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| CUMBERLAND COUNTY PRISON Policy and Procedures Manual | Reference Number 20.2 | Pages 4 |
| | Related Title 37 Reference(s): 95.224; 95.240; 95.241; 95.246 | |
| Chapter: CUMBERLAND COUNTY UNIVERSAL DIRECTIVE/POLICY & PROCEDURES | Subject: Criminal Jurisdiction at the Cumberland County Prison & Responses to Criminal Conduct | |
| Date Issued: 5/2015 | Revised: 1/2020 | |

- I. **PURPOSE:** The purpose of this policy is to identify the law enforcement agencies having jurisdiction for investigating criminal conduct or allegations thereof and to identify responses to be initiated when any criminal conduct or allegations thereof occur within the purview of the Cumberland County Prison.

- II. **APPLICABILITY:** This policy and procedures apply to Prison Staff, Criminal Justice/Law Enforcement Agencies, vendors, volunteers and visitors.

- III. **DEFINITIONS:**
 - A. Criminal Conduct
Any conduct as described in 18 PA C.S., 23 PA C.S., 35 PA C.S. and 75 PA C.S.

- IV. **POLICY:**
 - A. The physical location of the Cumberland County Prison is in Middlesex Township, 1101 Claremont Road, Carlisle, PA, 17015.

 - B. The Cumberland County Sheriff’s Office will have primary criminal jurisdiction in regard to any inmate escape from the Cumberland County Prison. This includes, but is not limited to, any escapes from the secure areas of the Prison, any work release walk-away, failure to return to the Prison from an approved pass or furlough, any escape facilitated while on an escorted transport outside of the Prison.

 - C. The Middlesex Township Police Department will have primary criminal jurisdiction for all alleged criminal offenses, PREA, other than escape, occurring within the purview of the Cumberland County Prison. Administrative investigation will be conducted by the trained designated jail staff.

- D. Middlesex Township Police Department will normally be dispatched to respond to any incident or alleged criminal offense requiring an immediate police interaction at or on Cumberland County Prison property.
- E. The Cumberland County Coroner's Office will have jurisdiction for any death occurring within the purview of the Cumberland County Prison. This includes, but is not limited to, the death of an inmate, Prison Staff, Prison service providers and volunteers, vendors and contractors.
- F. It is understood that any of the above incidents may fall within the concurrent jurisdiction of other local, state or federal investigating authorities and cooperative efforts will be made to achieve a swift resolution.
- G. The Cumberland County Prison has **zero tolerance** for any criminal conduct within its purview and will take any steps necessary for deterrence, detection and prosecution thereof.

V. **PROCEDURES:**

- A. Dependent upon the urgency of the situation, any of the above referenced agencies can be contacted during non-business hours by dialing, 243-4121 for County Control / dispatch, or in case of emergency, by dialing, 911.
- B. For non-emergency routine communication / correspondence with these agencies during normal business hours; each agency's contact information is:
 - 1. Cumberland County Sheriff's Department
1 Courthouse Square, 3rd Floor
Carlisle, PA 17013
Phone: 717-240-6390
 - 2. Middlesex Township Police Department
350 North Middlesex Road
Carlisle, PA 17015
Phone: 717-249-7191
 - 3. Cumberland County Coroner's Office
6375 Basehore Road, Suite 1
Mechanicsburg, PA 17050
Phone: 717-766-6418
- C. The designated Magisterial District Court for hearing ALL criminal matters occurring at Cumberland County Prison or Central Booking is, District Court 09-2-01. Contact information is:
 - 1. MDJ (Paul Fegley), 09-2-01
2260 Spring Road, Suite 3
Carlisle, PA 17015
Phone: 717-218-5250

- D. The following actions shall be initiated when criminal conduct, or allegations thereof, occurs within the purview of the Cumberland County Prison:
1. When criminal conduct or allegations thereof occur, it shall be reported to the on-duty shiftleader or a prison administrator as soon as possible. This initial reporting can come from staff, inmates, vendors, volunteers, visitors or other venues from the public arena.
 2. The shiftleader or prison administrator, or their designee, will begin the tasks of gathering as much information as possible:
 - a. Type of criminal conduct.
 - b. Where did the criminal conduct occur?
 - c. Who are the perpetrators?
 - d. Who are the victims?
 - e. Identify any witnesses or other persons that may be involved.
 - f. Any injuries or other harm.
 - g. Any weapons or other types of contraband involved.
 3. Depending on the urgency of the situation, follow sections A or B of these procedures for law enforcement notification.
 4. If practical, the scene of the criminal conduct shall be protected as a crime scene and steps taken to preserve any evidence.
 5. If there are any injuries or other harm, administer first aid and get medical attention as necessary.
 6. Separate the Victim and secure, isolate and supervise the Abuser. Any non-inmates shall be placed in an appropriate location and setting to await law enforcement officials. Inmates who are perpetrators or victims shall be placed in cells and housing units that guarantee their security and safety.
 7. If appropriate, victims and witnesses shall be asked to provide written statements pertaining to the criminal conduct.
 8. If the criminal conduct, or allegations thereof, involves sexual assault, Middlesex Township Police Department will determine the need for any forensic medical evaluations.
 9. Professional services, such as Rape Crisis for victims of sexual assault, will be offered to victims, at NO cost. These services can be coordinated through YWCA of Carlisle SA/RC Services, or Cumberland County District Attorney's Office.
 10. Any evidence and pertinent documentation will be forwarded to the investigating law enforcement authority, Middlesex Township Police Department.
 11. Appropriate disciplinary actions will be initiated against any perpetrators. The safety and security of any victims is paramount.

12. Ensure inmates/staff who have reported sexual abuse allegations are monitored to protect the inmates/staff from *retaliation* for at least 90 days. Specifically, the PREA investigator will ensure that such inmates are provided with the opportunity to meet biweekly with the investigator, who will then report to the PREA coordinator. If the coordinator determines that the initial monitoring indicates a continuing need, the periodic status check will be extended beyond 90 days. See attached form (A)
(PREA sexual abuse retaliation monitoring form)
13. The Cumberland County Prison Board will be notified as soon as practical by the Warden or his designee.
14. Any reporting requirements, such as the Extraordinary Occurrence Report to the PA DOC or reporting to the US Department of Justice, will be completed through the Warden's Office.
15. When criminal conduct or allegations thereof involve the sexual abuse of inmates, this Policy and Procedures shall be used in conjunction with Policy and Procedures 20.3, Sexual Abuse and PREA.