procedure [7201.01 Detention Facility Key Box](#).

No more than one person shall be placed in each individual cell. In the event of a mass arrest when it is necessary to detain more inmates than the individual cell capacity, the supervisor has the option of:

1. Utilizing cell #3, the group holding room, for temporary detainment; maximum capacity is 8 inmates, maximum of 4 hours.
2. Transporting the inmate(s) to the Waukesha County Jail/Secured Detention or a holding facility at a surrounding law enforcement agency.
3. Consider releasing the person(s) pending an appearance at a later date and time.

The municipal lockup cells will not be used to detain persons who are a high-escape risk or who are known or believed to be significant risks to the safety of themselves or others. These persons should be conveyed as soon as possible to either the Waukesha County Jail or other detention facility, which is appropriate under the circumstances.

Adult inmates of opposite sexes, or juveniles, will not be incarcerated in the municipal lockup facility at the same time, unless separated by sight and sound.

No person, other than law enforcement personnel, will enter the municipal lockup facility when it is occupied, except emergency personnel acting in the performance of their duties. Department personnel may only enter the municipal lockup facility when it is occupied when doing so is necessary to perform their official duties.

The sally port and general booking area are under continuous visual surveillance by the Police Records Clerks utilizing multiple digital video cameras. Additionally, there is video monitoring available within the individual holding cells. A video monitor is available in the main booking room area for officers to maintain video surveillance of an inmate in a cell. The booking room monitor will have the area of the toilet blacked out to provide privacy to an inmate using the toilet. Any time a strip search is performed in a cell, the video camera in the cell will be covered to prevent anyone other than the officer performing the strip search to view the search. A cover specifically designed for the cell video cameras is available in the lockup facility storage room.

The Records Division is designated as the Emergency Control Point for the lockup facility. Video monitoring and monitoring of the body alarms worn by officers will be conducted by Police Records Clerks any time the lockup facility is used.

Processing of Inmates

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Prior to detention, the inmate and the cell in which the inmate is placed shall be searched for contraband and weapons irrespective of any previously conducted field searches. Upon removing an inmate from the cell, the cell shall be searched again.

Detention will be limited to a maximum of six hours. Any detention longer than six hours must first be approved by a supervisor.

Any inmate held in excess of six hours shall be furnished a meal. If the inmate continues to be held longer than six hours, the inmate will be provided a meal at normal mealtimes thereafter. No inmate will be confined longer than twelve hours. Any inmate requiring longer confinement will be transported to the Waukesha County Jail.

Whenever an inmate is brought into the lockup facility, officers will conduct a custodial inventory search of the inmate and will remove all of the inmate's personal property. The inmate's personal belongings shall be logged in the department record management system. The property may be stored in the lockers provided in the lockup facility supply area. Upon release from custody, the inmate's property will be returned, and officers will ask the inmate to sign for his/her property. If the inmate refuses to sign for his/her property, this will be noted and witnessed by another officer.

At a minimum, officers will positively identify incoming inmates through photo ID and the "MORPHOTOUCH" system.

~~When an inmate is secured in a cell, the "Record of Temporary Confinement New Berlin Police Cell Log" must be completed. The form can be completed electronically or printed off and attached to the cell door by using the form will be attached to the clipboard on the corresponding cell door. Completed "Record of Temporary Confinement cell logs" forms will be routed through reportattachments@nbpolice.org to be attached to the report and then filed in PowerDMS records, forwarded to the Shift Supervisor for approval. The original copy will be filed with the incident report. A copy of the form will be placed in the Cell Log Binder.~~

Personnel shall check on an inmate every 15 minutes or sooner. Checks shall be recorded on the "Record of Temporary Confinement" indicating the name of the officer performing the check and the time of such check. A notation should be made of what the inmate was doing at the time of the check (sitting, pacing, etc.).

~~A "Medical Intake Report" form will be completed for each inmate detained in a cell in the municipal lockup facility. The form original copy will be sent to through reportattachments@nbpolice.org and attached to the report and filed in PowerDMS, filed with the Incident Report. A copy of the "Medical Intake Report" will be placed in the Cell Log Binder. Every 6 months, the copies will be forwarded to the Records Division for filing in the inmates' confidential medical files.~~

Officers will positively identify an inmate whenever they release or transfer custody of the inmate. If the transporting/releasing officer was also the arresting officer, a visual identification is sufficient. In other cases, the inmate should be identified by both photo ID and name/date of birth or by visual identification by the arresting officer.

Commented [HJ1]: The medical intake and cell log is in an electronic format and can be signed electronically by the officer in the booking room.

Currently officers print out the form and place it in the to be attached basket or they email it to report attachments. The clerks then attach the cell log and medical intake reports to the report in Spillman. Unfortunately, it is very hard to retrieve these reports when we have our yearly jail inspection. I propose we add a final step to the process and have the clerks add the form into a folder in PowerDMS inside the RECORDS folder which we already have and all the clerks have access too.

1. Officer completes forms send it to report attachments
2. Clerks attach to report
3. Clerks add to Powerdms and publish, NAMING CONVENTIONS WILL BE IMPORTANT

I propose date, subject last name, First Name, MI

10.8.2020 Herro, Jeffrey P or we could use
20.10 Oct.8 Herro, Jeffrey P

I don't care but we need to be consistent?

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Security and Control Guidelines

Under no circumstances shall an officer enter an occupied cell alone, except when they are being monitored by another officer or are wearing a body alarm.

Lockup cell door keys are hung on hooks on a cabinet door by the booking room sink. A set of back-up keys is kept in a locked cabinet in the lockup facility storage room. A third set of keys are hung in the Patrol Equipment Storage room in the Patrol Division. Any officer using the lockup facility shall be responsible for use and control of any keys utilized. Officer access to the lockup facility is by electronic scramble pad. An emergency key to bypass the electronic lock is available with all three key sets.

Under normal circumstances, inmates will be allowed to remain in their street clothes unless it is necessary to have them change into department-provided clothing, as in cases where clothing is required for evidence or when clothing is in such a condition that it creates a health hazard. In the event an inmate's clothing is confiscated, adequate and appropriate clothing and footwear will be provided for use by the inmate while in custody. All belts, suspenders, ties, shoe laces, matches and other incendiary devices, and any other item which an officer has reason to believe may compromise the security or safety of the person to be incarcerated, shall be taken from an inmate prior to placement in the cell.

When inmates pose a safety risk to arresting officers or to prevent escape when lockup cells are not available, they may be restrained. Inmates will not be secured to immovable objects, except for those designed and intended for such use (i.e. eye hooks under the booking room bench). When restrained, inmates will never be left unattended.

The lockup facility is frequently used to process intoxicated persons. Officers will constantly monitor intoxicated persons until they are released. If the intoxicated person cannot arrange for a responsible person to pick him/her up, officers will transport the person to the Waukesha County Jail for a 12 hour hold.

Persons or inmates that are exceptionally violent or self-destructive can be restrained in the Emergency Restraint Chair. If the person maintains their level of violence or self-destructiveness, officers will transport the person to the Waukesha County Jail to be held in their facility. Officers will provide the jail with as much advance notice as possible about the person's level of violence.

Prohibited Practices

The following practices are prohibited in the lockup facility:

1. Corporal punishment of inmates.
2. Lockup staff may not give an inmate disciplinary authority over another inmate.
3. Lockup staff will not sexually abuse or harass any inmate. Any inmate may report incidents of sexual harassment or abuse by lockup staff.

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4. No tools or culinary utensils will be provided to any inmate.
5. Inmates are not allowed to receive any mail or packages while held in the municipal lockup facility.

Suicide Prevention

Detained persons shall be screened for suicide risks by the arresting officer. Their responses will be documented on the "Medical Intake Report." If any lock-up staff member determines an inmate is a possible suicide risk, but the conditions of emergency detention under Chapter 51.15 are not present, the inmate will be placed in holding room number 3 and kept under close observation. The inmate's condition will be checked at least every 15 minutes or more often. Any clothing or personal articles that could be used to inflict harm shall be taken away. Paper coveralls may be given to the inmate in lieu of the inmate's own clothes.

In the case of a suicide in progress, officers will immediately intervene, utilizing lifesaving equipment stored in the booking room. Officers will call for an ambulance to transport the inmate to a hospital and notify their supervisor. If the inmate survives, officers will initiate emergency detention procedures. In the case of a completed suicide, the supervisor will notify the Shift Commander, Investigation Division Commander and Chief of Police.

When officers are dealing with an inmate whose behavior indicates mental health, developmental disability or alcohol/drug abuse problems, the officer will contact the Charge Nurse at Waukesha County Mental Health and request to initiate an emergency detention.

Medical Emergencies

The procedures to follow for a medical emergency will be reviewed and approved by the New Berlin Fire Department's Medical Director or other contracted physician, as determined by the New Berlin Police Department. If an inmate requires emergency medical attention, officers will immediately administer first aid, within the scope of their training, and notify WCC to have the New Berlin Fire Department respond to the scene. If necessary, the first aid kit located in the municipal lockup facility should be utilized.

The supervisor has the authority to make limited health care decisions in the event an inmate is unconscious or incapacitated by the sickness or medical emergency. Inmates that require routine medical examination or attention will be transported to Waukesha Memorial Hospital as soon as possible after detecting the injury/illness, or upon complaint of the inmate. The New Berlin Fire Department should be utilized for inmate transportation and medical care.

Inmates to be incarcerated with special needs will be medically cleared at Waukesha Memorial Hospital and will usually be transported to the Waukesha County Jail where their special needs can be more appropriately handled. If an inmate dies or becomes acutely ill while in custody, the next of kin shall be notified as soon as possible. In the event an inmate dies in custody, an investigation will be conducted according to the in-custody death guidelines in [directive 6306](#).

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Medical records shall be maintained in a confidential manner in accordance with Wisconsin State Statute 146.81 to 146.83, and any other applicable state or federal laws.

Communicable Diseases

Inmates suspected, known or claiming to have an infectious or communicable disease will be transported to Waukesha Memorial Hospital for evaluation and treatment. If the inmate is medically cleared and continued isolation or quarantine under Wisconsin State Statute 252.06(6) (b) is required, the inmate should be transferred to the Waukesha County Jail/Secured Detention for incarceration.

Officers will document the need for isolation or quarantine on the Medical Intake Report and in the officer's incident report.

If it is suspected that other inmates or staff may have been exposed to an infectious or communicable disease, they will be afforded the opportunity to be screened for that specific disease. If such screening takes place, it shall be documented on the inmate's Medical Intake Report form or, in the case of an officer, consistent with department [directive 2701, Blood Borne Pathogen Exposure Control Plan](#).

Control and Administration of Medication

Medication brought into the lockup facility by or for an inmate will be inventoried and stored securely with that person's property. Department personnel are not authorized to administer prescription or non-prescription medication.

Prescription medication containers must have labels that contain at least the inmate's name, name of the medication, date of prescription, doctor's name, and directions for administering the medication. Medication will be returned to the inmate upon his/her release only if the containers are labeled or the inmate can show proof of ownership. If the inmate cannot prove ownership, the medication shall be identified and inventoried. If the inmate is transferred to another detention facility, the medications will be turned over to the personnel from that facility.

Sanitation and Hygiene

Except when an inmate's safety would be jeopardized and the inmate has been identified as having a special problem, such as a mental disorder, suicide risk, or medical problems, lockup staff should provide:

1. Clean cloth towels or paper towels and soap to each inmate upon request.
2. Upon request, toilet articles sufficient for the maintenance of inmate cleanliness and hygiene, including toothpaste, a toothbrush, a comb, toilet paper and basic feminine hygiene materials. There shall be no common use of towels, toothbrushes, combs, shaving materials or feminine hygiene materials.
3. Adequate and appropriate clothing/footwear for an inmate whose clothing has been confiscated, for use while the inmate is in custody.

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4. Clean blankets to each inmate upon request during normal sleeping hours. Blankets shall be laundered or sterilized before reissue.
5. Each cell shall be cleaned and the toilet area sanitized after an occupant is released. Each holding room shall be cleaned and the toilet area sanitized at least twice a week.

Fire Protection and Evacuation

Upon discovery or indication of a fire in the police building, the officer charged with supervising any inmate placed in a cell will be responsible for removing the inmate to a place of safety. The inmate will be handcuffed and taken to a secure location by means of the nearest available exit.

When circumstances do not allow time for handcuffing or the officer'(s), inmate'(s), or other person'(s) lives would be jeopardized by attempting to handcuff the inmate, the inmate may be taken out without handcuffs. The priority in case of fire evacuation must be the preservation of life. A fire evacuation map will be displayed in the lockup facility.

Inspection, Records and Reporting Requirements

The lockup administrator is responsible for the following:

1. Maintaining a file containing all inspection records pertaining to the lockup facility.
2. Arranging for fire inspections by the New Berlin Fire Department at least once every six months. Documentation of fire inspection shall be included in the facility files.
3. Ensuring that the first aid kit in the lockup facility is inspected weekly.
4. Arranging for monthly inspection and testing of the lockup facility. This inspection will include all items listed on the Lock-Up Inspection Form which will be completed by the inspecting person. The completed Lockup Inspection Form shall be placed in the facility files.
5. Ensuring that the lockup facility is inspected and approved by the Department of Corrections annually.

The lockup administrator shall be notified immediately if any of the following events occur. The lockup administrator will then notify the division's regional detention facilities specialist within 48 hours after the event.

1. An inmate dies;
2. An inmate attempts suicide and is admitted to a hospital, not including an emergency room admission or admission for detention and evaluation under Wisconsin State Statute 51.15, or is provided medical treatment for a life-threatening injury incurred as a result of the suicide attempt;
3. An inmate has received an injury and is hospitalized due to the injury;
4. An inmate escapes or attempts to escape from confinement;
5. There is any significant damage to the lockup affecting the safety or security of the lockup.

Visitation

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Unless approved by a supervisor, inmates may not receive visitors while in the lockup facility.

If an inmate requests to meet with his/her attorney, officers should make a reasonable effort to accommodate the request. If the inmate's attorney is at the police department or will be here in a short time, officers will move the inmate into an Investigation Division interview room. Officers will ensure that the audio recording in the interview room is turned off; however, the video monitoring will remain on for the attorney's safety.

If the inmate's attorney cannot be at the police department in a reasonable amount of time, officers will tell the inmate to re-contact their attorney and set up a meeting at a different location (i.e. Waukesha County Jail).

If a juvenile is being held in secure custody and the parent makes a request to see the juvenile, the juvenile shall be notified of their parent's request before questioning.

Visitors granted access to inmates will be searched for weapons prior to entry into the detention area. Persons who refuse to be searched will not be granted visitation rights.

Juveniles held in Secure Custody

At no time shall a juvenile who has committed a status offense be placed in a cell. Status offenders should only be held in the temporary detention area for the purposes of booking, processing or identification. As soon as the booking process is completed, a status offender must be moved to a non-secure area (i.e. Media Room) to await a ride. A status offense is an act that would not be a crime if committed by an adult, such as underage consumption of alcohol, tobacco smoking, truancy and running away from home.

A juvenile, age 10 or older, alleged to have committed a delinquent act as defined in DOC 349.03(4m) and 349.03(10m) may be held in our lockup/cell pursuant to the following conditions:

1. It is the responsibility of the arresting officer or the shift supervisor to ensure against any sight or sound contact between juveniles and adult inmates in all areas of the lockup facility, including entrances, booking, intake, elevators, stairways, cells, holding rooms, and all other areas in which juvenile inmates could have contact with an adult inmate.
2. Recognizing this may be the juvenile's first exposure to secured detention, physical checks of the juvenile shall be conducted at least once every 15 minutes at irregular intervals and recorded on the booking sheet. The juvenile's response to the detention environment may be atypical.
3. Physical checks of juveniles determined to be at risk for mental illness, developmental disabilities, and signs of suicidal tendencies, or are suspected to be under the influence of alcohol or drugs, shall be checked at no less than 15 minute irregular intervals; however, more frequent checks are encouraged.
4. The juvenile shall not be held longer than six (6) hours in secured custody status. The arresting officer, under the direction of a supervisor, shall make efforts as soon as practical to identify alternative placement of the

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juvenile held in secured custody including release to a parent, adult guardian, adult relative or Waukesha County Juvenile Detention Center.

5. The "Record of Temporary Confinement" and "Medical Intake Report" forms completed for juveniles shall be maintained in a confidential manner separate from adult records.
6. The Lockup Administrator shall submit all required Federal forms bearing the required juvenile information once monthly with the Office of Justice Assistance - State of Wisconsin. A copy of all filed documentation shall be kept with the juvenile booking sheets and health intake screening sheets.

Use by Other Agencies

The New Berlin Police Department will cooperate with other law enforcement agencies who request to use our lock-up facilities, provided those agencies abide by the policies and directives of this Department and provide personnel to serve as custodians while their prisoner is held at this facility.

In the event prisoners are received from an outside agency, positive identification shall be made of the person presenting the prisoner for detention, including verification of the person's authority to make the detention, if the person presenting the detainee for detention is unknown.

Revision Notes:

- ~~10/26/15: Under Policy, added line "The booking room, the adjoining holding cells and the adjoining interview room all comprise the municipal lockup facility."~~
- ~~02/02/16: Removed the following language "Females may be detained in the holding cells only if a female officer is present to conduct proper searches and to supervise the female inmate during the time she is incarcerated. The female officer may be from another community."~~
- ~~06/13/19: Deleted "Both the records area monitor and." This is under surveillance of the booking room. The clerks do not have access to view the cell cameras.~~

By Order of:



Chief of Police

Dimensions: 7.3.8.1 / 7.3.8.2 / 7.3.9.1 / 7.3.9.2 / 7.3.9.3 / 7.3.9.4 / 7.3.9.5 / 7.3.9.6 / 7.3.11.1 / 7.3.11.2 / 7.3.20.1 / 7.3.20.2 / 7.3.20.3 / 7.3.20.4