

Department of the Interior Law Enforcement Policy

Effective Date: May 8, 2014

Series: Law Enforcement and Security

Chapter 6: Operation of Detention Facilities

Originating Office : Office of Law Enforcement and Security

6.1 **Purpose.** This chapter establishes minimum standards for the safe and secure operation of detention/jail facilities owned, operated, or funded by the Department of the Interior (Department/DOI).

6.2 **Scope.** This policy applies to all DOI bureaus/offices.

6.3 **Authority.** This policy is issued pursuant to 112 DM 17 and 212 DM 17.

6.4 **Responsibilities.**

A. Director, Office of Law Enforcement and Security (OLES) is responsible for policy development and provides program guidance and oversight of the Department's law enforcement programs.

B. Bureau Directors of Law Enforcement (BDLE) with law enforcement programs that detain prisoners are responsible for following these requirements and for establishing written standards, policies, procedures and practices to ensure that:

- (1) All operations of detention/jail facilities, including temporary holding facilities, comply with the federal, state, and local laws, as well as applicable life safety and health codes.
- (2) The staff responsible for detention/jail facilities and prisoner supervision is properly trained and understands the policies, procedures and practices of the facilities.
- (3) There are, at minimum, annual inspections of the operations, programs, equipment and facilities. Any deficiencies will be reported to the proper authorities as soon as they are discovered. Such deficiencies must be corrected in a timely manner.

6.5 Definitions. For the purpose of this chapter, the terms below are defined as follows:

A. Detention Officers/ Correctional Officers. DOI law enforcement officers (LEOs) or correctional officers charged with supervision of prisoners.

B. Supervisor. Any law enforcement or non-law enforcement employee of the Department who has direct operational authority over Department corrections facilities or personnel.

C. Holding Facility/Lockup. Any facility that contains holding cells, cell blocks, or other secure enclosures that are under the control of law enforcement or the court and are primarily used for the *temporary* confinement of individuals who have recently been arrested, detained, or are being transferred to court, jail, or prison.

D. Jail. For this policy, same as a prison, detention center, penal institution, correctional facility, confinement facility, etc., and used to confine prisoners when awaiting trial or when convicted and sentenced.

E. Secure Closed Circuit Television (CCTV). Video images (including audio) that are recorded and maintained in a secure environment preventing tampering of recordings. Recordings are retained pursuant to bureau policy and Federal Records Act or other law or guidance.

6.6 Policy. The Department's policy is to house prisoners in facilities that are: safe and secure; sufficiently funded; appropriately staffed; and, adequately maintained. Prisoners are to be humanely and fairly treated and held accountable for their actions.

A. This policy is applicable to detention/jail facilities owned, operated or funded by the Department, and includes privately-operated facilities used under contract by DOI. Tribal facilities not funded or operated by the Department are excluded from this policy unless they are used to house non-tribal or federal prisoners. State, county or local facilities are excluded from this policy as long as they are governed by a state, county or local health and safety code or law.

B. This policy will apply to Department temporary holding facilities.

6.7 Standards.

A. Policy Compliance and Review. Initially upon issuance of this policy and annually thereafter, bureaus/offices must certify compliance with, and update as necessary, bureau/office policies and SOPs on 1) detention center/jail operations, and, 2) prisoner transportation. Annual certifications of policies/SOPs must be submitted to the Director, OLES for review and concurrence prior to implementation.

B. Minimum Requirements- Detention Centers/Jails. Detention centers/jails owned, operated or funded by the Department are to comply with all federal statutes and requirements. Detention center/jail operations are to comply with the Prison Rape Elimination Act of 2003 (PREA) Public Law 108-79 codified as 42 U.S.C. §1560 and any subsequent direction provided by the Executive Branch. Detention operations must also comply with the Core Jail Standards as established by the most recent edition of the American Correctional Association (ACA) Core Jail Standards. These national standards set a minimum level of operational efficiency and effectiveness and promote safe and secure environments for staff, the community and prisoners. Bureaus/offices are strongly encouraged to obtain ACA certification and accreditation.

C. Prisoner/facility supervision. In order to promote the safe and orderly operation of detention facilities, prisoners must be continuously monitored by direct supervision, by supervised CCTV (including audio), or a combination of both, and, correctional officers' posts must be located adjacent to inmate living areas to be available to immediately respond to emergency situations. In addition, all facility areas accessible to prisoners, including all areas with guard/prisoner contact such as booking areas, sally ports, etc., will be continuously monitored and recorded by secure CCTV.

D. Juveniles. Juveniles are to be sight and sound separated at all times from adult prisoners. Facilities and programs for juvenile detention facilities must comply with all federal statutes and requirements.

E. Transportation. Bureaus/offices are to develop prisoner transportation policies and procedures that comply and correspond with prisoner transportation policies detailed in 446 DM 36, Arrest Operations.

F. Use of technology. Bureaus/offices are encouraged to establish procedures to leverage technology to provide a more secure and efficient detention operation, e.g., using video teleconferencing for pre-trial hearings will minimize the transport of prisoners, thereby increasing safety of prisoners, correctional officers and the public, while reducing expenses.

G. Independent Inspections. Bureaus/offices are to develop procedures and policies to have detention facilities/jails routinely inspected by independent staff not involved with jail operations.