



PRISONER TRANSPORTATION

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I. POLICY

Transportation by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. It is the policy of the department to transport prisoners with the highest regard for the safety of the public, the transporting officer, and the prisoner. The transporting officer is legally responsible for the safety and custody of the prisoner being transported.

II. APPLICABILITY

Anne Arundel County contracts with private vendors who provide prisoner transportation services to supplement the Police Department's patrol force. Except where specifically noted, the requirements of this directive apply to the employees of the private contractors as well as to all Police Department employees who transport prisoners.

For purposes of identification, all personnel who transport prisoners will be referred to as transport officers. Where it is necessary to specifically identify employees of prisoner transportation private contractors, they will be referred to as "contract prisoner transportation officers" or "contract PTOs." In such cases, employees of the department will be referred to as "police officers."

III. GENERAL POLICIES

A. Prisoner Search Prior to Transport

A search of the prisoner by the transporting officer is required in every case, before being transported. It must be assumed that the prisoner may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the prisoner. Prisoners should be searched each time they come into the transporting officer's custody, including transport to and from court appearances. See section XI of this directive for policies on searching prisoners.

B. Prisoner Restraint During Transport

Prisoners are to be restrained during transport. At a minimum, the prisoner will be handcuffed. The handcuffs will be double-locked. The prisoner will be seat belted if the vehicle has seatbelts. ***Absent any intentional or overt actions by the prisoner***, officers will ensure that prisoner restraints do not injure prisoners.

Prisoners transported by police officers in patrol vehicles will be handcuffed with the arms behind the back. The handcuffs will be double-locked. Additional restraints (i.e., leg irons, ankle cuffs, red ropes, etc.) may be used as indicated by the prisoner's behavior and history. A prisoner is not to be handcuffed to any part of the vehicle. When deemed appropriate, officers who have been trained in the use of waist chains may use this type of restraint with handcuffs and / or leg irons to limit the mobility of hands and feet.

In cases where a prisoner expectorates saliva (spits) or the officer reasonably believes the prisoner will spit during transport, the officer will place a "Disposable Transport Hood" over the prisoner's head. This will be the only remedy in handling this type of situation.

C. Officers/Prisoners of Opposite Sex

1. Male and female prisoners will not be transported in the same vehicle, *except in Transport Vans as indicated in Section IV.B, or in specialized vehicles such as buses used during civil disturbances or other extraordinary events.*
2. Whenever practical, transporting officers will be of the same sex as the prisoner.
3. If a transport officer must transport a prisoner of the opposite sex, he/she will be accompanied whenever practical by another officer. In all cases, the transport officer will notify Communications of the vehicle mileage and location at the beginning and end of the trip, and at all stops along the way.

D. Juvenile Prisoners

Under no circumstances will juveniles, regardless of status, be transported in the same vehicle as adult prisoners.

E. Positive Identification of Prisoners

Each prisoner being transported from a detention facility must be positively identified as the person who is to be moved. Booking records and numbers assigned to the prisoner in the detention facility must be verified and the person concerned confirmed as the person described in the records.

F. Visual Scrutiny of Prisoners

Transport officers will not lose sight of prisoners, except when the prisoner is in a department holding facility cell.

G. Documentation Accompanying Prisoner

Documentation that must accompany the prisoner being transported between facilities includes the prisoner's name, facility prisoner number, charging document or commitment papers, prisoner's medical records and personal property, and court to which the prisoner is to be delivered. For interstate transports, the escort officer must have a properly executed governor's warrant or a properly executed waiver.

H. Security Risk Information Accompanying Prisoner

Information relating to the prisoner's escape or suicide potential or other personal traits of a security nature will be included in the documentation that accompanies the prisoner during transport. The transporting officer will be specifically alerted to any potential security problems that the prisoner may present during transport. This information should include escape or suicidal tendencies as well as unusual illnesses.

I. Notification to Court or Receiving Agency of Medical and/or Security Hazard or Risk

The transporting officer or Contract PTO will notify the proper court official (i.e., judge, commissioner, bailiff, etc.) or receiving agency when a prisoner being transported to court or another agency has any potential medical or security hazards, or if the prisoner is considered an unusual security risk.

J. Prisoner Communication with Others

A prisoner will not be permitted to make telephone calls or communicate with his/her attorney or others while being transported. Safety aspects of the transportation function require that the prisoner's right to communicate with attorneys and others will not normally be exercised during the period that the prisoner is being transported.

K. Extended Transports

Prisoners who are being transported by vehicle over several hours will be escorted by two transport officers, restrained as described above, and will be provided adequate rest and refreshment periods. When, during transport of a prisoner, a meal will be required, the selection of the place where the meal is to be taken will be done randomly. Care must be taken to allow the prisoners reasonable opportunities to use toilet facilities. However, officers will not lose sight or control of the prisoner for any reason.

IV. SEATING OF TRANSPORTING OFFICERS

For safety reasons, the prisoner must be under observation at all times. Opportunities for escape or attack on the transporting officers must be reduced as much as possible. The prisoner should be made as comfortable as possible, given the length of the trip being made, and yet secured to the maximum degree.

A. Prisoners Transported in Patrol Vehicles

The following specific procedures apply to the transportation of prisoners in patrol vehicles:

1. If a prisoner is to be transported by only one officer, and the vehicle does not have a security screen, the prisoner will be placed in the front passenger seat, with his/her arms handcuffed behind him/her, and the seatbelt and shoulder harness fastened. If the vehicle has a security screen, the prisoner may be placed in the rear passenger seat, with arms handcuffed behind the back, and with seatbelt/shoulder harness fastened.
2. If a second officer is required to transport a prisoner in a patrol vehicle, the prisoner will be placed in the rear passenger seat, with arms handcuffed behind the back, and with the seatbelt/shoulder harness fastened. The second officer will sit beside the prisoner and behind the driver.
3. Prisoners will be transported in patrol vehicles on a one-to-one ratio with officers. No more than two prisoners may be transported in a single patrol vehicle, and they will be transported by two officers, with one prisoner/officer combination in the front seat and the other in the rear seat.

B. Prisoners Transported in Transport Vans

1. Prisoners transported in prisoner transport vans will be secured in the prisoners' compartment and handcuffed. The handcuffs may be applied individually or with arms intertwining. The handcuffs will be double-locked. Transport officers will be seated in the drivers' area. One officer will maintain visual surveillance on the prisoners for the duration of the trip.
2. *Opposite sex prisoners may be transported in the same van. They must be separated by distance so that NO physical contact is possible, and all prisoners must be under the control of transport officers at all times. Whenever practical, vans equipped with barriers that physically separate opposite sex prisoners should be used.*

V. TRANSPORT OFFICERS' ACTIONS AT DESTINATION

Any police officer or Contract PTO who transports a prisoner to the Detention Center, or any other detention facility, MUST complete a Prisoner Transportation Form (PD# 2003). Prior to transporting a prisoner, officers or Contract PTOs will obtain this form from the Booking Officer. This form must be signed by the receiving officer/official at the detention facility. The completed form must then be returned to the Booking Officer by the end of the transporting officer's tour of duty. Contract PTOs will send the completed form via inter-office mail to the appropriate district station's booking officer prior to the end of his/her tour of duty. Booking Officers will attach this form to the Holding Facility Intake and Personal Property Inventory Form (PD#2004) that was completed for the affected prisoner. These forms must be retained at the District for at least two (2) years.

- A. Upon arrival at the destination court or holding facility, the transporting officer will secure his/her firearms in a lockbox prior to entering the facility. Restraining devices will not be removed from prisoners until the officer's firearms are secure.
- B. Restraining devices will not be removed from prisoners until the prisoner is within the confines of a secure holding area and has been searched for weapons and contraband.
- C. The prisoner will be handcuffed if it is necessary to travel through a non-secure area between the booking area and the holding cells. The handcuffs will not be removed until just prior to placing the prisoner in the cell.

D. The transporting officer is responsible for assuring that all the necessary paperwork is properly exchanged with regard to the transfer, and for obtaining the signature of the receiving officer or official.

VI. LAW ENFORCEMENT ACTION BY TRANSPORTING OFFICER

A. Contract Prisoner Transportation Officers

Contract PTOs may not interrupt a transport to render any law enforcement service.

B. Police Officers

Police officers who are transporting prisoners may not stop to render law enforcement services except in emergencies. In all cases, the risk to the prisoner and the possibility of escape must be weighed against the need to stop and render aid. Only when the risk to third parties is both clear and grave and the risk to the prisoner is minimal should the officer stop to render assistance.

Police officers will request that another officer handle situations requiring police service whenever possible. Whenever a police officer transporting a prisoner stops to render law enforcement aid, he/she will resume the transport as soon as possible upon the arrival of other officers.

C. Police Officers - When Not Transporting

Patrol officers who are assigned to vehicles used for transporting prisoners will be engaged in other law enforcement activities when not transporting prisoners. Any activities so assigned will not detract from their primary responsibilities.

VII. INJURED/SICK PRISONERS

Contract PTOs may not transport injured or sick prisoners. The following procedures apply to police officers who transport injured or sick prisoners.

A. A prisoner who is injured prior to or during an arrest situation will not be transported to any jail or holding facility until he/she has been offered treatment, either by the Fire Department or at a hospital or medical facility.

B. If the prisoner declines or refuses treatment, the transporting officer will inform his/her supervisor. If possible, the refusal will be obtained in writing. The officer will document the circumstances in the incident report.

C. If the prisoner is injured as a result of actions by the officer, a "Use of Force" report is required in addition to the incident report.

D. When a prisoner is transported to a hospital or medical facility the following will apply:

1. While at the hospital or medical facility, caution will be taken to ensure the prisoner is isolated from other patients and is not left unattended, or permitted to escape the immediate control of the transporting officer.
2. The transporting officer will not leave the medical facility until he/she is relieved by another officer or is instructed by a supervisor to do otherwise.
3. The transporting officer will remove the restraints only when it is deemed necessary and he/she is requested to do so by medical staff. If the prisoner is to be admitted to a hospital, the officer in charge of the prisoner will immediately notify the platoon commander. The platoon commander will make temporary arrangements for guarding the prisoner.
4. Final arrangements for guarding the prisoner will be coordinated by the appropriate district commanders.
5. While being transported, a sick or injured prisoner will be handcuffed. The only exception would be if the handcuffs would further compound the injuries. When this is the case, the officer will notify his/her supervisor and request a second officer. If the prisoner is to be transported by ambulance one officer will ride in the rear of the ambulance. The second officer will follow with his/her emergency equipment activated, exercising all due regard for the safety of the public.

VIII. HANDICAPPED & MENTALLY DISTURBED PRISONERS

Contract PTOs may not transport handicapped or mentally disturbed prisoners.

The following procedures apply to police officers who transport handicapped or mentally disturbed prisoners.

- A. Officers will consider special needs of physically or mentally handicapped persons, but the safety of the prisoner and the officer is the paramount concern. Physical restraints will be used unless they would cause injury to the prisoner. In such cases, two officers will transport the prisoner.
- B. Personal prosthesis, wheelchairs, crutches, prescription medicine, and other similar items will be transported with prisoners who own them.
- C. If a prisoner is confined to a wheelchair, he/she will be transported in a prisoner van. The prisoner's hands will be handcuffed in front.
- D. If a mentally disturbed prisoner displays a potential for violence, the prisoner van or a caged patrol car will be utilized. Another officer will assist the transporting officer either by following or accompanying the officer. The prisoner will be restrained with handcuffs. The transporting officer may, at his/her discretion, further restrain the prisoner with leg irons or ankle cuffs, leather restraints, red rope, or a strait jacket, as available.
- E. The booking record that accompanies the prisoner will reflect the special restraint and transportation requirements of the prisoner. The transporting officer will inform the receiving official of these requirements.

IX. SPECIAL PRISONER TRANSPORT SITUATIONS

Special prisoner transport details such as visiting a critically ill person, attending a funeral, or attending the reading of a will, will be performed only by order of the court. These details will always be performed by two or more officers. The prisoner will remain handcuffed and shackled at all times unless the order of the court directs otherwise. If the restraints are to be removed, it will be done with all necessary precautions taken by the officers and only for the prescribed period of time as stated in the court order.

X. TRANSPORT VEHICLES

A. Vehicle Safety Barriers

Vehicles used primarily for transporting prisoners (80 percent of their use) must have the driver separated from the prisoner by a safety barrier. Communication between the front and rear compartments should not be impaired to the point that conversation cannot be conducted. Installation of such a barrier should be done in a manner that promotes the safety of occupants in the front and rear compartments.

Safety barriers will only be installed in patrol vehicles that have child safety locks on the rear doors and a window control lock that disables the rear windows from being lowered.

B. Transport Vehicles Modified to Prevent Escape

Vehicles used primarily for transporting prisoners will be modified to minimize opportunities for the prisoner to exit from the rear compartment of the vehicle without the aid of the transporting officer. Vehicles used primarily for transporting prisoners should have window cranks and door handles removed from the rear compartment, and door release locks should be operated from the front compartment or from the outside of the vehicle.

If a patrol vehicle with a safety barrier installed is used to transport a prisoner in a rear seat, the child safety locks on the rear doors and the window control lock must be engaged.

C. Search of Transport Vehicles

A search of transport vehicles is required prior to and after transporting prisoners. Each time a prisoner is to be transported, the vehicle should be examined to ensure that no contraband or similar items are present. Most vehicles will not have been under constant security surveillance, and the search should be made under the assumption that an opportunity has existed for the introduction of contraband, weapons, and other items.

D. Prisoner Transport Vehicle Inspections

Officers engaged in transporting prisoners are required to examine their vehicles at the beginning of each shift prior to use for transporting prisoners. It is the transporting officer's responsibility to ensure that the vehicle is safe and equipped with appropriate items, for example, spare tire, jack, lug wrench, and safety flares. The condition of the vehicle itself should be examined, including the proper inflation of tires, fuel and oil levels, ignition system, and engine operation. The transporting officer will ensure that he or she will be able to refuel *the* vehicle as needed.

XI. PRISONER SEARCHES

A. Types of Prisoner Searches

1. Pat-Down

An inspection of the prisoner's clothing to determine whether that person is secreting any property that it is unlawful to possess, or any property that may be utilized as a means to effect an escape, or cause injury to another person, or that may enable the prisoner to destroy evidence. Every prisoner will be subject to a pat-down search by the transporting officer before being transported.

2. Strip Search

When an arrested person's clothing is removed or rearranged so as to permit a visual inspection or a physical examination of the genitals, buttocks, anus, breasts or undergarments of such person, which does not meet the definition of a body cavity search.

3. Body Cavity Search

A visual or physical examination into the body's recesses, including the anus, vagina, and internal organs of the body.

B. Prisoner Search Limitations

1. Pat-Down Searches

Pat-down searches of persons of the opposite sex, which are conducted incident to arrest and at the point of arrest, are permissible if no police officer of the same sex as the arrestee is immediately available to respond to the scene and conduct the search. Officers conducting pat-down searches under these circumstances will exercise the utmost discretion and will ensure that the extent of the search does not exceed the purposes or limits stated above.

Subsequent pat-down searches of prisoners, which are required prior to transporting the prisoner from one location to another, will be conducted by police officers or booking personnel of the same sex as the prisoner.

2. Strip Searches

Strip searches of prisoners require the permission of a police lieutenant or above, and must be based on reasonable suspicion and exigent circumstances relating to an imminent threat to officer or facility safety, or to the destruction of vital evidence. Persons will not be strip-searched in public, nor will persons be strip-searched by or in the presence of persons of the opposite sex. Whenever a member of this department is required to strip search a prisoner, he/she will write an incident report describing the circumstances.

3. Body Cavity Searches

A body cavity search requires a search warrant, and may be conducted only by a licensed medical professional, such as a physician, physician's assistant, or nurse.

A body cavity search may be conducted based on probable cause relating to the concealment or potential destruction of vital evidence. Such searches will be initiated only on the approval of an officer of the rank of police lieutenant or above. The officer requesting the body cavity search will submit an incident report detailing the reasons for the search, the results of the search, the name of the person conducting the search, and all other relevant details.

XII. PROPONENT UNIT: Patrol Services Bureau.

XIII. CANCELLATION: This directive cancels Index Code 2003, dated 07-19-10.