



Grand Jury  
REC'D APR 24 2013  
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Gregory Bowman -Chief of Police

April 17, 2013

Presiding Judge  
Solano County Grand Jury  
600 Union Avenue  
Fairfield, Ca 94533

Re: Holding Cell – response letter

Presiding Judge – Solano County Grand Jury,

In response to the letter dated March 18, 2013 please find below the responses from the Rio Vista Police Department (RVPD):

**Finding 1** – Rio Vista Police violates its Department Policy 900.1 by not immediately transporting arrestees to county jail.

**GJ Recommendation 1** – Adhere to Department Policy 900.1 or modify it accordingly.

**Response to Finding 1** – The RVPD disagrees with this finding. The related policy section language states, "...prisoners **should** (emphasis added) be transported to the county jail immediately upon arrest."

The use of "should" versus "shall" in the policy provides the necessary flexibility for patrol officers to continue the investigative functions of an arrest. These functions, which include issues such as interview/interrogation, breath alcohol sample collection, or narcotics presumptive testing are not generally feasible or ideally completed in the field and must be done at the police station. Accordingly prisoners are held for a *minimal* amount of time in the police vehicle behind a secure fence, or in the immediate presence of an officer in the station while these nominal tasks are completed. These tasks normally take no longer than 10 minutes. The policy manual will be updated by June 2013 to clarify the above explanation.

**Finding 2** – Arrestees are held in an unsupervised patrol vehicle while awaiting transport to county jail.

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**GJ Recommendation 2** – Hold arrestees in a secure area within the police department appropriately restrained or follow current Department Policy 900.1

**Response to Finding 2** – The RVPD disagrees with this finding with respect to its foundation in that an element of the recommendation is already a standard practice. Should an arrestee be transported to the police station for processing or evidence collection/testing, the person is briefly held within a patrol car prisoner cage while handcuffed, behind a *secure* fence. If the arrestee is brought into the police facility for breath sample collection or interview he/she *remains secured by handcuffs or waist chains/handcuffs* and remains in the immediate presence of an officer. Given the type of structure which houses the police building (modular buildings/trailer) the addition of a holding cell is not feasible.

Please contact my office should further information be necessary.

Thank you,

  
Greg Bowman  
Chief of Police

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