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Chief of Police
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November 17, 2016

Chief Troy Crowson,

On November 3, 2016, I conducted a perfunctory inspection of the evidence/prisoner processing room and the prisoner holding areas at the South Bethany Police Department as you requested.

Here are some of the things that I noted:

1. Prisoners are processed inside the evidence room.

Prisoners should not be allowed to go anywhere near where evidence is stored. I noticed there was evidence on the floor, probably because it wouldn't fit into the designated storage containers. When a prisoner is brought into the room to be processed, he is not handcuffed and could access any of this exposed evidence. Evidence storage/processing should be kept in a separate area from prisoner holding/processing. The separateness ensures the integrity of the evidence as well as prisoner/officer safety. My recommendation is to have a separate room designated just for evidence with a minimum number of people having access to it.

2. The only toilet facilities available for prisoners are a common bathroom.

I understand that your agency may not be able to have more than one bathroom; however, my concern is that there is a lock on the bathroom door whereby a prisoner may go in, lock the door and barricade himself inside. There is a plethora of examples of treacherous opportunities that

a prisoner would have if he had access to an officer's toilet facility; thereby making it unsafe for the officers and anyone else using the facility. My recommendation is to have a separate toilet facility for prisoners with a stainless steel prison-type toilet.

3. The prisoner holding area is within a close proximity to officers

The designated holding bench is in a location where the offender could kick, strike or spit on officers sitting at their desks. There are also objects, within the offenders reach, that he could use as a weapon. I highly recommend having a separate area, where the offender is isolated from objects and far enough away from officers where he cannot obstruct official business or disturb the officer while he is completing paperwork.

4. The prisoner holding area leaves no room for multiple offenders

The current holding bench does not allow any kind of separation between offenders if two or more are arrested. Lack of separation can be dangerous depending on many factors such as: the nature of the offense, whether the offenders are intoxicated, or whether they are co-defendants. I recommend having a back-up area in case you have more than one offender.

5. There is no place to hold juvenile offenders

The Juvenile Justice and Delinquency Prevention Act of 1974 mandates that juvenile offenders are to be kept "sight and sound" away from adult offenders. The Delaware Criminal Justice Council regularly audits agencies to ensure that agencies are in compliance. From what I understand, your agency currently holds juveniles either in an office or in the conference room. Although, this may suffice the sight and sound separation standards, it is an unsafe practice for both the offender and for the officer as the officer cannot maintain surveillance of the individual at all times. I recommend having a separate, designated area for juvenile offenders in the case that you have an adult and a juvenile in custody at the same time.

6. There is no way to separate male and female offenders.

Because of the nature of the bench holding area, a female offender and a male offender would be secured in a very close proximity to each other which opens the door to sexual assaults. "In-custody sexual assault" is a hot topic with the Department of Justice right now as they have recently

come out with Prison Rape Standards. I recommend there be "sight and sound" separation between female and male prisoners if possible.

7. Evidence

The evidence at your agency is secured in lockers and file drawers: these are not secure. Lockers and file drawers are at best good for temporary storage. Your facility needs a more secure method of storing your evidence. Lockers and file drawers can be easily broken into and everyone in your agency, including prisoners have access to the room the evidence is housed in. I recommend a separate room for evidence, it doesn't have to be large, it just has to be secure and adequate to hold the amount of evidence you may have at any given time.

8. State Accreditation

If I were assessing your agency as a State Accreditation Assessor you would fail in the aforementioned areas.

Even if you have no desire to become State Accredited then please realize that these recommendations are best practices and are based on Supreme Court rulings, Police Executive Research Forum guidance as well as officer safety lessons, among other things.

After looking over the plans for the renovations I believe most, if not all, of these issues will be taken care of.

Good Luck in your endeavors

Sincerely,

Cpl Kelli Burns
Delaware Capitol Police
Assessor, Delaware Police Accreditation Commission