



BRAINTREE POLICE DEPARTMENT

Policy and Procedure

Prisoner Transport 2018-29

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Chief Paul Shastany

Certification Standards: **70.1.1; 70.1.2; 70.1.3; 70.1.4; 70.1.6 a-e; 70.1.7 a-c; 70.2.1 70.3.1; 70.3.2; 70.4.1; 70.4.2; 70.5.1**

Accreditation Standards: **70.1.5**

Optional Accreditation Standards:

Policy

The purpose of this policy is to establish rules and guidelines for the transportation of prisoners and related procedures. These rules, guidelines, and related procedures should ensure maximum safety to the prisoner, the custodial officers, and the community.

Arresting Officers, in handling and transporting prisoners, will only use such force that is reasonable and necessary to control the prisoner and to ensure the safety of the officers. Officers shall take all appropriate measures to ensure the preservation of the rights and safety of prisoners and to prevent their escape.

Transport
Vehicles
Inspection
and
Equipment

Officers should conduct an inspection of the cruisers at the start of their assigned duties and at the conclusion of their shift. Care shall be taken to inspect the prisoner transport area for contraband and any other items that may be a safety concern. Child safety lock and window lock systems should be checked and activated prior to the vehicle being used. **[70.1.2]**

70.1.2
70.4.1
70.4.2

Before placing a prisoner in any police vehicle, the vehicle should be searched to ensure that there are no articles present that can be used as weapons. At the completion of all prisoner transports, the Officer assigned to the vehicle will conduct a search of the area within the vehicle where the prisoner was located for evidence and/or contraband that may have been discarded by the prisoner. This will also ensure that items such as contraband or evidence subsequently found can be attributed to the prisoner. **[70.1.2]**

Cruisers used for transporting prisoners shall be modified to minimize opportunities for prisoners to exit from the rear compartment of the

cruiser without the aid of the transporting Officer. Such modification shall consist of, but not be limited to; **[70.4.2]**

- Prisoner cage (separating partition from driver seat). **[70.4.1]**
- Molded prisoner rear seat.
- Safety grates or safety glass rear windows.
- Activation of child safety locks and window locks.

Prisoner
Search Prior
to Transport
70.1.1

After handcuffing, the transporting Officer shall search the prisoner for weapons and contraband/evidence related to the arrest before transporting him/her. **[70.1.1]**

- Officers should not depend upon another Officer to search a prisoner and not presume that a prisoner has already been searched.
- The search should also include the area within the immediate reach and control of the prisoner.
- Any article that can be used as a weapon or as a means of escape should be confiscated.

The following procedures shall apply to the searching of prisoners of the opposite sex before transporting. **[70.1.1]**

- If possible and practicable, female prisoners shall be searched by female Officers and/or matrons, and male prisoners by male Officers, prior to being placed in a cruiser. A pat frisk for weapons shall be performed.
- If a female Officer or Matron is unavailable, female prisoners can be patted down with an object or the back of the hand in the presence of and witnessed by another Officer. They should be searched by a female Officer or matron as soon after arriving at the station as possible.
- If, due to an emergency, a search of a prisoner by an Officer of the opposite sex is necessary, that search should be conducted in the presence of a Supervisor or another Officer or witness to avoid any false accusations of mistreatment or misconduct.

Use of
Prisoner
Restraints
70.2.1
70.3.1

All prisoners shall be handcuffed prior to being transported. In cases such as the elderly, those having an injury, handicapped or juvenile, discretion should be used. This discretion may include the option of frontal handcuffing. **[70.3.1]**

Prisoners will be handcuffed with their hands behind their back unless there are exigent circumstances. Handcuffs should be placed on the skin above the wrists, securely, but not tight enough to affect circulation and then double locked. Handcuffs should not be placed over clothing. **[70.2.1]**

Officers may also use leg restraints for any prisoner that is a security/safety risk or as necessary. Flex cuffs and or interlocking techniques may also be used when transporting large or multiple prisoners. **[70.2.1]**

Rendering
Aid While
Transporting
Prisoners
70.1.4

The primary duty of the transporting Officer is the safe delivery of the prisoner in his/her care. When a prisoner is in custody, he/she shall be transported directly to the Police Station or other specified destination without unnecessary delay. All traffic regulations shall be observed, unless an emergency exists.

Transporting Officers will stop to render emergency assistance and provide police services only in the following circumstances and only if this activity can be accomplished without serious risk of injury to the prisoner or escape of the prisoner. **[70.1.4]**

1. When there is a need for the transporting Officer to act immediately in order to prevent harm to a citizen or police officer.
2. When a citizen or police officer has been injured and assistance is needed immediately.
3. When a crime is in progress and there is an immediate need that the offender be apprehended.

Officers should always call for assistance before attempting to transport an arrestee unless circumstances require otherwise. An Officer should not attempt to transport more persons than he or she can safely control.

A time of potential danger to the Officers and prisoner is when the prisoner is being escorted to the transporting vehicle. To help reduce the danger, Officers should keep the prisoner isolated from other

persons in the area when going to the transport vehicle and during the transport.

In the event Officers are involved in a long distance transport, it shall be limited to necessary stopping such as toilet facilities, food and fuel. During a stop, Officers should be cognizant of their surroundings prior to any stop. Transporting Officers should choose the safest and most appropriate location. Prisoners should not be allowed to have contact with civilians. If necessary, they may call upon the local law enforcement agencies to provide assistance. **[70.1.4]**

Use of
Vehicle and
Transport
Procedures
70.1.3

Marked or unmarked caged vehicle, single Officer transport; **[70.1.3]**

1. Handcuff the prisoner with his/her hands behind his/her back, handcuffs should be double locked.
2. The prisoner should be seated in the rear seat passenger side.
3. Safety belts shall be used unless the transporting officer reasonably believes that securing the prisoner will jeopardize his/her safety.

Marked or unmarked non-caged vehicles, two Officer transport: **[70.1.3]**

1. Only one prisoner at a time will be transported;
2. The second officer will ride in the front seat with the operator and the prisoner will be placed in the rear seat behind the passenger; and,
3. Safety belts shall be used.

Patrol Wagon - May be used to transport prisoners in the following situations: **[70.1.3]**

1. When a large number of prisoners are under arrest.
2. Prisoner conduct or physical condition is such that van transport would be safer.

A sufficient number of Officers should be available to assist with multiple prisoner transport in order to ensure the safety and security of Officers and prisoners.

Females should be transported separate from male prisoners unless approved by the Shift Commander. Females can only be transported in the police van with male prisoners if they are in a separate caged compartment. **[70.1.3]**

Juveniles may only be transported in a marked cruiser or other suitable vehicles. Juveniles may not be transported in a “patrol wagon” (to include any specialized prisoner transport vehicle) under any circumstances. **[70.1.3]**

Whenever one or two officers transport a prisoner of the opposite sex, the following procedures will apply: **[70.1.3]**

- The transporting Officers will call in the mileage on their patrol vehicle and their location. The dispatcher will make an entry into the log.
- The transporting Officers will proceed directly to their destination using the shortest practical route.
- Upon arrival at the destination of the transport, the transporting Officers will call in the ending mileage on their patrol vehicle.
- This information will be noted by the dispatcher in the log.
- A non-caged vehicle shall not be used.

Communication
with Prisoner
During
Transport
70.1.5

Officers shall not question prisoners during transport unless and until he or she has been fully advised of the Miranda Warnings and has knowingly and intelligently waived those rights. Any statement by a prisoner after receiving Miranda Warnings and knowingly and intelligently waiving those rights or made voluntarily, should be documented in the Officer’s report. **[70.1.5]**

Transporting Officers should discourage prisoners from communicating with other prisoners while being transported if they believe it will jeopardize the safety and security of those prisoners, officers, or for other appropriate reasons. **[70.1.5]**

Injured,
Handicapped
or Mentally
Disturbed
Prisoners
70.3.1

When transporting a handicapped, injured or mentally disturbed prisoner, transporting Officers should request assistance when needed in order that the transport may be completed in a manner that is most convenient, comfortable, and safe for both the prisoner and the Officers. Transporting Officers will ensure that any special equipment

and/or medicine needed by the prisoner will be transported to the proper destination. An ambulance can be utilized if needed. **[70.3.1]**

When the handicap is such that there is no danger of escape or injury to the prisoner or the Officers, then the use of restraining devices may be inappropriate. Officers must determine at the time of the transport what, if any, device(s) will be utilized with these special situations. **[70.3.1]**

Any time an Officer becomes aware that a prisoner has an injury or sickness requiring medical attention, such medical attention shall be sought promptly. Treatment may be provided by the Braintree Fire Department or E.M.S. in the field or at the station depending on the nature of the injury. E.M.S. shall be used to transport sick or injured prisoners to the hospital. An Officer should accompany the prisoner in the ambulance if necessary or follow behind in a cruiser. Prisoners shall be handcuffed, placed in leg shackles, waist chained or cuffed to the ambulance stretcher while being transported by ambulance. The nature of injury or sickness will dictate the method of restraint.

Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting Officers. If required, handcuffs should be used until a more appropriate restraining device can be applied. **[70.3.1]**

Hospital
Security and
Control
70.3.2

Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner. Upon arrival at the hospital, the Officer should make an effort to segregate the prisoner from other patients and limit access to necessary medical personnel only. During an exam or treatment, an Officer shall remain on guard until the prisoner is returned to the station or bailed. **[70.3.2]**

If admitted, the prisoner will remain in a secured room under the guard of an Officer and restraints shall be used to include handcuffs and leg shackles. If a prisoner is injured or sick enough to be totally incapacitated, restraining devices may not be appropriate. It is left to the Officer's discretion as to when to use restraining devices in these particular situations. **[70.3.2]**

Prisoners in custody and being treated or admitted to the hospital shall: **[70.3.2];**

- Have no personal contact or visits, except by their attorney. Officers should give them as much privacy as possible, but

should not allow the door to be shut. The attorney will only be allowed to take paper and a writing instrument into the room.

- The officer will make periodic visual checks of the activities in the room while limiting interruption of the attorney's conference.
- Prisoners should not be given utensils during meals (plastic may be used, but must be collected).

Any exception to the above shall be by permission of the Shift Commander. Strong consideration shall be given to physician's recommendations to allow visitors for health reasons. Visits are only allowed during established hospital visiting hours and are limited to privileged visitors including attorneys, clergy, and immediate family at the request of the treating physician for good cause.

The procedures for prisoner visitation while in custody in a medical facility are; **[70.3.2]**

- Obtain picture identification from all visitors.
- Document all visitors.
- Perform a "pat-down" search on all visitors prior to that visitor entering the prisoner's room.
- Deny entry to any visitor refusing to be searched.
- Ensure all items carried by the visitor (e.g., purses, packages, etc.) are left outside the room during the visit.
- Ensure no physical contact is allowed between visitor/prisoner.
- Limit visits to a maximum of 30 minutes to any one (1) visitor with the exception of an attorney who may remain longer to conduct a conference with their client.
- Remain in the prisoner's room during all visits except attorney client privilege.
- Persons refusing to comply with the above rules will be denied visitation.

Officers while on guard at the hospital should be aware of the heightened security risks. Hospital security personnel should be made aware and assistance may be requested when needed. If possible,

booking photos of the prisoner should be available at the hospital for view in the event of an escape. **[70.3.2]**

Male Officers guarding a female prisoner may utilize a matron while the prisoner is being treated or admitted to the hospital. If a matron is not available Officers should employ assistance from a nurse or nurse's aide when performing security checks of the prisoner. **[70.3.2]**

Prisoner
Escape
70.1.7 a-c

In the event of an escape of a prisoner the following procedures shall be followed.

The Officer will notify Communications/Dispatch, who shall immediately broadcast to all units the name and description of the escapee, the exact location of the escape, the estimated time of escape, possible direction of travel and any other pertinent information. The Officer(s) will begin an immediate search and attempt to regain custody of the prisoner. **[70.1.7 a, c]**

The Dispatcher or Station Officer shall notify the Shift Commander. The Shift Commander will deploy additional Officers as necessary. The Operations Deputy Chief shall be notified as soon as possible, and he/she will notify the Chief. **[70.1.7 a, c]**

The Dispatcher or Station Officer shall broadcast the escape information to area Police Departments by radio system. The Shift Commander should request mutual aid if needed. **[70.1.7 a c]**

The Dispatcher or Station Officer shall enter pertinent information into the CJIS/ LEAPS system. A copy of the most recent photo of the escapee should be retrieved and copies made to dispense as needed. **[70.1.7 a c]**

The Shift Commander may utilize media if there is a risk to the public's safety. The Operations Deputy Chief should be contacted prior to release. **[70.1.7 c]**

If the escapee is captured, the Dispatcher or Station Officer shall cancel all broadcast messages.

The Officer(s) guarding the escaped prisoner shall, prior to the end of the shift, submit a written report to the Shift Commander detailing the circumstances leading to the escape. This will include any additional criminal charges. The Shift Commander shall also submit a report and forward all reports to the Chief of Police via the Operations Deputy Chief. In the event that the suspect is not captured a warrant shall be

sought. If the court is not in session a temporary warrant shall sought by this agency. **[70.1.7 b]**

Receiving
and
Transporting
Prisoners
70.1.6 a-e
70.5.1 b, c

All Prisoners will be transported directly to the station as soon as practicable. Entry should be through the Wagon bay. Once the Officer is safely inside, the Wagon bay door shall be secured. The Shift Commander shall be made aware of all prisoner transports.

The Officer's weapon shall be secured in the gun lockers located in the Wagon bay prior to removing the prisoner from the cruiser.
[70.1.6 a]

The prisoner will then be removed from the transport vehicle and escorted into the Cell block. If there are multiple prisoners, they will be secured to the Murphy bar or individual cells and remain handcuffed at the discretion of the booking Officer. All prisoners will be pat frisked when removed from the transport vehicle and prior to the handcuffs being removed. **[70.1.6 b]**

Firearms shall not be allowed in the Booking/Cell Areas. Officers who enter from the interior of the building shall secure their weapons in the gun lockers located in the hallway outside the Cellblock door**[70.1.6a]**

Any reports of Q-5, security risk, or medical concerns shall accompany the prisoner upon transfer to court or any law enforcement agency, medical facility, or institution. A copy of the booking report, suicide evaluation form, and property form shall accompany a prisoner transported to court. When a prisoner is considered to be dangerous or a security hazard, the receiving agency will be notified by the Shift Commander, Court Prosecutor, or their designee prior to transport. **[70.6.1c d][70.5.1 b, c]**

Officers transporting prisoners to court or other facility shall secure their weapons in a secure gun locker prior to removing the prisoner from their cell. The prisoner shall be searched and handcuffed behind the back before placing the prisoner in the rear of the police vehicle for transport. Officers shall not remove the restraints until another agency or court personnel take custody of the prisoner.
[70.1.6 a, b]

The name of the Officer from any law enforcement agency, military branch, or any other agency taking custody of a prisoner should be recorded on the release form, report, prisoner log or dispatch notes.
[70.1.6 e]

Identification of Prisoner or Detainee
70.5.1 a Identification of a prisoner or detainee shall be verified by in house record/reports, check of the registry of motor vehicles, BOP, fingerprint scans, personal identification or any other known information.
[70.5.1 a]