

13.1 Prisoner Restraint and Transport

The transportation of persons who are in custody is a frequent activity of this Office. There are two general classes of prisoner transport involved. The first is immediately after arrest, when the arrestee is taken by the arresting officer or deputy for booking/judicial hearing/incarceration. The second concerns movement of prisoners from secure detention facilities (e.g., court, transfer to another facility, funeral attendance, or medical facility). As personnel perform arrestee and prisoner transport, they should be prepared to provide for the safety and security of those in custody, the transporting deputies, and the public.

13.1.1 Prisoner and Vehicle Searches

All prisoners should be thoroughly searched each time they come into the transporting deputy's custody, even if he/she has been searched previously (also see Chapter 15.3., *Prisoner Searches*, in this General Orders Manual).

A vehicle examination and search should be completed at the beginning of every shift, and prior to and after each prisoner transport. This will ensure that the vehicle has not been tampered with since last used, is free of weapons and contraband, is mechanically safe, is free of damage or defect, and is properly equipped.

13.1.2 Prisoner Restraints

All prisoners shall be restrained when not in a cell or similar secure holding area. The most common restraint methods involve the use of handcuffs in some fashion. As an additional security measure, leg-irons may be placed on a prisoner to inhibit rapid movement. Handcuffs and leg-irons will be "double-locked" whenever in use. Regardless of who actually applies the physical restraints to a prisoner, it is the transporting deputy's responsibility to insure that restraints are being used appropriately and effectively.

The most accepted form of restraint is for the prisoner's hands to be handcuffed behind his/her back, palms facing outwards. For longer distance transports or transports from secure institutions, it may be prudent to permit handcuffing to the front of the prisoner. There are two accepted variations of this method. As demonstrated in training, the prisoner may be secured: (1) using only handcuffs and a body chain; or if available, (2) using handcuffs, a body chain, and a black box with a lock. As situations dictate and equipment is made available, other

methods of prisoner restraint may be justified. Other methods include utilizing a leather belt, stun belt, or flex-cuffs.

Bureau commanders will specify the normal, minimum standard for securing detainees, arrestees, and prisoners processed through their bureau. Regardless, it is always safer to choose the highest level of restraint based on equipment availability and practicality. The arresting or transporting deputy is charged with applying an adequate level of restraint without unjustly affecting the long-term physical or mental well-being of the prisoner. Deputies are to use discretion and sound judgment in securing those individuals who require special considerations (e.g., sick, injured, pregnant, elderly, or disabled). Supervisory approval is to be sought in any situation where alternative methods of restraint appear warranted.

13.1.3 Prisoner Seating

All parties riding in a passenger car, or the driver's compartment of a van or similar vehicle, will be seat-belted prior to vehicle operation. The transport of two (2) or more prisoners requires that two (2) or more transport deputies be in the vehicle, regardless of vehicle type or equipment.

Unless juvenile jurisdiction has been waived, juvenile prisoners will not be transported in the same vehicles as adult prisoners. Juvenile "status" offenders will not be transported with "delinquent" offenders. Male and female prisoners cannot be transported in the same vehicle. The only exception to these standards is emergency situations, and even then only with supervisory approval.

When transporting prisoners in a passenger car, they will always be seated to the right. When utilizing a passenger car without a cage or similar durable divider separating the front seat area from the rear, the prisoner will be placed in the front, right passenger seat. When utilizing a passenger vehicle with a cage, the prisoner will be placed in the rear, right seat. When transporting two (2) prisoners in a passenger vehicle, one will sit in the right, front seat, and one will sit in the right, rear seat. When utilizing a van or similar vehicle to transport prisoners, only transport officers will be permitted to sit in the driver's compartment.

13.1.4 Transport Interruption

With few exceptions, no stops will be made while transporting a prisoner. General principles of tort law impose a duty of care on transporting officers to protect a prisoner from injury. If a deputy comes upon a public safety situation while conducting a prisoner transport, only when the risk to third parties is both clear and grave, and the risk to a prisoner is minimal, should a transport officer

stop to render assistance. During long distance transports, and absent extenuating circumstances, it is only permissible to stop for fuel, meals, and the use of restrooms.

13.1.5 Prisoner Communication

Prisoners will not be permitted to communicate or come in physical contact with any non-prisoner while in custody. Prisoners will not be allowed to exercise their right to counsel during transportation nor divert a planned transport to post bail, and officers will not question a prisoner unless the prisoner has been properly notified of his/her Miranda rights. Prisoners are also not normally permitted to receive visitors, or mail and other packages while in Office custody. Delivery of such items should be directed to the appropriate detention or penal facility.

13.1.6 Start and Conclusion of a Transport

At the conclusion of a transport and/or upon arrival at a secure destination, deputies must ensure that all firearms and other weapons are secured in a lock-box or similar location prior to entering a general prisoner population area. Under routine circumstances, restraining devices are to be removed from a prisoner upon reaching a cell or other secure holding area, and placed on prisoners leaving the facility. The transport deputy should exchange with the receiving officer documentation detailing the prisoner transaction and knowledge of medical or security hazards. Each prisoner being transported should be positively identified prior to being moved or released.

13.1.7 Prisoner Escape

If a prisoner escapes from custody in Anne Arundel County, the deputy is to immediately notify the Sheriff's Office Communications Unit of the situation, and solicit assistance from other Office and police personnel in the area. Should the escape occur in a foreign jurisdiction, efforts should be immediately initiated to notify local law enforcement authorities of the escape. Upon apprehension, or at the earliest opportunity, the prisoner should be criminally charged for the escape.

13.1.8 Transporting and Guarding Sick, Injured, or Disabled Prisoners

If a prisoner becomes sick or injured incidental to arrest, during transport, or in any other custodial situation, the arresting/transporting deputy should seek medical attention at that time. Physically or mentally disabled prisoners present conditions for their transport that dictate special care and attention. The type of

vehicle selected for a transport should take into account any disability of a prisoner. Wheelchair accessible vans may be procured directly by the transporting deputy from the Anne Arundel County Department of Aging, or via the Anne Arundel County Police Department (e.g., after regular business hours or on weekends). It also may be necessary to transport medicine, insulin, and other special items for certain prisoners during transport. The safety of the prisoner(s) and transporting deputy(s) requires due care when transporting disabled or injured prisoners. Within reason, deputies are permitted latitude and discretion in handling the transport and general security of sick or injured prisoners.

Prisoners taken for medical treatment should be closely monitored. Upon arrival at a facility, contact should be made with the facility's security staff. Opportunities for escape, suicide, and assault of hospital personnel or the transporting officer should be guarded against and will be more prevalent if the prisoner is unrestrained and/or out of sight. If restraints should be removed for treatment, caution should be exercised while the prisoner is unfettered. Only under unusual circumstances will the prisoner be allowed out of the transporting deputy's sight. If a prisoner is admitted to the hospital, the Office may need to arrange 24-hour security. Visitors should be prohibited, including telephone calls.

When released from treatment, the prisoner should be searched and restrained, then transported to the appropriate detention facility. Instructions for future treatment and medication should be obtained in writing and signed by the attending medical professional.

13.1.9 Unusual Modes of Transportation

In the event the Office is called upon to transport a prisoner by a mechanism other than automobile (e.g., commercial airline, ship, bus or train), applicable Federal and individual carrier regulations will be adhered to.