

## Chapter 39

### DETENTION FACILITY

These standards apply only to those departments operating short-term detention facilities to maintain custody of prisoners for short periods.

#### Management

- 39.1.1** The department has a written directive that governs the operation and maintenance of the detention facility.

*Comments: The written directive may be in the form of a manual that covers management, operations, security, prisoner accounting, and control. (M M M)*

- 39.1.2** A written directive designates one person as responsible for the operation of the detention facility.

*Comments: It is important for successful operation of the facility that one person be held responsible for the facility's operation, including management of its personnel, prisoners, and programs. (M M M)*

- 39.1.3** A written directive governs access of nonessential persons to the detention facility.

*Comments: The directive should address access to the facility by counsel, family and others. (M M M)*

#### Physical Plant

- 39.2.1** Detention facilities provide the following minimum conditions for prisoners:

- o sufficient lighting;
- o circulation of fresh air in accordance with local public health standards;
- o access to a toilet, wash basin or shower, and drinking water; and
- o a bed and bedding for each prisoner held in excess of eight hours.

*Comments: The directive may provide exceptions for prisoners who are deemed to be suicidal. (M M M)*

**39.3 Safety and Sanitation**

**39.3.1 A written directive prescribes fire prevention practices and procedures for the facility.**

*Comments: The department should plan and execute all reasonable procedures for the prevention and prompt control of fire.  
(M M M)*

**39.3.2 The type and location of fire equipment is approved in writing by provincial or local fire officials.**

*Comments: Fire equipment should be located in easily accessible locations affording minimum opportunity for tampering.  
(M M M)*

**39.3.3 A written directive requires a documented weekly inspection and a documented semiannual testing of fire equipment.**

*Comments: The inspection should focus on verifying the presence of equipment and detecting any tampering or damage.  
(M M M)*

**39.3.4 The facility has an automatic fire alarm and heat and smoke detection system that are approved in writing by provincial or local fire officials.**

*Comments: The facility should have the capability to alert staff to the presence of both fire and smoke in the facility. The fire alarm system should be connected directly to the nearest full-time, emergency dispatch centre. (M M M)*

**39.3.5 A written directive requires weekly inspection and documented monthly testing of the facility's automatic fire detection devices and alarm system.**

*Comments: Automatic devices, shall be tested to determine that they are functional. (M M M)*

**39.3.6 There is a written and posted emergency evacuation plan for the facility and a designated and signed emergency exit directing evacuation of persons to hazard-free areas.**

*Comments: If possible, two separate means of emergency exit should be provided. The evacuation plan should specify route of evacuation and subsequent disposition and housing of prisoners. The plan also should include provisions for first aid and hospital transportation. (M M M)*

**39.3.7 A written directive requires a sanitation inspection of the facility and specifies procedures for control of vermin and pests.**

*Comments: Any condition conducive to harbouring or breeding insects, rodents, or other vermin should be eliminated. (M M M)*

#### **Security and Control**

**39.4.1 A written directive specifies that firearms will be secured before anyone enters the detention facility.**

*Comments: Exceptions to the standard may be made in certain emergency situations. (M M M)*

**39.4.2 A written directive requires a security check, including searching for weapons, prior to each use of an unoccupied cell.**

*Comments: A security check, including a search for weapons, should be made of each unoccupied cell prior to use. (M M M)*

**39.4.3 A written directive requires a documented security inspection, including searching for weapons, of the detention facility at least weekly.**

*Comments: All detention areas and other areas to which prisoners have access should be searched for weapons and other prohibited articles. (M M M)*

**39.4.4 There is a security alarm system linked to a designated control point.**

*Comments: Emergency alarm systems are vital to the safety of prisoners and staff and to the security of the facility. (M M M)*

**39.4.5 A written directive prescribes procedures to be followed in the event of an escape.**

*Comments: The procedures to be followed if an escape occurs should be made known to all personnel. (M M M)*

#### **Prisoner Processing**

**39.5.1 A written directive requires that a search be made of all prisoners before entry into the detention facility and that a written, itemized inventory be made of all property taken from a prisoner.**

*Comments: The written directive should specify which items may be retained by the prisoner. (M M M)*

**39.5.2 A written directive requires the secure storage of any property taken from prisoners.**

*Comments: Secure storage facilities should be available for prisoners' property or any other items that prisoners have in their possession at time of arrest. (M M M)*

**39.5.3 A booking form is completed for every person booked into the facility and contains the following information:**

- o arrest information;**
- o apparent physical condition; and**
- o property inventory and disposition.**

*Comments: Booking information should enhance the ability of the facility staff to promote conditions that contribute positively to the health and security of the prisoner, to the safety of others, to the security of property, and to the positive identification of the prisoner. (M M M)*

**39.5.4 Young offender detention areas are separate from adult detention areas.**

*Comments: Young offender detention areas should be separated from adult areas. (M M M)*

**39.5.5 Detention areas for female prisoners are separate from male areas.**

*Comments: Female detention areas should be separated from male detention areas. (M M M)*

**39.5.6 A written directive prescribes methods for handling, detaining, and segregating persons under the influence of alcohol or other drugs or who are violent or self-destructive.**

*Comments: The detention facility is not normally equipped to provide treatment to persons under the influence of drugs or alcohol, and such persons should be detained in other facilities, when available. When these facilities are not available, special consideration should be given to ensuring that the potential for prisoners to injure themselves or others is minimized. Such prisoners should remain under close observation by facility staff. (M M M)*

**39.5.7 A written directive prescribes space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the detention facility.**

*Comments: The directive should address such matters as provision for extra personnel, additional physical facilities, and booking and detention procedures. (M M M)*

**39.5.8 A written directive governs the return of property to prisoners upon release.**

*Comments: Property should be compared with the inventory list and the prisoner should sign a receipt for property returned. Property retained for evidentiary or other purposes should be noted on the receipt. (M M M)*

### **Medical and Health Care Services**

**39.6.1 A written directive identifies the policies and procedures to be followed when a prisoner is in need of medical assistance.**

*Comments: The intent of this standard is to ensure that staff recognize, take immediate action on, and report all prisoner medical emergencies. (M M M)*

**39.6.2 A first aid kit is available in all facilities and is subjected to a documented inspection and replenished, as necessary.**

*Comments: First aid equipment available to facility personnel should provide a capability for proper response to a broad range of anticipated emergencies. (M M M)*

**39.6.3 If the department dispenses pharmaceuticals, a written directive governs distribution and documentation of those pharmaceuticals within the facility.**

*Comments: Proper distribution of pharmaceuticals includes procedures for administering labelled drugs and controlled substances. (M M M)*

### **Prisoner Rights**

**39.7.1 A written directive requires that a prisoner's opportunity to make bail is not impeded.**

*Comments: The intent of this standard is to ensure compliance with the Criminal Code and the Charter of Rights and Freedoms. (M M M)*

**39.7.2 A written directive ensures confidential access to counsel.**

*Comments: Every effort should be made to ensure privacy in contacts between counsel and their clients. (M M M)*

**39.7.3** A written directive sets forth procedures for a prisoner's access to a telephone.

*Comments: Any limits on the use of the telephone, such as the type and number of calls and their duration, should be stated.  
(M M M)*

**39.7.4** Three meals are provided to all prisoners in the facility during each 24-hour period.

*Comments: No more than 14 hours should elapse between meals, except when a different dietary regimen is medically indicated.  
(M M M)*

### **39.8** Supervision of Prisoners

**39.8.1** A written directive requires 24-hour supervision of prisoners by department staff, including a count of the prisoner population at least once per shift.

*Comments: Twenty-four-hour supervision is essential for maintaining security and ensuring the safety and welfare of prisoners.  
(M M M)*

**39.8.2** A written directive requires that each prisoner be visually observed by department staff at least every 30 minutes.

*Comments: Prisoners who are security risks should be under closer surveillance and may require more frequent observation.  
(M M M)*

**39.8.3** A written directive specifies procedures for supervision of prisoners of a sex opposite that of the supervising staff member.

*Comments: It is inappropriate for staff to supervise prisoners of the opposite sex; department staff should be carefully advised of procedures to be followed in these instances when the appropriate staff are not available. (M M M)*

**39.8.4** A written directive governs prisoners' visitation rights and prescribes procedures for registering visitors to the facility and for searching visitors.

*Comments: Prisoners should be permitted visitors consistent with security needs and operational considerations. (M M M)*