

Truro Police Department

TRANSPORTATION OF PRISONERS

Policy Number: OPS-7.03
REFERENCE:

Effective Date: June 1, 2000
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Accreditation Standards: 71

Mass. Gen. Law: M.G.L. c. 40 s. 36A

Other: Prisoner Property Accountability Policy, Massachusetts Trial Court Dept.

POLICY:

It shall be the policy of The Truro Police Department to handle and transport all persons in custody in a manner that ensures maximum safety to the prisoner, the custodial officers, and the community.

Transporting officers should at all times expect the unexpected, they should not be "lulled" by the apparent cooperation of a prisoner, and every precaution should be taken to be prepared to handle sudden dangerous activity.

A person who faces the loss of freedom may become desperate and dangerous. He may be ready to attack and flee at any time that the opportunity presents itself. The escape of a prisoner may create a serious danger to the community or to other police officers before the prisoner is recaptured. The improper treatment of a prisoner may result in charges of mistreatment or brutality. The purpose of the procedures outlined below is to assist an officer in avoiding such problems, and to ensure the humane safe transportation of prisoners.

PROCEDURES:

- 1. USE OF HANDCUFFS:** The use of handcuffs protects both prisoners and police officers. There are very few arrest situations that do not require the use of handcuffs, but officers should give due regard to the age and physical condition of the arrested person. If an officer does not handcuff a prisoner he should be prepared to justify his decision. The fact that an officer "did not expect trouble" from a prisoner is not a sufficient reason for failing to handcuff a prisoner.
 - A.** When possible, prisoners should be handcuffed with their hands behind their backs, palms facing outward. Handcuffs shall be "double locked"
 - B.** Prisoners should be handcuffed before being searched.

C. Upon arrival at the station, handcuffs shall remain on prisoners until the booking officer instructs that they be removed. In making this decision, the booking officer should consider the conduct of the prisoner, the offense for which the arrest has been made, and the recommendations of the arresting or transporting officers.

2. PRISONERS TO BE THOROUGHLY SEARCHED BEFORE TRANSPORT: After handcuffing, the transporting officer shall search the prisoner before transporting him.

A. An officer should not depend upon another officer to search a prisoner and he should never presume that a prisoner has already been searched.

B. The search should include the area within the immediate reach and control of the prisoner.

C. Any article that can be used as a weapon or as a means of escape should be confiscated.

D. SEARCH OF PRISONERS BY AN OFFICER OF THE OPPOSITE SEX: The following procedures shall apply to the searching of prisoners of the opposite sex before transporting.

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.

2. If a female officer or Matron is unavailable, female prisoners should be closely watched during the entire transport and shall be searched by a female officer or civilian as soon after arriving at the station as possible.

3. If, due to extreme emergency, a search of a prisoner by an officer of the opposite sex is unquestionably necessary, such search shall be conducted in the presence of at least one responsible witness to avoid any false accusations of mistreatment or misconduct.

3. SEARCH OF CRUISERS: Before placing a prisoner in a police vehicle, the vehicle shall be searched to ensure that there are no articles present that can be used as weapons. This will also ensure that items such as contraband, subsequently found, can more easily be attributed to the prisoner. Upon arrival, the cruiser shall again be searched for weapons and/or contraband that may have been discarded by the prisoner.

4. TRANSPORTATION OF FEMALE PRISONERS: Female prisoners shall not be transported in the same police vehicle with male prisoners whenever possible.

5. CRUISER TRANSPORT: An officer should not attempt to transport more persons than he can safely control.

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- A. Prisoners transported in one-man cruisers shall always be transported in the back seat. No prisoner shall be placed behind the driver whenever possible. Prisoners will be seat belted at all times during transport. *(Revised June 25, 2003)*

6. UNMARKED CAR TRANSPORT: When transporting a prisoner in an unmarked vehicle or any cruiser without a wire protective barrier between the front and rear seat, only one prisoner should be transported at a time. In these situations, the prisoner will be placed in the right side of the rear seat and seat belted.

7. PRISONERS TO BE TRANSPORTED DIRECTLY: When a prisoner is in custody, he shall be transported directly to the police station or other specified destination without unnecessary delay. However, all traffic regulations should be observed, unless an emergency exists.

8. PROVISION OF LAW ENFORCEMENT SERVICES WHILE TRANSPORTING PRISONERS: When transporting a prisoner, the transporting officers will respond to the need to provide law enforcement services only in the following situations:

- A. When there is a need for the transporting officer to act immediately in order to prevent harm to a citizen or police officer.
- B. When a citizen or police officer has been injured and assistance is needed immediately.
- C. When a crime is in progress and there is an immediate need, because of safety reasons, that the offender be apprehended.
- D. In all of the above situations, the transporting officer should ensure at all times that his prisoner is secure and protected.
- E. It must be remembered that the primary duty of the transporting officer is the safe delivery of the prisoner in his care. Only when the risk to third parties is both clear and grave and the risk to the prisoner(s) is minimal should the transporting officer stop to render assistance. Officers shall not engage in high speed response or pursuit while transporting prisoners.

9. USE OF TOILET FACILITIES - VISUAL CONTACT: While having custody of a prisoner, officers will keep visual contact at all times possible, even when it becomes necessary to allow prisoners the use of toilet facilities. In a situation where visual contact is not possible (female prisoner needing toilet facilities and male officer transporting or vice versa), the officer should ensure that he has as much control of the situation as possible. The prisoner should not be allowed in the facility with another person and the officer should ensure that there are no escape routes within the facility and that there are no potential weapons available to the prisoner.

10. DUTIES IF A PRISONER ESCAPES: In the event that a prisoner escapes while being

transported, the transporting officers shall:

- A. If the escape occurs within the Town of Truro:
 1. Immediately notify the dispatcher and request necessary assistance.
 2. Attempt to recapture the prisoner using reasonable and proper force.
 3. Notify the Chief of Police.
 - B. If the escape occurs outside the Town of Truro:
 1. Immediately request assistance from the jurisdiction you are in at the time of the escape.
 2. Attempt to recapture the escapee as soon as possible. Notify the Telecommunicator as soon as possible.
 4. Notify the Shift Commander as soon as possible.
 5. Notify the Chief of Police.
 - C. In all cases where a prisoner escapes from transport, the transporting officer(s) shall submit a written report as soon as he returns to the station explaining the circumstances of the escape:
 1. The Shift Commander shall make all appropriate notifications regarding the escape.
 2. The Shift Commander shall investigate the circumstances surrounding the escape and submit a report to the Chief of Police regarding his findings.
11. **PRISONER COMMUNICATION:** The transporting officer shall not allow prisoners to communicate with other people while in transit unless the situation is such that a verbal exchange is necessary. Officers should realize that they have to use their good judgement when deciding whether to allow a conversation to take place between the prisoner and another party when the prisoner is in the process of being transported from one point to another.
12. **IDENTIFICATION OF PRISONERS PRIOR TO TRANSPORTING:** Officers transporting prisoners from other detention facilities to this department or from this department to other locations (court, jail, etc.) shall positively identify the prisoner before beginning such transport. Officers shall check the identity of the prisoner against the description and cell number contained on the booking slip (when applicable). Prisoners shall be handcuffed and searched prior to transporting.
13. **ARRIVAL AT THE TRURO POLICE HOLDING FACILITY:** When an officer(s) transporting a prisoner(s) approaches the garage area, he shall inform the station that he has

arrived. The Telecommunicator or desk officer will then open door # 7.

A. ENTERING THE GARAGE AREA: Upon entering the garage area, officers are to:

1. Leave the prisoners in vehicle (request assistance if needed);
2. Cause the garage doors to be closed
3. Place his weapon and cruiser keys in the weapons locker, located on the South Wall, removing the locker key. (This is so the officer(s) do not inadvertently leave the station without their weapons.)
4. Return to his cruiser and escort the prisoner(s) to the booking area.

14. DOCUMENTATION TO ACCOMPANY PRISONERS TRANSPORTED TO OTHER FACILITIES: Officers transporting prisoners to other facilities shall provide the receiving agency with proper documentation, including but not limited to:

- A. Court documents (warrants etc.)
- B. Medical history information, including information regarding any unusual medical problems.
- C. A copy of the Arrest Report (booking slip).
- D. Any information relating to the prisoner(s) escape or suicide, attempts, threats, or potential.
- E. Any personal traits of prisoner(s) of a security nature.
- F. In the case of interstate transports, the officer must have a properly executed governor's warrant or a properly executed waiver.

15. ACTIONS AT DESTINATION OTHER THAN TRURO POLICE DEPARTMENT:
Upon arrival at the facility, including court: *(Revised April 7, 2005)*

- A. Firearms will be secured in the designated place at the facility being entered.
- B. Restraining devices will be removed only when directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure
- C. Paperwork, as described in section 14, will be submitted to the official at the receiving facility. The officer will ensure that proper signatures are obtained on the documents to be returned. *(Revised April 7, 2005)*

- D. In lieu of the receiving official's signature, the transporting officer(s) will obtain the name(s) of the receiving person and his/her title at the receiving facility (including Court) and have the name recorded in the log entry (incident) recording the transport.
(Revised April 7, 2005)

16. TRANSPORT OF DANGEROUS/SECURITY RISK PRISONERS TO COURT: When a prisoner to be transported to court is considered to be dangerous or a security hazard, the court will be notified before the transport takes place in order that the proper handling of the prisoner can be planned to minimize any chance of escape and/or injury to the prisoner or others.

17. TRANSPORTING PRISONERS BY AN OFFICER OF OPPOSITE SEX:

- A. Due to the size of the Truro Police Department, It is sometime impractical to request additional assistance in the transportation of a prisoner of the opposite sex. Therefore, it is permissible to transport members of the opposite sex. The officer will contact dispatch immediately indicating the arrest, and a Matron/officer will be contacted to respond to the police station for assistance.
1. When transporting a member of the opposite sex, the officer shall give the starting mileage of the journey intended, and the ending mileage of the journey. The dispatcher shall log said mileage and time associated with the incident/arrest.

18. TRANSPORTING DISABLED PRISONERS: When transporting a handicapped prisoner, transporting officers will 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 utilized if needed.

Officers transporting a handicapped prisoner must use common sense. 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.

19. TRANSPORTATION AND HANDCUFFING OF SICK OR INJURED PRISONERS: At any time prior to, during, or after the arrest of an individual, an officer become aware that a prisoner has an injury or sickness requiring medical attention, such medical attention shall be sought promptly. The authorized ambulance service shall be used at all times to transport sick or injured prisoners to the hospital. Medical attention will be obtained prior to transporting the prisoner to the booking facility if the injury/sickness occurs prior to the transporting officer's arrival at the facility, unless circumstances dictate otherwise.

Thus, a prisoner requiring immediate medical attention shall be transported in an ambulance. An officer shall accompany the prisoner in the ambulance, being alert for any attempts of the prisoner to steal implements that may be used as weapons, or to take medical personnel as

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hostages, or to escape. Officers are reminded that the lack of obvious physical injury does not preclude the possibility of serious or life-threatening trauma.

On arrival at the medical facility, the officer shall make a reasonable effort to segregate the prisoner from other patients and limit access to necessary medical personnel only. The officer should consider the safety of both the prisoner and the public. He/She shall take the appropriate measures to ensure the safety of medical personnel, other patients, and other people, not only at the medical facility, but also during transport, and elsewhere. The officer should make prior arrangements with the medical facility, notifying the security division if any.

The transporting officer must use the same discretion as previously explained in utilizing restraining devices on sick or injured prisoners. Obviously, 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.

20. TRANSPORTATION OF PREGNANT FEMALES: When transporting a pregnant prisoner, or a prisoner who claims to be pregnant, transporting officers will 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. An ambulance can be utilized if needed.

21. TRANSPORT OF MENTALLY DISTURBED PRISONERS: Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting officers. Handcuffs should be used only in emergency circumstances or as a temporary restraint device until the use of a more appropriate restraining device can be implemented. Officers should consider an authorized ambulance service when transporting mentally disturbed prisoners who are violent. The method of restraint should be noted in the officer's report.

22. TRANSPORTATION OF JUVENILE PRISONERS:

- A. Juveniles should be transported by cruisers whenever possible.
- B. Juveniles should not be transported in the same vehicle with adults except in emergencies, or when arrested in the company of an adult, or for complicity in the same offense.
- C. All other procedures and precautions regarding the transportation of prisoners apply to juveniles.