

243. PRISONER TRANSPORTATION



RICHFIELD POLICE DEPARTMENT POLICY

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NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

I. PURPOSE

The purpose of this Policy is to establish Departmental procedures governing prisoner transport operations, the documentation that accompanies a prisoner while being transported, and establish guidelines for the use of handcuffs and restraining devices.

II. POLICY

Prisoner transportation by members of the Department should be performed in a manner which will adequately provide for the security of the prisoner as well as for the safety of the transporting officer, and the general public. In addition, law enforcement agencies need to ensure that documentation of prisoner and officer information is available, adequate, and in the proper form. Documentation is particularly important when a prisoner is to be transferred to another facility. Information should be delivered to the receiving agency at the time the prisoner is delivered. Department personnel should ensure the identity of a prisoner before transport and that all necessary documentation accompanies the prisoner during the transport.

The responsibility of an officer for the safe custody of prisoners requires the use of handcuffs and other restraining devices. The Department requires officers to exercise safety awareness by carefully restraining prisoners who must be transported to a jail or other location. In certain situations involving children or the elderly, exceptions to this requirement may be appropriate.

III. DEFINITIONS

PRISONER DISABILITIES: A prisoner with an anatomical, physiological, or intellectually challenged that prevents or restricts the prisoner's normal transportation.

IV. PROCEDURE

NORMAL TRANSPORT OPERATIONS

Search and Inspection of Transportation Vehicle

Any vehicle used to transport a prisoner should be searched prior to and as soon as possible after a prisoner transport. Because most vehicles will not have been under constant security surveillance, a search should be made under the assumption that an opportunity has existed for the introduction of contraband, weapons, and/or other items.

At the beginning of each shift or when an officer changes marked police vehicles during a shift, the officer **shall** inspect the marked patrol vehicle for weapons, potential weapons, or contraband. This examination includes an inspection of the backseat. Unmarked police vehicles which were not inspected by the officer at the beginning of the shift **shall** be inspected by the transporting officer for weapons, potential weapons, or contraband prior to transporting a prisoner.

Police vehicles, marked and unmarked, **shall** be inspected by the transporting officer as soon as possible after transporting a prisoner(s). The re-inspection must take place prior to the officer going off duty and before transporting another prisoner.

Search of Prisoner

The transporting officer is responsible for the safety and custody of the prisoner being transported. It must be assumed that the prisoner may have had an opportunity to obtain contraband and/or a weapon prior to the time the prisoner is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the prisoner.

Prior to being transported, a prisoner **shall** be searched by the transporting officer. The transporting officer **shall** search a prisoner when the prisoner has not been in visual contact with the officer and has had an opportunity to obtain contraband and/or a weapon.

Officers may utilize any one of the following options when searching an arrestee who is a member of the opposite sex. The arresting officer should request an officer on the scene who is the same sex as the arrestee to search this arrestee. If an opposite sex person is not available, an identified witness, or preferably another officer, should observe the search. Officers should use good judgement when searching a prisoner of the opposite sex. However, officer safety and public safety should never be compromised.

Any contraband or weapons found on the prisoner **shall** be documented in a police report by the officer who found the contraband or weapon.

Responsibilities of Transporting Officer

The prisoner should be made as comfortable as possible, given the length of the trip being made, and yet secured to the maximum degree. Restraining devices **shall** be used in compliance with this Policy.

When transporting a prisoner more than 25 miles, the transporting officer should be the same sex as the prisoner or two officers should be present to transport the prisoner. Male and female prisoners should not be transported in the same vehicle, if at all possible. No more than two (2) prisoners should be transported in a police vehicle. Prisoners should be placed in the back seat of the police vehicle.

When any prisoner is transported, the transporting officer will radio the Communications Center the starting and the ending mileage of the transport vehicle. The Communications Center will note the mileage and time of transmission.

No fewer than two (2) officers should transport a prisoner when using a police vehicle without a prisoner shield. The prisoner should then be placed in the right rear seat and the second officer should sit in the left rear seat, behind the driver. Officers should use proper weapon retention techniques.

Unmarked vehicles should not be used for prisoner transportation unless authorized by a supervisor. When so authorized, caution should be exercised by the transporting officer to ensure the safety of all concerned.

Prisoners must not have access to any property other than that which is left in their pockets after the search. The prisoner must be under observation at all times while being transported to reduce the opportunities of attack on the transporting officer and/or escape. An exception to this would include the use of toilet facilities by a prisoner of the opposite sex. Normally this situation will not be encountered from the arrest point to the booking point. See rule on Searching Prisoners, Loss of Visual Contact.

When transporting prisoners, officers **shall**, upon arrival at each facility, secure their weapons for safekeeping in a location inaccessible to any prisoner. When officers transport a prisoner who is wearing restraining devices, the restraining devices should be removed just prior to placing the prisoner in the cell or when in a secure area.

The officer should deliver copies of the reports required by the receiving facility and have the facility's receiving officer sign the Richfield Police Department Prisoner's Personal Property Inventory and

Custody Transfer form indicating delivery of the prisoner and personal property. A copy of this form should be included in the final arrest report.

Prisoner Identification

When prisoners are scheduled for transportation between facilities, the transporting officer should verify identification with the booking records to ensure that the prisoner is the proper person to be moved. The transporting officer should compare descriptors and verbally verify the prisoner's identity.

Prisoner Documentation

The officer should secure proper documentation which will accompany the prisoner being transported. The following forms, when applicable, should accompany the prisoner:

- 1) Authority to Detain
- 2) 36/48 Hour Advisory
- 3) Probable Cause Statement
- 4) Offender Tracking Form

A Richfield prisoner's Personal Property Inventory form (generated by the Photo-Imaging) should be signed by the prisoner prior to departing Richfield Police Department, acknowledging receipt of all personal property being transported.

The transporting officer should be specifically alerted to any potential security problems that the prisoner may present during transport. Police reports and booking records should indicate if the prisoner is an extreme security risk, combative, suicidal, or suffers from an unusual illness.

Transporting Prisoners to the Richfield Police Department

The transporting officer will utilize the 10-15 garage for access to the Richfield detention facility. The duty supervisor should ensure that no vehicles block the entrance to the 10-15 garage when prisoners are being transported to the department.

When the 10-15 garage is unavailable, the officer should park the police vehicle in close proximity to the 10-15 garage and with the assistance of another officer; escort the prisoner through the 10-15 garage into the Richfield detention facility.

The transporting officer **shall** secure the officer's service weapon in the locker provided in the 10-15 garage prior to removing the prisoner from the vehicle. The same procedure **shall** be followed if the police vehicle is parked outside of the 10-15 garage.

The prisoner should be taken into the detention facility. The prisoner should be searched for weapons, potential weapons, and contraband before any restraining devices are removed. Under normal circumstances, restraining devices may be removed in the detention facility. Prisoners should be inventory searched, booked, and processed.

Transporting Prisoners to Hennepin County Jail

The transporting officer should search and handcuff the prisoner prior to removal from the Detention facility. The transporting officer should utilize the 10-15 garage, if possible, when placing the prisoner into the transport vehicle. The officer should deliver any documentation and personal belongings of the prisoner to the receiving officer.

The prisoner should be remanded to Hennepin County Sheriff's Jail personnel if the prisoner is to be booked and/or held in the Hennepin County Adult Detention Facility.

Communication with Other Persons

The primary duty of the transporting officer is the safe delivery of the prisoner in the officer's care. Safety aspects of the transport function require that the prisoner's right to communicate with attorneys and others will not be exercised during the period that the prisoner is being transported.

Rendering Assistance to Others

Diversionary incidents, whether instigated by persons attempting to free the prisoner or not, may divert the transporting officer and place the prisoner in jeopardy or enhance chances for escape.

Only where the risk to a third party is both clear and grave and the risk to the prisoner is minimal, should the officer stop to render assistance to a third party. Transporting officers with prisoners in their custody should not respond to the need for law enforcement services unless directed by the duty supervisor.

SPECIAL CASES

Escape

Regarding the use of force to prevent an escape, officers should refer to Minnesota State Statute 609.06. In the event of an escape, the transporting officer **shall** immediately notify the duty supervisor. If possible, the transporting officer should notify the agency in the jurisdiction where the escape occurred.

When a prisoner escapes, a detailed uniform crime report **shall** be made by the transporting officer and additional required reports as may be deemed necessary by the duty supervisor. Further actions to be taken by the transporting officer will be determined by the duty supervisor as the situation dictates.

Supervisory Responsibilities When Notified Of An Escape

The duty supervisor is responsible to notify the Patrol Section Lieutenant or the Chief of Police for felony offender escapes or when the prisoner escapes and is not immediately apprehended. The duty supervisor should contact the agency where the escape occurred to coordinate efforts to recapture the prisoner.

Transporting Prisoners to a Medical Facility

An officer should transport a prisoner to the hospital in a police vehicle when the purpose of the visit is to obtain a blood sample or other similar non-emergency situation.

Prisoners requiring medical attention should be transported by ambulance to the hospital. Department vehicles are not to be used unless directed by the on-duty shift supervisor. The use of restraining devices should be in compliance with this Policy. The officer should ride in the ambulance with the prisoner unless the on-duty shift supervisor directs otherwise.

The officer should remain with the prisoner during examination and treatment unless specifically directed otherwise by a physician. If this occurs, the officer should stand directly outside the room in a position to prevent escape. When treatment has been completed and the prisoner has been released by medical personnel, the prisoner should be transported by police vehicle to the appropriate jail facility.

Sick or Injured Prisoners

If a prisoner becomes sick or injured incidental to the arrest, the arresting officer should seek medical attention for the prisoner at that time. When it is determined that a prisoner is either sick or injured, the officer should notify the duty supervisor.

A prisoner should be treated by emergency medical personnel at the scene of the arrest or at the Richfield Detention Facility as circumstances dictate. The transporting officer or duty supervisor should determine if a sick or injured prisoner should be transported to a medical facility. The use of restraining devices should be in compliance with this Policy.

If a prisoner is transported to the Richfield Detention Facility and it subsequently becomes apparent that medical assistance is required, Communications Center personnel should notify on-duty Fire Rescue personnel in the building to respond. The emergency medical personnel and/or the circumstances should dictate whether or not the prisoner should be transported to a medical facility.

Disabled Prisoners

Physically and intellectually challenged prisoners present transport conditions which dictate special care and attention. The type of vehicle used should be considered when transporting non-ambulatory prisoners or prisoners requiring wheelchairs, crutches, or prosthetic appliances. It may be necessary to transport medicine and other special items for certain prisoners. The safety of the prisoner and the transporting officer requires due care when transporting disabled prisoners. A Department vehicle should be used whenever possible.

RESTRAINTS

The use of restraints **shall** be indicated on all arrest reports by the reporting officer.

1) Handcuffs

Arrested subjects should be handcuffed. The Department also recognizes that the use of restraints may not be appropriate in some situations involving children, the elderly, the physically or intellectually disabled, or the sick and injured. Officers should handcuff a subject with the hands in back, but may choose to handcuff hands in front owing to the suspect's deformity or disability.

When a suspect is handcuffed, the double lock device should be used. The double lock device will help insure prisoner and officer safety. The double lock device is normally located directly above the key hole on the locking mechanism of the bracelet and can be locked by inserting a pointed object (back of handcuff key, pen, pencil) in the lock and pushing down. Double locking reduces the chance of picking the lock or of the bracelet accidentally closing, further restricting circulation.

When transporting more than one prisoner, the officer should use special restraints and have assistance to ensure prisoner control.

Prisoners should not be restrained together if they are of the opposite sex.

Prisoners should not be handcuffed to any part of the squad, such as a door post.

2) Leg Restraints (Hobbles)

Hobbles allow for transporting arrested subjects in a seated, upright position, while preventing the prisoner from kicking doors or windows. Each squad is equipped with a set of nylon hobbles for officer use.

3) Ankle shackles

Ankle shackles should be used by officers when transporting any prisoner they have reason to believe might be an escape risk.

4) Flexcuffs

Flexcuffs should be used when officers take into custody several prisoners, or when a prisoner requires multiple restraints. Officers should remember to not over tighten the flexcuffs upon application. Officers must understand that, once applied, some flexcuffs can only be removed with a knife or pair of shears.

RESTRAINTS – SPECIAL CASES

Prisoners – Physically Disabled

A prisoner in a wheelchair or one who uses walking aids may not require the use of restraining devices. When the officer believes that restraining devices are not necessary, the officer should obtain the approval of a supervisor before transporting.

Prisoners - Mental Health Issues

A prisoner with mental health issues may pose a significant threat to self and/or the transporting officer. The selected device should restrain the prisoner securely without causing injury. An ambulance may be utilized when a prisoner with mental health issues has exhibited violent behavior. In this instance, at least one police officer will accompany the prisoner in the ambulance.

Prisoner Transported To a Medical Facility

The prisoner should be placed in a restraining device unless otherwise directed by medical personnel.

Sick or Injured Prisoners

Restraining devices may or may not be required on sick or injured prisoners and will be used at the discretion of the transporting officer. Restraining devices should not interfere with medical treatment or aggravate an injury.

By Order Of:


Chief of Police

