JOPLIN POLICE DEPARTMENT	6-01 STANDARD OPERATING GUIDELINE
SUBJECT: Prisoner Transportation	**REVIEW DATE: Annually - June**
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I. POLICY

Transportation of persons in custody is a constant requirement and a frequent activity. Transportation usually occurs in two instances. The first is immediately after arrest when the arrestee is taken by the arresting officer for booking and holding or transfer to another facility. The second concerns the movement of prisoners from the detention facility, such as the city jail, to a hospital, doctor, dentist, or other medical facility, to court, or to attend a funeral or visit a seriously ill relative, and for other reasons. In all instances of transfer of persons in custody, officers shall take care not to endanger themselves while ensuring the prisoner's safety, thus limiting opportunities for escape.

II. PURPOSE

The purpose of this policy is to establish procedures to ensure that prisoners are transported safely and securely.

III. PROCEDURES

A. General

1. All prisoners transported by Joplin Police officers should be transported in secure, screened vehicles. (70.4.1)

   a. If an officer transports a suspect in a vehicle without a cage then the suspect shall be transported in the front seat of the vehicle. (70.4.2)

2. In no case shall a juvenile known or believed to be under the age of 17 years be transported with adults suspected of or charged with criminal acts.

3. When picking up a prisoner from any facility, the officer shall verify the identity of the prisoner. This may be accomplished by arrest records, mugshots and/or personal identification. (70.5.1 A)

4. The transporting officer shall obtain from the custodian of the prisoner any paperwork, property, or medical records that should accompany the transfer of the prisoner. (70.5.1 B)

5. Police reports shall indicate if the prisoner is a security risk, escape risk, combative, suicidal, or possesses any serious or unusual illness. (70.5.1 C)

B. Searching the prisoner

1. The transporting officer shall always search a prisoner before placing him or her into the vehicle. Officers must never assume that a prisoner does not possess a weapon or contraband or that someone else has already searched the prisoner. The transporting officer

shall conduct a search of the prisoner each time the prisoner enters custody of the officer. See paragraphs E and G for a discussion of prisoner restraining devices. (70.1.1)

2. When handling and searching prisoners, officers shall remain mindful of the department's infectious diseases exposure control plan and shall use personal protective equipment when necessary.

C. Searching the police vehicle (70.1.2)

The transporting officer shall search the vehicle before each prisoner transport to ensure that no weapons or contraband are available to the prisoner. Further, after delivering the prisoner to his or her destination, officers shall again search the police vehicle to ensure that the prisoner did not hide contraband or other evidence.

D. Transport equipment (70.4.1, 70.4.2)

1. Most marked vehicles are equipped with a screen separating the front and rear compartments. Normally, these vehicles will be used in all prisoner transports to prevent prisoner access to the driver's compartment.

2. All vehicles equipped with screen barriers and used in transporting prisoners have the rear interior door and window handles removed to minimize the risk of escape by prisoners while transporting.

3. All vehicles equipped with screen barriers shall have the screen's sliding door closed and latched when a prisoner is in the vehicle to minimize the risk of escape while transporting.

E. Positioning of prisoners in the transport vehicle (70.1.3)

1. When an officer transports a prisoner in a screened vehicle, the prisoner shall be positioned in the rear seat and secured with seat belts. Prisoners shall be handcuffed with their hands behind their backs, palms outward, except for pregnant, handicapped, or injured prisoners as detailed in SOG 6-02. (70.2.1)

2. When an officer transports a prisoner in a non-screened vehicle, the prisoner shall be placed in the right front seat and secured with a seat belt. The prisoner shall be handcuffed with his or her hands behind the back, palms outward. A lone officer shall never transport two or more suspects in a non-screened vehicle unless directed by the on-duty supervisor. (70.4.2, 70.2.1)

3. If more than one officer transports prisoners in a non-screened vehicle, the following procedures shall be observed.

   a. One officer shall position him- or herself in the rear of the transporting vehicle behind the passenger seat with the prisoner (seat belted) on the opposite side.

   b. In a situation where more than one prisoner is transported by two officers in the same vehicle, the prisoners shall be positioned on the rear seat (seat belted) and the assisting officer should position himself in the front seat to see the prisoners always.

4. Officers should not transport prisoners who are restrained in a prone position. Doing so risks positional asphyxia, a form of suffocation for the restrained suspect that may cause death. (70.2.1)

F. Control of prisoners while transporting

1. Observation

a. During transportation, officers shall continually observe the prisoner, even when it becomes necessary to allow the prisoner the use of a toilet.

b. In a situation where observation is not possible (woman prisoner needing toilet facilities and male transporting officer or *vice versa*), the officer shall exercise as much control of the situation as possible. The prisoner shall not be allowed in the facility with another person and the officer shall ensure that there are no escape routes within the facility and no weapons available to the prisoner.

c. If a prisoner appears lethargic, particularly after an active confrontation with officers, or appears unresponsive, consider the possibility that immediate medical help may be necessary. Observe the suspect carefully and if the officer is in any doubt about the prisoner's health, summon medical assistance immediately. Officers should ask an apparently sick prisoner if he or she wishes medical assistance.

d. The transporting officer shall advise the receiving officer at the jail or other facility of any medical conditions of the prisoner, or any suspicions or concerns about the prisoner's medical state.

2. Meals

If the transporting officer must stop enroute for a meal, he or she should choose an unfamiliar place. This minimizes any chance of an arranged plan for someone to try to release the prisoner.

3. Stopping to provide law enforcement services while transporting (70.1.4)

a. When transporting a prisoner, the transporting officer may provide law-enforcement services only when:

i. A need exists for the transporting officer to act immediately to stop or prevent a violent act and prevent further harm to a victim.

ii. A person has been injured and assistance is required immediately.

iii. A crime is in progress, thus creating an immediate need to apprehend the suspect.

b. In all the above situations, the transporting officer shall ensure always that the prisoner is secured and protected.

c. Under no circumstances shall an officer transporting a prisoner engage in a pursuit.

4. Escape (70.1.7)

If a prisoner escapes while being transported, the transporting officer shall observe the following procedures.

a. Notify a supervisor and request assistance immediately from the jurisdiction the officer is in at the time of the escape. The transporting officer shall immediately provide dispatch with the following information: (70.1.7 A)

i. Location.

ii. Direction and method of travel, and means of escape.

iii. Name, physical description of escapee.

iv. Possible weapons possessed by the escapee.

v. Pending charges.

b. Try to recapture the escapee as soon as possible. (70.1.7 C)

c. The shift supervisor will coordinate all search procedures between agency personnel and other law enforcement agencies as appropriate. (70.1.7 C)

d. The transporting officer shall submit a written report to the chief of police as soon as practicable explaining the circumstances of the escape. (70.1.7 B)

5. Prisoner communication (70.1.5)

The transporting officer should not allow prisoners to communicate with other people while in transit unless the situation requires it. The officer shall use his or her judgment when deciding whether to allow a conversation to take place between the transported prisoner and another party.

6. Arrival at destination (70.1.6)

When transporting prisoners from one facility to another, upon arriving at the destination, the transporting officer shall observe the following procedures:

a. Firearms shall be secured in the trunk of the police vehicle or in the designated place at the facility being entered when required. (70.1.6 A)

b. Restraining devices shall 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. (70.1.6 B)

c. The proper paperwork (jail committal, property form, etc.) shall be submitted to the proper person at the receiving facility. The officer shall ensure that proper prisoner transport paperwork is submitted (70.1.6 C, E)

d. The receiving facility will be advised by the transporting officer of any potential medical or security hazards. (70.1.6 D)

G. Sick/injured prisoners and medical facilities (70.3.1)

1. At any time before, during, or after the arrest that the prisoner is seriously injured or becomes sick, the officer shall seek medical attention as soon as practical. Medical attention shall be obtained before transporting the prisoner to the jail if the injury/sickness happens before transport. An exception would be when the prisoner is in an environment that is unsafe for him/her or for the officer(s).

2. Prisoner(s) that require serious medical attention shall be transported by ambulance to the hospital.

a. An officer or jail staff shall ride in/or follow the ambulance with the prisoner(s) as directed by a supervisor.

3. The transporting officer should use discretion in applying restraining devices on sick or injured prisoners. Obviously, if a prisoner is injured or sick enough to be incapacitated, restraining devices may not be appropriate. As a rule, do not remove a prisoner's handcuffs at the hospital unless ordered to do so by the attending physician. (70.3.2)

4. If the prisoner refuses treatment, the arresting officer shall note in his/her report that medical treatment was offered, yet refused by the prisoner.

5. If the prisoner must be admitted to the hospital, the officer shall release the prisoner only after consulting the on-duty supervisor. The supervisor, in turn, shall consult the judge or the prosecuting attorney. The supervisor shall observe the following procedures to ensure control of the prisoner: (70.3.2)

   a. If charges have already been filed and the prisoner is admitted, arrange for guards. The only exception is when the judge authorizes the prisoner to be released on his/her own recognizance.

   b. If charges have not been filed, the supervisor should decide if the offense is one in which the prisoner could be released from custody with charges being filed later.

   c. When a warrant has been issued, serve the warrant. If the judge will not release the arrestee on personal recognizance, then contact City jail personnel to assume responsibility for security and guard duty at the hospital.

   d. The prisoner shall be kept under observation always and, normally, restraining devices shall be used. Officers shall consult with medical personnel concerning the use of restraining devices.

H. Special transport problems

1. Transport of prisoner by officer of different sex:

   a. When transporting a prisoner of one sex by an officer of another sex, the transporting officer may request an additional officer to accompany the transport.

   b. If using a second officer is impractical, at a minimum the transporting officer shall:

      i. Contact the dispatcher by radio and request that the time and odometer mileage be logged.

      ii. Go directly to the destination by using the shortest practical route.

      iii. Upon arrival at the destination, contact the dispatcher by radio and request that the time and the odometer reading be logged.

2. Prisoner with disabilities (70.2.1)

   a. When transporting a prisoner with disabilities, the transporting officer should request help when needed to complete the transport conveniently, comfortably, and safely for both the prisoner and the officer. The officer may request the dispatcher to contact an ambulance service for assistance. The transporting officer should take whatever special equipment or medicine is necessary for the prisoner.

b. With a disabled person in custody, the transporting officer must use common sense. When the disability is such that no danger of escape or injury to the prisoner or officer exists, then restraining devices may be inappropriate.

c. Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner.

3. Transportation of dangerous/security-risk prisoners from one facility to another (70.1.8)

a. When a prisoner is considered dangerous or a security hazard, the appropriate agency and/or sheriff's personnel shall be notified before the transport takes place to plan how best to minimize any chance of escape, or injury to the prisoner or anyone else.

4. The department will not transport a person to a funeral, to visit a critically ill person, or to the reading of a will, Exception: Transport will only be made under order of the court for these circumstances. (70.3.3)

a. In such case the prisoner will be accompanied by one or two officers, depending on available manpower, security risk and seriousness of the offense. The prisoner will be restrained always using waist chain and ankle cuffs. The transporting officer (s) will remain with the prisoner always.

IV. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

V. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.