



GENERAL ORDER

No. 42.06

SUBJECT:
FEMALE PRISONERS: SEARCH, DETENTION, TRANSPORTATION

ISSUE DATE: 01/01/92	EFFECTIVE DATE: 06/05/92	REVISES: IV. A. 4	SUPERCEDES: 1/92 ISSUE
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DISTRIBUTION: ALL MEMBERS	REEVALUATION: ANNUALLY	PAGE: 1 of 2
ISSUING AUTHORITY: COMMISSIONER LOUIS S. D'ALISO		

I. PURPOSE:

To clearly define the policy and procedures of the Westchester County Department of Public Safety for searching and processing female prisoners at headquarters.

II. BACKGROUND:

Case Law and the N.Y.S. State Commission of Correction, through its Codes, Rules and Regulations (Sections #7502.1 - 7504.1), dictates how a female prisoner should be searched and supervised. Rights of privacy must be respected. The observance of these Rights should not be interpreted, however, as a restriction which prohibits a police officer from frisking (patting down) a female prisoner at the time of arrest; or to remove weapons or evidence which can be destroyed or lost enroute to Headquarters. (See General Order 41.01)

III. POLICY:

The search and detention of female prisoners must be conducted and supervised, respectively, by a female police or peace officer.

IV. PROCEDURE:

A. As soon as a Desk Officer is notified that a female prisoner is going to be detained in our lock-up he shall:

1. Order a female officer, who is on duty, to conduct the search of the prisoner and assist in other required processing.
2. When a female officer is not on duty, the Desk Officer shall contact the supervisor at the Women's Unit of the Westchester County Department of Corrections, and request that a female Correction Officer respond to Headquarters to conduct the search and other processing as required. Transportation shall be provided for the Correction Officer, by the Desk Officer, if necessary.

IV. PROCEDURE: (Continued)

3. When a female Correction Officer cannot respond to Headquarters, then the female prisoner will be transported to the Women's Correction Unit. Police Officers transporting the prisoner shall:
 - a. Obtain a blank copy of WCPD-125, Property Receipt Form on which to record any additional property found on the prisoner.
 - b. Obtain the name and shield number of the Correction Officer conducting the search and enter same in the Headquarters Cell/Prisoner Inspection Log, which is kept by the Desk Officer.
 4. When possible female prisoners will be transported by female officers. When a female officer is not available, TWO male officers will be assigned to the transportation. In NO case will a sole male officer transport a female prisoner.
- B. When a female prisoner is to be placed in the headquarters detention cell and no female officer is on duty, the Desk Officer should call in an off-duty female Police Officer or a part-time matron Public Safety Officer - (See Cardex File Under Matron)
- C. Only female officers or matrons will monitor (by video) a female prisoner. The desk Officer will lock in the female cell on monitor 11 (Extreme left side monitor.) once the picture is locked in, the Desk Officer will turn off his monitor 11. He will keep all other video monitors turned on.
- D. Communications personnel will turn off monitor 11 in the radio room. (left side monitor located in console.)
- The female officer or matron responsible for viewing the female prisoner will turn on the monitor located on top of the console facing the spare switchboard in the rear section. This is the only monitor that will be used to view female prisoners. The key to the the female's cell must be in the possession of the female officer or matron and no male person shall be permitted to enter the area where female prisoners are detained unless accompanied by the matron. (Section 7504.1 N.Y.C.R.R.)
- E. When possible, the Desk Officer should expedite the release of the prisoner by R.O.R., bail or arraignment.

Sarnicola v. County of Westchester



PN-NY-002-001