



Somerville Police Department 	TYPE: GENERAL ORDER		POLICY NUMBER: 303		
	Subject: Prisoner Transportation				
	Issuing Authority: David Fallon Chief of Police		Signature: 	Effective Date: November 25, 2015	
		Number of Pages: Page 1 of 9			
Accreditation Standards (5th Edition) 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.2.1, 70.3.1, 70.3.2, 70.4.1, 70.4.2, 70.5.1		<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised <input type="checkbox"/> Amended			
Revision & Reissued Dates:	05/20/14				

Purpose

The transportation of prisoners is potentially dangerous for police officers, and the public. During transportation, an otherwise cooperative prisoner could attempt to escape. Not only is it embarrassing for the department if a prisoner escapes, but also it allows a potentially dangerous individual back on the street.

There are two types of prisoner transports. The first is the transporting of prisoners from the place of arrest to the booking facility. The second is the transporting of prisoners to court, for medical treatment, or to other holding facilities.

The purpose of these procedures is to protect the officer, the prisoner, and the public from injury and to protecting the officer from any claims of improper treatment.

Policy

A. All departmental vehicles normally used to transport prisoners shall:

1. Have a safety barrier installed separating the driver's compartment from the rear compartment. [70.4.1]
2. Be modified to minimize the opportunities for the prisoner to exit the rear compartment without the aid of the transporting officer. [70.4.2]

B. At the start of the shift, each officer assigned to a police vehicle that can be used to transport prisoners shall thoroughly search the vehicle for any contraband, weapons, or instruments that may be used to inflict injury. If anything is found, the officer shall notify the Shift Commander and file a report, which will be forwarded to the Deputy in charge of Patrol.

- C. Before and after transporting a prisoner, the officer transporting the prisoner shall search the vehicle for weapons and contraband and file a report if any such items are discovered. [70.1.2]

Procedures

1. Searching Prisoners:

- A. All persons taken into custody shall be thoroughly searched as soon as the person is under control. The transporting officer will search the prisoner for weapons, contraband, or fruits of the crime. The only exception will be if a search at the scene could endanger the officer or prisoner. The search will then be conducted as soon as the prisoner and officer are a safe distance from the arrest scene. The officer should conduct this search in a manner consistent with their training using the back of their hand and or metal detecting wand. Ideally, this search will be conducted in the presence of another officer. All prisoners are to be (pat down) searched regardless of gender. Whenever practicable, the search should be conducted by an officer of the same gender. [70.1.1]
- B. The officer(s) who perform prisoner transport will be responsible for inspecting the transport vehicle (wagon) prior to transporting prisoner (s) and after the transport is complete and the prisoner has been removed from the transport vehicle. This inspection is to ensure that the transport vehicle is free of any weapons, contraband or prisoner belongings. The transport vehicle will be inspected in this manner each time it is used during the course of any given shift. [70.1.2]
- C. Juveniles shall be searched in the same manner as adults.

2. Handcuffing [70.2.1]

- A. Adults who have been placed under arrest and taken into custody shall be handcuffed until arrival within the booking area or until transfer of custody takes place, unless the arresting officer determines that circumstances exist that make this action unwarranted. No exceptions to the handcuffing requirement may be made in any case where: [70.1.6(b)]
1. The prisoner is under the influence of alcohol or drugs
 2. The prisoner is under arrest for a violent offense
 3. The prisoner has a known history of violence
 4. The prisoner resisted arrest or otherwise has exhibited violent behavior
- B. **Juveniles under arrest** should be handcuffed when being transported especially when:
1. The juvenile has been arrested for a violent crime
 2. A threat against the officer's safety exists
 3. The juvenile is a threat to escape custody
 4. The juvenile has resisted arrest
 5. The juvenile has a history of violence
 6. Other exigent circumstances exist

- C. All officers shall ensure that when an individual is handcuffed, the handcuffs are double-locked. In the event the prisoner is violent and it is impossible to immediately double-lock the handcuffs, the handcuffs should be checked, adjusted, and double-locked as soon as assistance is available and as practicable.
- D. All prisoners handcuffed will be handcuffed with their hands behind them, palms facing outward. This requirement would not be necessary on long transport where proper shackling devices are used.
- E. Whenever several similar suspects (adult males, male juveniles, etc.) have been arrested, they should be handcuffed with their arms behind them, palms facing outward.
- F. In **NO** event shall a prisoner be secured to any portion of a transport vehicle.

3. Placement of Prisoners in Transport Vehicles

- A. The preferred method of transport shall be the wagon (Unit 200), but the Shift Commander or the Street Supervisor or may authorize other means when appropriate. The preferred method of transporting prisoners shall be the police wagon or Somerville Housing Police's (Unit 93) caged unit.
- B. With permission from the Shift Commander or the Street Supervisor, Unit 93 may use their caged unit to transport prisoners.
- C. When one officer is transporting with a caged cruiser, the arrestee will be placed in the rear seat on the passenger side.
- D. When two officers are transporting with a caged cruiser, the arrestee will be placed in the rear seat on the passenger side. The officer not operating the cruiser will sit in the front seat and visually check the prisoner.
- E. When two officers are transporting without a caged cruiser, the arrestee will be placed in the rear seat. The officer not operating the vehicle will sit in the rear seat, weapon side away from the prisoner. This type of transport will rarely—if ever—be authorized. [70.1.3]
- F. When transporting using the wagon, the prisoners will be placed seated in the rear of the wagon and the officer seated in the front cab.

4. Transporting Prisoners from Scene of Arrest to Station

- A. Prior to transporting a prisoner, the officer will radio dispatch and give their location, and mileage. Dispatch will broadcast this information along with the time. Upon arrival at the station, the officer will notify dispatch of arrival and give the mileage. Dispatch will broadcast this information. The transporting officer shall inform the commanding officer of any potential medical or security risks. [70.1.6(d)]

- B. The transporting officer will transport prisoners so that the officer is able to maintain sight of the prisoner—as practicable.
- C. Unnecessary conversation with the prisoner shall be avoided. However, officers should not hesitate to calm an excited prisoner. Conversation with non-police personnel and police personnel alike shall be avoided until the prisoner has been booked at the station. [70.1.5]
- D. Officers shall proceed directly to the station for booking without unnecessary delay. In route, all traffic regulations shall be observed. Lights and sirens shall not be used unless their use is necessary and this can be articulated and documented, if necessary.
- E. At the station, the transport vehicle shall be backed into the sallyport area and the door to the sallyport closed.
- F. The officer transporting the prisoners will secure his/her firearm in the firearms locker located in the sallyport. The officer operating the vehicle shall also place the keys to the vehicle in the locker with the firearm. When the prisoner transport originates from another police facility, officers shall secure his/her firearm in the appropriate firearms locker. [70.1.6(a)]
- G. After the firearm has been secured, the prisoner will be escorted to the booking area.

5. Transporting Sick or Injured Prisoners to Medical Facilities [70.3.1]

- A. Trips outside of the station present prisoners with an opportunity to assault staff or escape. Accomplices at treatment facilities could assist in an escape attempt. Officers must remain vigilant at all times.
- B. Accountability
 - 1. Prisoners brought to a hospital for a mental health evaluation shall remain the responsibility of the transporting officer until such time that proper custodial transfer has occurred.
 - 2. Prisoners brought to a hospital shall remain the responsibility of the transporting officer until relieved by another officer, the custody of the prisoner is transferred to another entity, the prisoner is bailed, or the prisoner is returned to the station.
- C. Notification of Hospital Police:
 - 1. When a prisoner is transported to a hospital, the dispatcher or other department member shall notify the hospital police or security.
 - 2. If there are any unusual risks or circumstances, the hospital police or security shall be advised.

D. Security of Prisoner [70.3.2]

1. Violent or high security risk prisoners may, at the discretion of a supervisor, be accompanied by more than one officer to the hospital.
2. Officers may employ a higher level of security and vigilance for violent or high-security prisoners than is presented in this policy.
3. The prisoner shall remain restrained while at the hospital unless the removal of restraints is required for medical reasons. The immediate supervisor will be notified in any case where the restraints have to be removed. The following restraints are acceptable:
 - a) Prisoner handcuffed with hands in front and hands together
 - b) Prisoner handcuffed one hand to the bed, stretcher or gurney, and
 - c) Leg restraints
4. The assigned officer shall remain in the area of the prisoner at all times, unless medical necessity dictates otherwise. In this event, the officer should attempt to remain in a position to monitor the prisoner as best he can to prevent escape.
5. The assigned officer must remain alert for others who may assist the prisoner in escaping or who may harm the prisoner.
6. The assigned officer must be aware of potential weapons in the immediate area of the prisoner.

E. Emergency Treatment:

1. The assigned officer shall accompany the prisoner through registration and triage. The assigned officer's knowledge may be helpful to medical staff in evaluating the prisoner's claims of sickness or injury.
2. The officer should make periodic inquiries as to the progress of the evaluation and treatment and keep the Shift Commander informed for the purpose of staffing.

F. Admittance:

1. In the event that the prisoner is admitted, the officer should request that the prisoner be placed in a private room for security purposes and for the safety of other patients and staff members. A private bathroom with a single door is preferred.
2. Advise the Shift Commander of the nature of the situation, room number, room telephone number, and estimated length of treatment.
3. The officer shall inspect the interior of the room, closets, and bathroom for potential weapons.

4. The officer must remain in the room or just outside of the room, but always within sight of the prisoner.

G. Eating:

1. The officers should advise hospital staff that the prisoner should be fed using disposable plates, cups, and dinnerware.
2. The officer should visually inspect any meals or beverages prior to their being given to the prisoner.

H. Bathroom:

1. The prisoner may be un-restrained, if necessary, to use the bathroom. The officer shall stay within sight of the bathroom. The bathroom should be checked for potential weapons or routes of escape before being used by the prisoner. Paying special attention to any “sharps containers” (syringe depositories).
2. If the prisoner needs assistance in using the bathroom, hospital staff will assist the prisoner.

I. Visitors:

1. Prisoners are under arrest and in police custody.
2. The visitation policy that applies to the holding facility, See department policy on Holding Cells, as this applies to the hospital site as well. The immediate supervisor shall be notified of any potential visitors.

J. Bail or Arraignment:

1. In the event that a prisoner will be admitted to a hospital for an extended period of time, the Shift Commander shall notify the Deputy in charge of Patrol.
2. The Shift Commander should investigate the possibility of contacting the court to ascertain if the prisoner can be arraigned at the hospital.

K. Release:

1. Upon the release of the prisoner from the hospital, the officer shall:
 - a) Obtain any prescriptions and dosage instructions
 - b) Obtain any instructions for care of the prisoner, including follow-up visits
 - c) Advise the dispatcher of the release from the hospital and the return trip to the station

- d) Transport the prisoner back to the station
- e) Have the dispatcher annotate the return time by broadcasting it
- f) Return the prisoner to the holding cell
- g) Brief the Shift Commander upon the return from the hospital or other facility of any medications, care, or return visits required or prescribed. (see holding area policy for clarification on dispensation of medications)

6. Transporting a Prisoner to Court

- A. Before entering the booking area, all officers will secure their weapons in a firearms locker. Upon removing the prisoner from the cell, the transporting officer will search the prisoner and handcuff him/her.
- B. The transporting officer shall positively identify that the prisoner to be transported is the correct prisoner. Positive identification may be ascertained from another employee, or by checking the identification of the prisoner against the description and booking photo. [70.5.1(a)]
- C. A copy of the arrest report, warrant printout, if applicable, and all other required paperwork will accompany the prisoner to court for identification purposes. [70.1.6(c)][70.5.1(b)]
- D. If the prisoner, while in custody, attempts suicide, a copy of the attempted suicide report will accompany the prisoner to court (M.G.L. Chap. 40, Sec. 36A). If the prisoner, while in custody, attempts escape, a copy of this report will accompany the prisoner to court.[70.5.1(c)]
- E. Before placing the prisoner in the transporting vehicle, the officer will search the vehicle for weapons or instruments that could be used to escape.
- F. Have the officer or official taking custody of the prisoner at the receiving facility or court sign a copy of the booking sheet and return it to Records with the signed property sheet. The commander shall indicate transfer of custody in the QED system. [70.1.6(e)]
- G. When applicable, officers shall secure his/her firearm in the firearms locker located in the court lockup. [70.1.6(a)]

7. Transporting Prisoner(s) Over Extended Distances

- A. A prisoner transported over an extended distance shall mean any transport of a prisoner out of state or for a length of time greater than four (4) hours. Transporting Officers will only make stops for fuel, meals, or for the use of toilet facilities. The following procedure will be followed when making any stops.[70.1.4]

- B. When transporting a prisoner for an extended distance or time, and a meal is required, the transporting officer shall select the restaurant on a random basis.
- C. On an extended transport, the transporting officers shall keep the prisoner in sight at all time, except when the prisoner needs to use toilet facilities and the following conditions exist:
 - 1. The toilet facility is searched for contraband and any dangerous weapons prior to use
 - 2. The toilet facility only has one entrance/exit which can be monitored by the transporting officers

8. Police Services While Transporting Prisoners

- A. While transporting prisoners, officers are prohibited from engaging in any activity that could endanger a prisoner's safety. The transporting officers will stop to provide police services only in the following circumstances:[70.1.4]
 - 1. Where immediate response is required to prevent severe bodily injury or death
 - 2. Where serious injury has occurred requiring immediate attention
 - 3. Where a serious or violent crime is in progress and/or a criminal is fleeing and immediate apprehension is required to ensure public safety
- B. If the transporting officer's witnesses an incident requiring police services, the officers shall advise dispatch of the location and nature of the incident. Dispatch shall either send another unit to the location or notify the appropriate agency.

9. Special Situation Transportation

- A. Officers shall not transport prisoners to funerals, reading of wills, etc. These duties shall be conducted by the Sheriff's Department.

10. Transporting Injured, Handicapped, or Sick Prisoners [70.3.1]

- A. If a prisoner is pregnant, disabled, injured, or sick, officers shall, whenever necessary, call Cataldo Ambulance and the Fire Department to the scene to allow them to examine the prisoner before transport.
- B. Any wheelchair, crutches, devices, and medications shall be transported with, but not in the possession of, the prisoner.

11. Transporting Mentally Disturbed Prisoners [70.3.1]

- A. Whenever practicable, mentally disturbed prisoners should be transported by ambulance and restrained with proper devices.

- B. If required, handcuffs may be used until a more appropriate restraining device can be applied.

12. Unusual/Security Risk Prisoners

- A. If a prisoner to be transported to another agency or court is considered an unusual security risk, e.g., extremely violent or an escape risk, or has medical issues, the Shift Commander will notify the receiving agency before the prisoner is transported, so that the receiving agency can properly prepare to receive the prisoner.[70.1.6(d)]

13. Prisoner Escape [70.1.7]

- A. If a prisoner escapes from custody while being escorted into or out of a police vehicle during transport, or while at the station, the transporting officer shall immediately notify dispatch by radio or by other means, giving as much information as possible including the following:

1. Prisoner's name
2. Description, including clothing
3. Offenses for which the prisoner is under arrest
4. Location of escape
5. Direction of flight
6. Possible destination, if known
7. Any other pertinent available information

The transporting officer will begin an area search and attempt to regain custody of the prisoner as soon as possible.

- B. Dispatch will immediately notify the Shift Commander of the prisoner's escape. The dispatcher shall immediately broadcast to all patrol units the name and a description of the escapee, the estimated time of escape, whether the escapee is armed/dangerous, whether on foot or in a vehicle, the possible direction of flight, and any other pertinent information.
- C. If the escape took place in another city or town, that agency will also be immediately notified. An immediate search shall begin under their direction. The use of a K-9 should be considered. The dispatcher shall then broadcast the same information to other surrounding departments and agencies over BAPERIN. As soon as possible, a message shall be sent over the CJIS system, advising other departments and agencies.
- D. The transporting officer shall, before the end of the shift, submit a written report, detailing the events surrounding the escape to the Shift Commander. The Shift Commander shall submit a written report concerning the events leading to the escape and the actions taken to regain custody, including any recommendations concerning possible corrective measures to the Deputy in Charge of Patrol.