



GENERAL ORDER

No. 42.02

SUBJECT:

PRISONER DETENTION: RULES AND PROCEDURES

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ISSUING AUTHORITY:

LOUIS S. D'ALISO, COMMISSIONER/SHERIFF

I. PURPOSE:

To establish procedures which will promote the safety and welfare of prisoners, who are detained in detention cells of the Westchester County Department of Public Safety, and the safety of the officers who bear the custodial responsibilities.

II. BACKGROUND:

Apart from the humane considerations involved, persons in custody who must be detained in the lockup, are guaranteed certain rights and protection under the law. State Commission of Correction regulations clearly define standards for the care, custody, treatment, supervision and discipline of all persons confined in such lockup facilities (N.Y.S. Corr. Law Parts 7500 through 7511)

III. POLICY:

All prisoners shall be humanely treated and closely monitored while in official custody to protect their safety and welfare and that of the Department personnel involved.

IV. PROCEDURES:

A. Condition of Prisoner:

1. If a prisoner exhibits any signs of illness, injury or loss of consciousness or complains of such, medical attention will be provided prior to incarceration. If such signs develop while the subject is incarcerated, medical attention will be provided forthwith. Particular attention will be paid to individuals who are apparently acutely intoxicated. These will be subjects who have a blood alcohol reading of greater than .15 or who display the symptoms of acute alcohol poisoning, or confusion, stupor, coma and shows signs of drug/alcohol withdrawal and/or is physically incapacitated.

IV. PROCEDURES: (Continued)

2. If a required examination by competent medical personnel is delayed, constant supervision of the prisoner must be provided until such time as the examination can take place.
3. When a prisoner is received from other authorities and is in apparent need of medical attention, the Desk Officer will not accept custody of that prisoner until he has been afforded proper medical attention by that other authority.
4. A Physical Condition form must be completed for each prisoner before he is placed into a detention cell.

B. Search of Prisoner Before Incarceration:

1. When a prisoner has been arrested and will be detained by incarceration at headquarters, the Desk Officer shall instruct the officer to conduct a Strip Search, as per General Order No. 41.03. The searching officer shall remove from the possession of the prisoner all personal property, except essential clothing, with particular attention to:
 - a. items of contraband
 - b. evidentiary items
 - c. items that could be life threatening
 - d. items that could facilitate an escape
 - e. items which can cause injury to self or others or damage property
2. Handling of a prisoner's property will be in accordance with General Order No. 41.06 (Handling of Prisoner's Property.)

C. Inspections:

1. Firearms will not be worn or carried in and about the detention cell area when there are prisoners lodged therein.
2. All doors must be kept locked whenever a prisoner is detained in the holding facility. The inspecting officer will physically check each door to ensure that all doors are in fact locked.
3. Desk Officers shall be responsible for an inspection of prisoners at the beginning of their tour of duty and every thirty (30) minutes thereafter. Exception are permissible in

Sarnicola v. County of Westchester



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