

# **CONEJOS COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL**

## **502.1 PURPOSE AND SCOPE**

The Conejos County Sheriff's Office has a legal and methodical process for the reception of arrestees into this facility. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues and the seizure and storage of personal property.

## **502.2 POLICY**

This office shall use the following standardized policies when receiving arrestees to be booked into this facility. This is to ensure security within the facility and that arrestees are properly booked and afforded their applicable rights.

## **502.3 PRE-BOOKING SCREENING**

All arrestees shall be screened prior to booking to ensure the arrestee is medically acceptable for admission and that all arrest or commitment paperwork is present to qualify the arrestee for booking. Required paperwork may include the following:

- a. Arrest reports
- b. Probable cause statements
- c. Warrants or court orders
- d. Victim notification information
- e. Special needs related to religious practices, such as diet, clothing and appearance (see the Religious Programs Policy)
- f. Accommodation requests related to disabilities (see the Inmates with Disabilities Policy)
- g. Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting detention officer.

Prior to accepting custody of an arrestee who claims to have been arrested due to a mistake of the arrestee's true identity or an arrestee who claims that identity theft led to the issuance of a warrant in the arrestee's name, staff shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

### **502.3.1 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the detainer is accompanied by a warrant issued by a judge directing that the person be arrested (CRS § 24-76.6-102). Notification to the federal authority issuing the detainer should be made before the release.

### **502.3.2 COORDINATING IMMIGRATION INTERVIEWS**

Members may coordinate telephone or video interviews between federal immigration authorities and an arrestee held in custody only after the arrestee has been advised in writing, and in the arrestee's language of choice, that (CRS § 24-76.6-103):

- a. The interview is being sought by federal immigration authorities.
- b. The individual has the right to decline the interview and remain silent.
- c. The individual has the right to speak to an attorney before submitting to the interview.
- d. Anything the individual says may be used against him/her in subsequent proceedings, including immigration court.

Members will provide the written advisement again when the arrestee is released.

### **502.3.3 MUNICIPAL COURT HOLDS**

During the booking process, the booking detention officer shall verify whether the arrestee has any municipal court holds. If an active hold is found, notifications shall be as follows:

- a. If the arrestee does not receive a personal recognizance bond on the arresting charge, notification must be made to the applicable municipal court as soon as practicable.
- b. If the sole basis of the arrestee's detention is the municipal court hold, notification must be made within four hours.

The Supervisor or the authorized designee shall ensure that the arrestee is available for a hearing before a municipal judge in accordance with CRS § 13-10-111.5.

Arrestees will be released pursuant to any standing orders issued by the municipal court (CRS § 13-10-111.5).

### **502.4 SEARCHES BEFORE ADMISSION**

All arrestees and their property shall be searched for contraband by the booking detention officer before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting detention officer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting detention officer prior to the arrestee being accepted for booking. A description of the items returned to the transporting detention officer shall be documented on the arrestee's booking record.

Strip searches shall be conducted in accordance with the Searches Policy.

### **502.5 ADMISSION PROCESS**

A unique booking number shall be obtained specific to the current admission. Photographs and fingerprints shall be taken.

The admission process should include an attempt to gather a comprehensive record of each arrestee, including the following:

- Identifying information, including name and any known aliases or monikers
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency and signature of the arresting detention officer and transporting detention officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information and court of jurisdiction
- Sex
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number and relationship to inmate
- Driver license number and state where issued, state identification number or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state and federal criminal history records
- Photographs, fingerprints and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities or tattoos
- Medical, dental and mental health screening records, including suicide risk
- Inventory of all personal property including clothing, jewelry and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The inmate's signature should be obtained on the booking record and on any forms used to record money and property.

### **502.5.1 LEGAL BASIS FOR DETENTION**

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand.

### **502.5.2 RIGHT-TO-BOND REQUIREMENTS**

The Sheriff or the authorized designee shall create written procedures to ensure (CRS § 16-4-102):

- a. Arrestees are brought before a court for bond setting as soon as practicable but no later than 48 hours after arrival at the correctional facility, absent extraordinary circumstances.
- b. Appropriate notice is provided to the public defender's office and documentation is completed if extraordinary circumstances prevent a bond hearing from being held within 48 hours.
- c. Arrestees who are granted a bond are released as soon as practicable but no later than six hours after being returned to or being physically present in the correctional facility, absent extraordinary circumstances.
- d. Appropriate notifications to the arrestee and surety are made and documentation is completed in the event of a delay in release.
- e. A notice of rights regarding the bond and release procedure and information regarding a complaint process are posted and distributed in accordance with CRS § 16-4-102.
- f. The Conejos County Sheriff's Office's website, signage, and written materials related to the bond and release procedure are reviewed and updated periodically.

The Sheriff shall ensure that all members having interactions with arrestees and inmates receive appropriate training on the written procedures (CRS § 16-4-102).

The Sheriff shall ensure that the initial certificate of compliance and required attachments and any required subsequent submissions are transmitted to the Division of Criminal Justice as directed by the Division (CRS § 16-4-102).

## **502.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION**

The Supervisor is responsible to ensure only arrestees who qualify are placed into general population cells or housing. Those who will not be placed into general population include:

- a. Arrestees who are eligible for release following citation.
- b. Arrestees who are intoxicated or under the influence of any chemical substance.
- c. Arrestees who are arranging bail. They shall be permitted a reasonable period of time, at the discretion of the Supervisor, to make telephone calls before being placed in general population.

### **502.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL**

Staff shall respond promptly to medical symptoms presented by inmates to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility.

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

### **502.6.2 INMATE SEPARATION**

Inmates should be kept separate from the general population during the admission process. Newly admitted inmates should be separated according to the facility's classification plan.

## **502.7 INMATE PROPERTY CONTROL**

All property received from inmates at the time of booking shall be inventoried. A receipt should be signed by the inmate and the booking detention officer and referenced to the booking number before the admission is completed. The original copy of the property receipt will be retained and placed in the inmate's file and/or with the property. A second copy will be presented to the inmate at the time of booking.

Excess personal clothing shall be mailed to, picked up by or transported to designated family members or to a person of the inmate's choosing, or stored in containers designed for this purpose.

### **502.7.1 VERIFICATION OF INMATE'S MONEY**

All monies belonging to the inmate and retained by the booking detention officer shall be verified in front of the inmate. When possible, the inmate should initial the dollar amount on the booking sheet. All money should be placed in a separate envelope and sealed.

Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

### **502.7.2 PROPERTY STORAGE**

All inmate property should be stored in a secure storage area. Only authorized personnel may access the storage area and only for the purpose of depositing or retrieving property, or to conduct duly authorized work, including maintenance and other duties as directed by the Jail Administrator.

## **502.8 INMATE TELEPHONE CALLS**

Every inmate, whether adult or juvenile, detained in this facility shall be entitled to making telephone calls, when feasible, after being admitted. The calls may be of a duration that reasonably allows the inmate to make necessary arrangements for matters that he/she may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary for the purpose of arranging care for the minor child.

There is no obligation for the custody staff to make a telephone call on an inmate's behalf, for example in the case of a person who is so intoxicated that he/she cannot make a call. The custody staff is not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

### **502.8.1 TELEPHONE CALL PROCEDURES**

The Office will pay the cost of local calls. Long distance calls will be paid by the inmate, using calling cards or by calling collect.

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

### **502.8.2 ONGOING TELEPHONE ACCESS**

Ongoing telephone access for inmates who are housed at this facility will be in accordance with the Inmate Telephone Access Policy.

### **502.9 SHOWERING AND CLOTHING EXCHANGE**

Inmates should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an inmate is transferred from the temporary holding area to general population housing (see the Inmate Hygiene Policy).

### **502.10 ADMISSION PROCESS**

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- Identifying information, including name and any known aliases or monikers
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting detention officer and transporting detention officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction
- Sex
- Age
- Date and place of birth
- Race

- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number, and relationship to inmate
- Driver license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities, or tattoos
- Medical, dental, and mental health screening records, including suicide risk (CRS § 17-26-304)
- Inventory of all personal property including clothing, jewelry, and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The inmate's signature should be obtained on the booking record and on any forms used to record money and property.

### **502.10.1 LEGAL BASIS FOR DETENTION**

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### **502.10.2 RIGHT-TO-BOND REQUIREMENTS**

The Sheriff or the authorized designee shall create written procedures to ensure (CRS § 16-4-102):

- a. Arrestees are brought before a court for bond setting as soon as practicable but no later than 48 hours after arrival at the [facility\_common\_name], absent extraordinary circumstances.
- b. Appropriate notice is provided to the public defender's office and documentation is completed if extraordinary circumstances prevent a bond hearing from being held within 48 hours.
- c. Arrestees who are granted a bond are released as soon as practicable but no later than six hours after being returned to or being physically present in the [facility\_common\_name], absent extraordinary circumstances.
- d. Appropriate notifications to the arrestee and surety are made and documentation is completed in the event of a delay in release.
- e. A notice of rights regarding the bond and release procedure and information regarding a complaint process are posted and distributed in accordance with CRS § 16-4-102.
- f. The Conejos County Sheriff's Offices website, signage, and written materials related to the bond and release procedure are reviewed and updated periodically.

The Sheriff shall ensure that all members having interactions with arrestees and inmates receive appropriate training on the written procedures (CRS § 16-4-102).

The Sheriff shall ensure that the initial certificate of compliance and required attachments and any required subsequent submissions are transmitted to the Division of Criminal Justice as directed by the Division (CRS § 16-4-102).