

A RESOLUTION ADOPTING STANDARD)
OPERATING PROCEDURES FOR)
ARREST/JAIL AND THE INVENTORY OF)
PROPERTY OF PRISONERS IN THE)
CUSTODY OF THE LEBANON POLICE)
DEPARTMENT)

Resolution Number 9
for 1997

WHEREAS, the Appellate Courts of the State of Oregon have determined that the governing bodies of local jurisdictions have the authority to consider and approve the procedures of law enforcement personnel in processing, inventorying, booking, and searching persons suspected of or arrested for criminal activities; and

WHEREAS, the Appellate Courts of the State of Oregon have determined that such authority cannot be delegated by the duly elected governing body of the local jurisdiction to the executive branch of such local jurisdiction; and

WHEREAS, the City Council for the City of Lebanon finds that such procedures should be adopted to protect the health, safety, and welfare of the citizens of the City of Lebanon and the police officers and other personnel charged with the enforcement of the laws of the City of Lebanon; and

WHEREAS, such procedures shall be objectively and fairly administered for the purpose of processing such persons arrested and accused of criminal activity; and

WHEREAS, the City Council has reviewed such procedures and finds them to be appropriate to protect and defend the citizens of the City of Lebanon;

NOW, THEREFORE, be it Resolved by the City of Lebanon as follows:

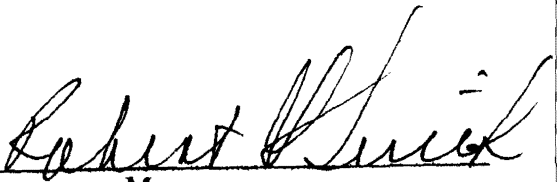
Section 1. The City of Lebanon does hereby adopt as its policy on the procedures for book-in inventories and arrests/jail procedures the Lebanon Police Department Standard Operating Procedures Numbers 30 (for 1992) and 245 (for 1994), copies of which are attached hereto as Exhibits "A" and "B", and which are incorporated by this reference into this resolution by this reference as if fully set forth herein.

Section 2. Members of the Lebanon Police Department are hereby authorized to perform

their duties as set forth in Exhibits "A" and "B" when arresting, inventorying personal property, or booking in those persons who have been arrested during the course of such Police Officer's duty.

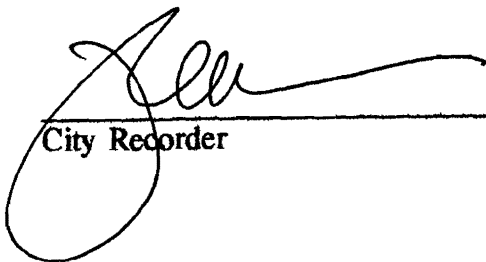
Section 3. This resolution shall replace any other procedure which has heretofore been adopted and which contains contradictory provisions.

ADOPTED by the City Council for the City of Lebanon this 28th day of May, 1997
by a vote of 6 for and 0 against.



Mayor

ATTEST:



City Recorder

LEBANON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE

ARRESTS/JAIL PROCEDURES

PURPOSE:

To establish policy for arrests and jail procedures.

CUSTODY:

- A. In making arrests, officers shall strictly observe all laws, policies, and procedures prescribed by this department, the United States Constitution, Oregon Revised Statutes, and judicial ruling.
- B. Use of Force:
1. Officers shall be cautious in the arrest and detention of prisoners and shall take all necessary precautions to prevent escape, injury to themselves or any other person, or damage to property.
 2. No person shall be subjected to more restraint than is necessary and proper for his arrest and detention.
 3. No officer shall strike a prisoner or suspect except when necessary in the prevention of an escape, or in self-defense, or in the prevention of violence to another person.
 4. When physical force is used, information regarding the use of force will be included in the report.
- C. Search Procedures:
1. Officers shall make a thorough search for weapons and contraband of all persons arrested.
 2. Officers shall touch and search prisoners or suspects of the opposite sex only as is necessary to take them into custody and determine that weapons are not being concealed.
 3. A strip search or cavity search should only be done when a reasonable suspicion exists based on such factors as nature of the offense (narcotics), prior arrest

record, and the arrestee's appearance and conduct.

D. Communications with Persons in Custody:

1. Officers shall not communicate any information which might assist persons to escape arrest or punishment or which may enable them to dispose of evidence.
2. Officers may provide the use of telephone listings of attorneys or the Lawyer Referral Services 1-800-452-7636.

E. Bail:

1. Officers shall not recommend any person or firm engaged in the business of furnishing bail to any person desiring bail.
2. Officers of the department shall not accept bail at the scene of an arrest. All bail for arrests will be posted at the police department.

TRANSPORTATION OF PRISONERS:

A. Officer shall not transport prisoners in any unit other than department vehicles, unless in dire emergency or upon receipt of authorization from supervisory personnel.

B. Use of Handcuffs:

1. Persons arrested by members of the department shall be handcuffed behind during transport to the detention facility.
2. Discretion may be exercised by the officer under exceptional circumstances.
3. Officers shall never handcuff a prisoner to a vehicle while transporting. It is each officer's responsibility to provide safe custody for a prisoner, especially when handcuffed.
4. The transporting officer will secure the prisoner's seatbelt before the vehicle is started or set in motion.

C. Officers shall not leave prisoners unattended in police vehicles.

D. Sick or Injured Prisoners:

1. Prisoners who have a serious illness or injury requiring hospitalization shall be transported by ambulance.

2. Officers shall accompany the ambulance to the hospital and will remain on prisoner guard duty until properly relieved.
3. If a prisoner is critically injured and the need for a dying declaration is present, the officer shall accompany the prisoner in the ambulance.
4. Prisoners with minor illness or injury requiring hospital treatment may be transported to the hospital in a patrol unit with approval of the shift supervisor.
5. Prisoners whose illness or injury can be treated with first aid shall be transported to jail. The fire department should be contacted and a request should be made for EMTs to check the prisoner, if necessary.
6. The reporting officer shall include a description of the symptoms of the prisoner's illness or extent of injury in the report, along with what action was taken to treat the prisoner.

E. Transporting Persons of the Opposite Sex:

When persons are to be transported by officers of the opposite sex, the officer will notify the dispatcher of the vehicle's mileage at the time of departure and arrival. The time and mileage will be recorded by the dispatcher.

F. Vehicle Security:

1. The rear compartment of the vehicle shall be inspected before the officer begins a tour of duty.
2. The vehicle should also be inspected after transporting a prisoner to insure that no weapons or evidence have been hidden in the seat cushions or under the seat by the prisoner.

BOOK-IN PROCEDURE:

- A. When an officer takes a person into custody, and intends to "book-in" that person, he should observe the following procedure:
 1. If the arrest is for a Lebanon Police Department charge, the person should be fingerprinted on Oregon State Bureau Form 86. Additionally, if we do not have a copy of the person's fingerprints on file, he should be printed on the red lined form (FD249).
 2. If the arrest is for another agency, check our files. If the person is not identified

in our files, fingerprint him on the red lined form for our files.

3. All arrestees should be mugged. You should check to see if they have a recent mug in file. If the mug shot is within six months, you need not take another picture. NOTE: You may need to obtain an identification number from the dispatcher.
4. If your intention is to "cite and release" the arrestee, issue the citation and release the person.
5. If your intention is to "lodge" the arrestee, complete the Lebanon Police Department arrest sheet (book-in sheet). You should insure that the arrestee has been thoroughly searched and has a mattress and two blankets prior to placing him in a cell. Be sure you inventory and secure his property.

**LEBANON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**

BOOK-IN INVENTORY

PURPOSE:

To ensure that weapons and/or contraband are not brought into the Lebanon Police Department jail, and to provide a record of an arrestee's personal property.

PROCEDURE:

This procedure is to be followed for all prisoner book-ins.

An officer will conduct a thorough and complete inventory of all arrestees and their property during a book-in. All property except clothing will be removed from the arrestee and listed in the "property" section of the book-in report.