



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Guarding of Prisoners

Eff. Date 11/11/2019

Purpose

On occasion there is the need for Madison Police Department (MPD) personnel to perform the function of guarding a prisoner at a medical facility. This SOP outlines the decision-making process and the resources to be utilized when it is deemed necessary to guard a prisoner.

Procedure

If it is determined a prisoner will need more than a few hours of medical care prior to incarceration, the Officer In Charge (OIC) shall be consulted and a decision will be made as to whether MPD resources will be used to guard the prisoner at the medical facility.

Factors to be considered in making the decision to guard a prisoner include the following:

- The seriousness of the incident/offense.
- The dangerousness of the individual/hazard to the community.
- The potential danger to themselves.
- The potential for flight or escape.
- The medical issues involved and the estimated length of required hospitalization.

The OIC will consult with the involved District Command staff or Violent Crime Unit Command staff in making a determination as to whether a prisoner will be guarded at a medical facility or if alternative arrangements can be made. On-duty patrol resources are likely to be used for the first prisoner guard assignment shift. The OIC and District Command will coordinate a staffing plan for the initial 72 hours of prisoner guarding assignments as follows:

- If patrol staffing is adequate (above hard minimum staffing level), on-duty patrol officers will be used to fill guard duty assignments.
- If patrol staffing is **at or below** hard minimum staffing levels guard assignments will be staffed on overtime. Assignments will be consistent with relevant contractual provisions, with priority for assignment as follows:
 - To police officers assigned to patrol;
 - To all other non-command commissioned personnel (if insufficient patrol assigned officers express interest);
 - To command personnel (if insufficient non-command personnel express interest).

After the initial 72 hour time frame, the First Detail OIC will be responsible to coordinate a prisoner guarding staffing plan that is staffed using overtime available to all commissioned staff on a voluntary basis. The prisoner status and staffing plan should be reviewed by the First Detail OIC on a daily basis. Overtime assignments will be consistent with relevant contractual provisions, – it will be open to all commissioned personnel and awarded to whomever had the least amount of overtime accrued for the year, with priority assignment as follows:

- To all non-command commissioned personnel;
- To command personnel (if insufficient non-command personnel express interest).

If no one expresses interest in an overtime guarding assignment, patrol resources should be ordered to fill the assignment (consistent with existing order over procedures).

Officers assigned to guard duty should be assigned to the original incident case number for the first 24 hours of guard duty. After 24 hours, The OIC or appropriate commander should generate a new case number (incident type: Assist – Guard Duty) using the medical facility as the address of occurrence. All subsequent guard assignments should be assigned on the CAD to the new case number. Any reports completed in connection with the guard duty should be completed under the original incident case number.

Prisoner Guarding Protocol

The following guidelines will be adhered to whenever a prisoner is under guard at a medical facility:

- Officers will notify hospital/facility security of their presence upon arrival.
- Two officers should be assigned to the prisoner.
- The prisoner should be restrained unless their injury/illness prohibits it.
- Officers will remain in the room with the prisoner unless medical circumstances prevent it. Officers will coordinate with medical staff to maintain a reasonable degree of control/observation of the prisoner.
- Prisoners are not allowed access to phones for personal communications without approval from an MPD commander.
- Prisoners are not allowed visitors without approval from an MPD commander (professional visits from attorneys are generally permitted). In the event that approval is granted, guarding officers will document the visit (time, duration, names of visitors, etc.) in a report. Officers will remain in the room during visitation (excluding attorney visits when appropriate).

The restrictions apply to prisoners who are in custody and under arrest, and not to individuals who might be guarded for other purposes.

Command staff from the District/Unit responsible for the arrest may specify guidelines that add to or modify those above.

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