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			Distribution: All
Title: PRISONER TRANSPORT		Section: Arrest/Detention	
Issued: 03/29/2011	Effective: 04/07/2011	Revised: 04/22/2016	
Rescinds: All Previous		Amends:	
CALEA References: Chapter 70			
Review: Annual	Authority: Chief Michael A. Keller 		

## I. Purpose

The purpose of this General Order is to provide guidelines for officers to transport prisoners in a manner that ensures the safety and security of prisoner(s), officer(s) and the general public.

## II. Policy

Officers shall transport prisoners from the point of arrest to the proper holding or medical facility, or from facility to facility, in a manner that shall provide adequately for the safety and security of the prisoner(s), the transporting officer(s), and the general public.

## III. Definitions

A. **Escape:** A departure of a prisoner from custody without lawful authority.

## IV. Regulations

- A. Officers shall conduct an appropriate search of any criminal suspect before the prisoner is placed into a police vehicle and a subsequent search after the prisoner is removed from the vehicle [C].
- B. Officers shall search their assigned patrol vehicle for weapons and contraband at the beginning and end of the officer's shift [C].
- C. All prisoners arrested on a crime of violence or felony, or detained on a suspicion of a crime of violence or felony, shall be handcuffed in a manner which will prevent them from escaping or assaulting any person [C].
- D. Officers shall treat all prisoners humanely and shall do everything possible to ensure their safety while in custody [C].
- E. Officers shall exercise good judgment when restraining, handcuffing and shackling any person, and shall not secure or immobilize the prisoner to the point of causing injury [C].
- F. Members of the department shall not allow a prisoner to escape through carelessness, neglect or inattentiveness [C].
- G. Members of the department shall transport arrested or detained person to the proper facility by a direct route and without undue delay unless directed otherwise by a supervisor. When transporting persons who are under arrest or detained,

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members of the department shall announce their beginning and ending mileage to communications [B].

- H. Members of the department shall not purchase, barter for or accept as a gift any property from prisoners [C].

## V. Procedures

### A. Transporting Prisoners – General Guidelines

1. Officers transporting prisoners are responsible for searching prisoners prior to the transport (70.1.1).
2. Vehicles used to transport arrestees will be searched for weapons and contraband. Officers will search the vehicle prior to transport and at the trips completion, regardless of the length of transport (70.1.2).
3. Vehicles will also be searched for weapons and contraband at the beginning and end of the officer's shift (70.1.2).
4. Transporting officers will utilize the police radio to notify Communications of the following information during all transports.
  - a. The number of people in custody and the location where the prisoner(s) is being transported.
  - b. Odometer mileage at the beginning and end of the transport.
  - c. Any change in status during the transport.
5. Juveniles will be transported in the same manner as adults, but juveniles and adults will not be transported together.
6. Officers are responsible for the supervision of prisoners in their custody until custody is formally transferred. The officer will not leave a prisoner under the supervision of anyone except law enforcement or correction personnel.
7. Officers will not allow prisoners to have contact with any other person immediately before or during transport (70.1.5).
8. If a prisoner shows a potential security risk (e.g. is combative, has a history of escape attempts, violence towards law enforcement, etc.), officers are required to notify the receiving agency of the risk (70.1.8).

### B. Prisoner Seating Arrangements (70.1.3)

1. Arrestees will be placed in a position where constant visual monitoring and control may be accomplished during transport.
2. Transportation of prisoners in vehicles without safety barriers.
  - a. A lone officer who utilizes a vehicle without a safety barrier between the front seat and back seat (unmodified) will transport only one prisoner regardless of risk category. The prisoner will be seated in the front passenger seat and secured with a seat belt in addition to standard restraints. Seat belts will always be used when available.

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- b. When two officers transport one prisoner in an unmodified vehicle, the prisoner will be seated in the same fashion as above. The second officer will be seated in the rear passenger seat directly behind the prisoner.
- c. When two officers transport two prisoners in an unmodified vehicle, one prisoner will be placed in the front passenger seat as above, and the second prisoner will be placed in the rear passenger seat directly behind the first prisoner. The second officer will be seated directly behind the driver.
3. Transportation in vehicles with safety barriers.
  - a. When using a vehicle equipped with a safety barrier between the front and back seats (modified), prisoners will only be placed in the back seat.
  - b. One officer may transport up to two low-risk prisoners in a modified vehicle. Prisoners considered high-risk or dangerous may be transported by two officers.
  - c. When two officers transport in a modified vehicle, the prisoners will be seated in the rear and the officers in the front.
  - d. Modification to vehicles with a safety barrier between the front and back seats will include the removal or disabling of rear interior door, window and lock operating controls that can be accessed by persons in the back seat (70.4.2).

**C. Emergency Stops During Transports (70.1.4)**

1. Officers transporting prisoners will not stop or respond to a need for law enforcement services except to momentarily inform the reporting party that another officer is, or will be, responding to provide them assistance.
2. Officers encountering situations where the risk to a third party is clear and grave may stop to render assistance only if the risk to the prisoner is minimal. Officers, ultimately, must be mindful that the safety, security and well being of a prisoner in their care is a primary duty.
3. Except for other than necessary traffic conditions/signals and cases of extreme emergencies, officers will not stop transport vehicles during transportation. In the event an emergency stop must be made, or if the officer is forced to stop by a third party, officers will contact Communications, or if radio communications are not possible, the officer will contact the local law enforcement agency.
4. At no time nor for any reason will an officer make an emergency stop at a location suggested by a prisoner.

**D. Actions on Arrival at Destination**

When transferring prisoners between facilities officers who transport prisoners will, upon arrival at the destination facility:



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1. Secure all firearms carried on their person in accordance with that facility's security procedures. If the destination facility does not provide a location to secure firearms, officers will secure their firearm in the trunk of their vehicle before allowing the prisoner out of the car (70.1.6a).
2. Deliver the prisoner and all documents to the receiving officer (70.1.6c).
3. Remove the department's restraining devices upon entrance into a secure area or upon release of the prisoner to receiving agency personnel (70.1.6b).
4. Obtain documentation and signature from receiving agency personnel for the prisoner (70.1.6e).
5. Advise the receiving agency personnel of any potential medical problems or security risks involving the prisoner (70.1.6d).

**E. Prisoner Escape Procedures**

1. If a prisoner escapes from an officer while in another jurisdiction, the local law enforcement agency must be notified immediately by whatever means is available. The officer will provide at a minimum the prisoner's name, date of birth, physical description, clothing description, method and last direction of travel, last known location and criminal charges (70.1.7a, 70.1.7c).
2. The transporting officer, at the earliest possible time, will also notify their immediate on-duty supervisor. The supervisor will notify the Duty Chief, who will notify the Chief of Police (70.1.7a)
3. If an escape occurs within the City of Andover, the transport officer will make the initial report as detailed above to Communications. Officers will attempt to keep the escaped prisoner in sight and maintain contact with Communications (70.1.7c).
4. On notification of a prisoner escape the Communications Officer will disseminate an Attempt to Locate message to all on-duty personnel and other law enforcement personnel in the area (70.1.7c).
5. None of the actions above will preclude the transporting officer, in keeping with applicable state statutes (KSA 22-2202 and 22-2401a), from making all reasonable attempts to apprehend an escapee of whom the officer is in fresh pursuit (70.1.7c).
6. Regardless of the jurisdiction in which the prisoner escapes, the transport officer is responsible for completing a report for this agency and a copy of the report will be forwarded to the agency where the escape occurred if applicable. (70.1.7b).

**F. Restraining Devices (70.2.1)**

1. All prisoners should be placed in restraints prior to transport. The Chief of Police will approve all restraints used by officers. The approved restraints



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- include chain linked style handcuffs, hinged handcuffs, rigid handcuffs, leg irons, belly chains, flex cuffs and webbed hobble strap.
2. Prisoners transported from the initial site of arrest to the police station or jail should be handcuffed behind their back utilizing accepted hand-cuffing techniques. One or more of the other approved restraints may be utilized as necessary given the behavior of the arrestee.
  3. Prisoners transported from a detention facility to court or to another detention facility may be handcuffed with their hands in front if the cuffed hands are attached to a security belt or waist chain and the prisoner is placed in leg irons. An exception to this is for pregnant woman, if known, who would be handcuffed with their hands in the front with no additional restraints.
  4. Restraining devices will be applied to a prisoner by the transporting officer with the assistance of a second officer when feasible. Restraint devices will be applied so as to be tight enough to restrict movement but not so tight as to inflict pain or injury. All restraint devices will be double-locked, where applicable, prior to transport.
  5. Prisoners who are ill, injured or disabled may require special consideration when officers use restraints. Depending on the nature of the illness, injury or disability, restraints will not be applied in a manner which would aggravate an existing condition or which would limit treatment by medical personnel.
  6. Prisoners will not be handcuffed to any portion of a vehicle, however the webbed hobble strap may be used on the prisoner's legs if the prisoner is a known escape risk, has a history of violent or abnormal behavior or if the prisoner becomes violent during transport.
  7. Flex-cuffs may only be used by officers who have received department approved training in their use and only when approved by a supervisor for a specific incident.

#### **G. Positional Asphyxia**

1. Officers should be aware that transporting a prisoner in a prone position (lying on their stomach) may result in death or serious physical injury to the subject. Research has shown factors that may contribute to positional asphyxia include:
  - a. Obesity of the restrained subject;
  - b. The use of alcohol or drugs by the restrained subject;
  - c. Physical exertion just prior to being restrained;
  - d. Transporting the restrained subject in a prone, face down position;
  - e. Restraining of the subject by "hog-tying," specifically, restraining a subject by handcuffing the subject behind the back and then pulling the subject's feet up behind the subject in order to secure the feet to the wrists. "Hog-tying" of subjects is prohibited.
2. Officers will not leave restrained individuals on their stomach, but should instead place them in a seated position. If this is not physically possible, the



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individual should be rolled onto their side and observed for signs of distress. If the feet need to be restrained, officers should secure the feet with the web hobble strap by securing the loop end of the strap around the ankles and the free end of the strap over the bottom car door jamb and closing the door.

#### H. Transporting Sick, Injured or Disabled Persons (70.3.1)

Additional security measures may apply when transporting special prisoners. Examples include sick, injured, mentally ill and/or disabled persons.

1. Injured or sick prisoners will be restrained unless there are injuries that preclude the use of restraints or the prisoner is unconscious.
2. Mentally ill prisoners will be treated with care and caution. Restraints used on mentally ill prisoners will be reasonable to prevent escape.
3. Transporting physically handicapped prisoners must be done with care and caution. Every effort will be made to make the prisoner comfortable, yet provide adequate security. Depending on the nature and/or extent of impairment, specially designed vehicles or equipment may be necessary to ensure safe transport.
  - a. Wheelchairs, canes, crutches, walkers, etc. will be secured in the vehicle in such a manner as to preclude the possibility of using them as a weapon.
  - b. The use of restraints on the physically handicapped may also be determined by the behavior and attitude of the prisoner. However, it should not be assumed that restraining devices are unnecessary for disabled detainees.

#### I. Security and Control of Prisoners at Medical Care Facilities (70.3.2)

1. Officers are responsible to provide security and control of prisoners transported to medical care facilities or hospitals for treatment, examination or admission while the prisoner is in the custody of the Andover Police Department. Prisoners admitted to hospitals will remain under guard until released by the proper judicial authority or until transfer of custody is made to another law enforcement agency. Officer will record the exact time the prisoner was released from custody by judicial authority or the time when transfer to another law enforcement agency occurred.
2. The Duty Chief is responsible to ensure staffing and other security arrangements are made if a prisoner's hospitalization extends past the end of a patrol shift.
3. Officers assigned to hospital guard duty will:
  - a. Wear the appropriate uniform and carry a firearm and portable radio at all times.
  - b. Contact Communications and a supervisor at the start of each shift and report any significant change of the prisoner's status to a supervisor.
  - c. Not allow visitors or phone calls to prisoners without prior approval from a Lieutenant or higher authority.



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- d. Notify Communications when the prisoner is moved from the hospital.
- e. Handle any escape or attempt to escape as outlined above.
4. While in the hospital, restraints will remain on prisoners except when medical treatments or conditions necessitate their removal. Prisoners may be secured to the bed by one limb with either handcuffs or leg irons. During transport, prisoners will be secured as required by this General Order except as necessitated by medical requirements.
5. When prisoners are moved within the hospital for any reason (i.e., x-rays, surgery, physical therapy, etc.) the officer assigned will accompany the prisoner. While officers are not required, and may not be permitted, to accompany prisoners into certain rooms, officer should always position themselves in close proximity to prisoners in order to respond to emergencies or escape attempts.
6. When officers require temporary relieve from duty they will notify Communications and arrange for another officer to relieve them. Under no circumstances will officers leave prisoners unguarded. Officers assigned to provide security for prisoners in medical care facilities will pass information pertinent to the prisoner's condition on to the relief officer.

#### J. Special Situations

Although rare, special situations such as transporting prisoners to visit critically ill persons or transporting prisoners who are escape risks may require additional security measures. Officer should consider the use of leg irons in addition to handcuffs when conducting transports involving special situations (70.3.3).

#### K. Prisoner Documentation

1. Officers who pick up prisoners from a detention facility or from another law enforcement agency will ensure all necessary documentation, order and other required paperwork is in their possession prior to beginning the transport. The officer who transports the prisoner will:
  - a. Verify the prisoner's identity to ensure the correct prisoner is being moved through booking records, by photograph (if available) or other appropriate means, such as, fingerprints, tattoos or other identifying features (70.5.1a).
  - b. Secure the proper documents for the prisoner to be transported including any documentation necessary for pickup and delivery, and documentation of any property and/or funds transferred with the prisoner (70.5.1b).
  - c. Secure documentation relating to the prisoner's escape or suicide potential or other personal traits of a security nature, and ensure the documentation accompanies the prisoner being transported (70.5.1c).