

## **BLOOMINGTON POLICE DEPARTMENT**

### **STANDARD OPERATING PROCEDURE**

#### **PERSONS IN CUSTODY**

Reviewed by: Lieutenant Paul Williams	Effective Date: March 9, 1999
Authorized by: Interim Chief Greg Scott	Revision Date: November 18, 2020

#### **PURPOSE**

The purpose of this SOP is to institute a procedure for handling persons in the custody and temporary care of the Bloomington Police Department.

#### **PROCEDURE**

##### **GENERAL RESPONSIBILITIES**

When a person is arrested or detained in the Bloomington Police Department, the transporting Officer shall notify Dispatch. This notification shall include the arrested person's name, and location held. This way when a call comes in and if the subject is here, Dispatch can direct the call to the correct division (CID, Patrol, Street Crimes, or Vice).

The on-duty supervisor of the officer having the arrested or detained persons in his custody is accountable for the care of those persons. The officer having the arrested person(s) in his custody is responsible for providing reasonable food, medical care, and access to toilet facilities for the arrested person. At no time will arrested persons be left unsupervised.

Arrested persons who require hospital treatment may be transported to either Carle BroMenn Hospital or St. Joseph's Hospital by the most appropriate means. If the arrested person is believed to be suffering from mental illness or to be in a mental crisis, refer to SOP 5.22, Responding To Persons Affected By Mental Illness or In Crisis.

A supplemental report, detailing the injury/illness and all information having to do with the injury/illness, will be completed by the officer having custody of the person. The complete report of the incident will be directed to the police administration via routine channels. Determination of the responsibility for payment of medical services will be made by the police administration, and no officer or agent of the Bloomington Police Department will make promise to pay for medical services.

In the event of fire or other disaster, the on-duty supervisor, or his designee is responsible for the safety and security of all persons detained in the Bloomington Police Department.

All persons arrested or detained at the Bloomington Police Department shall be held in a manner that provides for their security and safety, as well as the safety of the personnel of the Bloomington Police Department. At no time will any member of the Bloomington Police Department abuse, neglect or maltreat any person in their care or custody.

### **ARRESTED PERSONS**

Any person arrested should be transported to the McLean County Jail as soon as possible after the arrest.

No arrested person should be detained at the Bloomington Police Department outside of a secured room. All persons arrested will be searched prior to being placed in a secured room. All secured rooms shall be examined for the presence of unauthorized objects and/or contraband, before and after each use. Interviews of arrested persons shall be done in the provided secure rooms. Officers conducting interviews of arrested persons shall disarm themselves and secure their weapons in a weapons safe.

If the person arrested is held for further interview by CID personnel, he/she shall be monitored by a supervisor, or his designee, until the person is transferred to CID personnel involved in the investigation. After any required interviews, the person arrested will be transported to the McLean County Jail.

### **JUVENILES**

Whenever a juvenile is taken into custody and brought to the Bloomington Police Department, the on-duty shift supervisor shall be notified.

Juveniles arrested for crimes, other than status offenses, should remain in an officer's custody until such time as they can be transported to the McLean County Juvenile Detention Facility or are released. Juveniles should be held in a secure room under the immediate supervision of a police officer. Every effort should be made to arrange for the juvenile's release in a timely manner.

Juveniles being held for status offenses, such as runaway, may be held in the Bloomington Police Department or may be returned to their residence or other location and released to their parent, legal guardian or other approved adult. This may facilitate the more rapid return to availability for the officers involved with the apprehension of such juveniles.

### **MINORS**

Intoxicated defined: affected by alcohol or drugs especially to the point where physical and mental control is markedly diminished.

Persons who are under the age of 21 and who are, or appear to be, intoxicated will require special consideration.

When persons under the age of 18 will be detained at the McLean County Juvenile Detention Facility, the transporting officer will notify detention center personnel during intake if the minor appears to be intoxicated.

Persons under the age of 18 who exhibit signs of being intoxicated and who will not be detained, will only be released to a parent, legal guardian or competent adult as approved by the parent or legal guardian. This process will be documented in the police report. If no parent, legal guardian or approved competent adult can be located, DCFS will be contacted.

When persons over 18 but not yet 21 are transported to the McLean County Jail, the transporting officer will notify jail personnel during intake if the person appears to be intoxicated.

For persons over 18 but not yet 21 who are to be released and who exhibit signs of intoxication, reasonable efforts will be made to release these persons into the care of a responsible adult. These efforts will be documented in the police report.

Regardless of age, should a person's level of intoxication appear to be so severe that there is a concern for their safety, there are two options available to help mitigate the danger to themselves.

1. When legally permissible, delay releasing a person until their level of intoxication is reduced, or
2. call the Bloomington Fire Department for an evaluation and/or treatment.

### **CUSTODIES AT A MEDICAL FACILITY**

When a custody is transported to a medical facility, absent a supervisor's approval otherwise, the transporting officer shall remain with the custody at all times, unless circumstances prohibit. If a custody will be at the hospital for an extended length of time for treatment or admittance, the transporting officer shall notify the appropriate supervisor

#### **1) Carle BroMenn Hospital.**

When a custody is taken to Carle BroMenn Hospital, a supervisor shall make a determination if the custody may be left in the care of the hospital or guarded by an officer. The supervisor shall take into consideration the severity of the crime and any potential risk to others when making this determination.

If the supervisor has authorized the custody to be left in the care of the hospital, the transporting officer shall:

- a) Tell the Emergency Room staff that the custody has a "Police Hold"
- b) Contact the Carle BroMenn Public Safety Supervisor either in person or at 309-268-5050 and advise him/her that a "Law Enforcement Request for Patient Information" form is needed if the custody will be released or the "Prisoner Patient Security Checklist" if the custody will be admitted to the hospital.
- c) This form will be completed by the Public Safety Supervisor and is for hospital use and officers do not need to retain a copy.
- d) The Public Safety Supervisor will forward the completed form to hospital staff notifying them to contact the Public Safety Supervisor on the custody's pending release
- e) The Carle BroMenn Public Safety Supervisor will notify the PD on the pending release. NOTE: Carle BroMenn will not further hold, detain or monitor a patient in cases where law enforcement is unable to arrive at the designated release time.
- f) The transporting officer will be required to sign the appropriate form.

When probable cause for arrest is developed after leaving the hospital, an officer can notify the hospital by phone of a "Police Hold". The officer should contact the Public Safety Supervisor at 309-268-5050, who will complete the form over the phone and notify hospital staff.

**2) OSF St. Joseph Hospital**

When a custody is taken to OSF St. Joseph Hospital, a supervisor shall make a determination if the custody shall be un-arrested. The supervisor shall take into consideration the severity of the crime and any potential risk to others when making this determination. If the determination is that the custody shall be un-arrested, the transporting officer shall remove any handcuffs or other law enforcement restraints placed on the custody. The transporting officer shall notify the custody as well as the attending hospital staff that that he/she is no longer under arrest. If applicable the transporting officer may inform the custody of known further police action i.e. case being forwarded to States Attorney for charging, ticket or ordinance violation issuance.

The transporting officer should not direct the hospital staff to call with notification if the (former) custody is released or otherwise give the hospital staff any reason to believe that there is an expectation for them to guard the subject etc.