



Tempe Police Department Organizational Services

Serving the community since 1894

January 9, 2017

Brian K. Biesemeyer,
City of Scottsdale Acting City Manager
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

Mr. Biesemeyer,

Per your request, representatives of the Tempe Police Department conducted a review of Scottsdale Police Department Detention related operational orders to identify potential gaps and make appropriate recommendations. This was an opportunity for both our agencies to strengthen our processes and procedures.

The following documents were reviewed:

- Scottsdale Police Department Detention Operational Orders
- Internal Affairs Investigative Summary for IA2016-100
- Pages 20-21 of CALEA inspection letter dated October 5, 2015, pertaining to Detention Operations

Upon conclusion of our review, we agree with the assessment of CALEA Accreditation Inspectors who stated the Scottsdale Police Department, "has excellent directives that provide guidance to agency personnel regarding all aspects of interacting with and handling detainees" (CALEA, October 5, 2015, p. 20).

As with any organization, policies and procedures rely on human beings to follow them through and when people fall short of clear expectations, accountability is important as demonstrated in IA2016-100.

There are always opportunities to strengthen policy and procedures and the Tempe Police Department offers the following for your consideration:

- Policy makes it explicitly clear that 24-48 hour commitments are to be processed according to the same regulations set forth concerning detainees (DO 8252, p. 1). Per the same policy, commitments are permitted to bring reading material, a writing pad and, "a pen or pencil." Consideration should be given regarding the risk of allowing these types of utensils in the facility providing potential access to detainees.



Tempe Police Department Organizational Services

Serving the community since 1894

Policy should include protocols for when the jail facility is full. Page 38 of IA2016-100 refers to protocols for how to address scenarios which include having a full jail and special population detainees. The interviewee notes there is probably nothing in writing to provide direction in such a situation. We did not observe a policy during our review.

- All searches should be conducted in view of video surveillance equipment. To protect everyone involved from allegations and ensure utmost professionalism at all times, we recommend this include strip searches (DO 8230, p. 2). Obviously this must be done with utmost professionalism, respect and training.
- Consider increasing the frequency of visual inspection of general detainees to every 15 minutes and five minutes for detainees in a restraint device (DO 8231 p. 1).
- Provide further clarification regarding not accepting detainees who, "have an illness" (DO 8241, p. 1). Interpreted broadly, this can provide a wide range to include relatively minor ailments. Without question as the policy states, if a detainee requests medical care or appears to have need, it should be provided without haste.

Not specifically addressed in the material reviewed includes discussion regarding sworn versus civilian leadership of the Detention facility. Each agency must consider this question through the lens of their own context and culture. We have utilized at different times both a civilian detention manager and sworn lieutenant to oversee detention operations. There are strengths and weaknesses to both approaches. We have experienced value in having sworn oversight especially when it comes to bringing Detention more closely aligned with Field Operations and a broader view of risk, liability and training through a larger organizational and operational lens.

In closing, we believe the Scottsdale Police Department has strong policies and procedures in place for Detention Operations. We have made a few suggestions for consideration though it should be noted, these recommendations would have had little impact on the allegations in IA2016-100 as they were people, not policy issues which Scottsdale Police took steps to address.

On behalf of Chief Moir, it is our hope that we have provided quality assistance to you and the Scottsdale Police Department with this review.

Respectfully,

Michael Horn
Organizational Services Commander

cc: Alan Rodbell, Chief of Police