



Transportation & Restraint of Prisoners	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Arkansas Statutes:	
CALEA Standard: 70.1.1; 70.1.2; 70.1.3; 70.1.4; 70.1.7; 70.2.1; 70.3.1; 70.3.2;	
Date Implemented:	Review Date:

- I. **Purpose:** To establish guidelines for the reasonable and safe transportation and restraint of prisoners.
- II. **Policy:** It is the policy of this department to establish uniform procedures that provide for the safety and security of prisoners, transporting officers, and the public during prisoner transport. Transportation and restraint by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity.
- III. **Definitions**
 - A. **Contraband:** Articles or substances prohibited from the possession of prisoners.
 - B. **Handicapped Prisoner:** A prisoner with an anatomical, physiological, or mental impairment that hinders mobility.
 - C. **Prisoner:** A person who has been arrested and taken into custody.
 - D. **Proper Search:** The physical inspection of a prisoner's person, clothing, and effects for weapons or potentially hazardous articles to be used against law enforcement personnel. This search shall include consideration for contraband, such as narcotics, narcotic paraphernalia, and implements that may facilitate an escape from custody or confinement. A proper search shall be conducted in accordance with federal and state constitutions and statutes and be consistent with this department's policy on searches.
 - E. **Restraining Devices:** Equipment such as handcuffs, flex-cuffs, leather restraint belts, leg irons, hobble devices, and maximal restraint tools, used to restrain the movement of the prisoner.
 - F. **Security Hazard:** Any threat to the security of the prisoner, to the facility in which he/she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by department personnel to provide proper protection for and security of the prisoner.

- G. Transporting Officer:** A department employee who is responsible for transporting a prisoner from one point to another.

IV. Procedures

A. Vehicle Inspection

- i. At the beginning and end of each shift, all vehicles regularly used for prisoner transport, shall be inspected by the department member assigned to that vehicle to determine that all safety devices are in working order and that the interior is free of weapons and contraband.
- ii. Prior to placing a prisoner in a vehicle for transport or detention, the officer shall inspect the interior for weapons and contraband. An additional inspection shall be conducted after the prisoner has been delivered to the detention facility or other destination.
- iii. Officers should utilize their in-car audio and video recording devices throughout the entire transport where such equipment is available.

B. Restraining Devices

- i. Officers shall use only those restraining devices for which they have been trained.
- ii. With few exceptions, all prisoners shall be handcuffed, double locked, and checked for proper application, with their hands behind their back.
- iii. Officers shall document in their report that “subject was handcuffed, checked for fit, and double-locked.”
- iv. Officers may use discretion in restraining persons or using other restraining devices in specific cases such as:
 - a. Obvious state of pregnancy;
 - b. Prisoner has a physical handicap;
 - c. Prisoner has injuries that could be aggravated by standard handcuffing procedures;
 - d. Elderly and very young persons; and
 - e. All prisoners shall be secured with seatbelts. No prisoner shall be handcuffed to any part of the police vehicle.

C. Where feasible and practical, a supervisor shall be notified when:

- i. The officer is transporting a person who is handicapped;
- ii. The officer is transporting a person known to be mentally ill;
- iii. The officer is transporting a person with an injury; and
- iv. The officer is transporting a person known to have a communicable disease.
- v. All transports involving the special circumstances outlined above shall be documented via police report as to the occurrence as well as the action taken.

D. Escape: In the event of an escape during transport:

- i. The transporting officer shall:

- a. Immediately notify the dispatcher and supervisory personnel;
 - b. Immediately coordinate with responding officers to establish a perimeter; and
 - c. Brief responding supervisory personnel.
- ii. The responding supervisor shall:
 - a. Take command of the perimeter and search operation
 - b. Determine the need for additional department/inter-department resources
 - c. Ensure that all proper notifications are made up the chain of command
 - d. Ensure that the events surrounding the escape and search operation are properly documented.

E. Transport

- i. Prior to transport, the officer shall thoroughly search all prisoners for any weapons, tools of escape, or contraband.
- ii. In the event that the transporting officer and prisoner are of the opposite sex, a search will be conducted prior to transport for seizing any weapons, tools of escape or contraband. This search should be observed, if possible, by a witness or in front of the vehicle video camera, and the officer will use the back of his/her hand on or around sensitive areas of the body. When possible and practicable, an authorized person of the same sex as the prisoner should be requested for these types of searches.
- iii. Any search shall be documented by the transporting officer.
- iv. Prior to transporting a prisoner, the transporting officer shall notify the dispatcher of:
 - a. Identity of the prisoner;
 - b. Arrest location and destination;
 - c. Vehicle odometer mileage; and
 - d. Vehicle odometer mileage at time of arrival at the intended destination.
- v. Prisoners shall be transported in the following manner:
 - a. If the transport vehicle is equipped with a safety barrier, the prisoner should be placed in the rear, right-side seat.
 - b. If the transport vehicle is equipped with a safety barrier, and two prisoners are being transported, then two officers shall make the transport where feasible. The prisoners shall be placed in the rear seat. The transporting officers shall be positioned in the front seat.
 - c. Up to three prisoners may be transported in a vehicle equipped with a safety barrier, provided that two officers make the transport. The prisoners shall be placed in the rear seat. The transporting officers shall be positioned in the front seat.
 - d. A prisoner may be transported in a vehicle not equipped with a safety barrier Under the following circumstances:

- When transported by one officer, the prisoner must be appropriately handcuffed and seat belted in to the front passenger seat. Only one prisoner may be transported in this scenario.
 - When transported by two officers, one officer shall operate the vehicle while the second officer is seated in the rear seat, directly behind the operator of the vehicle. The prisoner shall be seated in the rear, right-side seat. If transporting two prisoners, the second prisoner may be placed in the front passenger seat.
- e. All prisoners being transported shall wear properly fastened seat belts. Officers will not place an arrested person in a reclined position inside a police vehicle prior to transportation.
 - f. Any wheelchairs, crutches, prosthetic devices, and medication shall be transported with, but not in the possession of the prisoner.
 - g. Prisoners shall not be left unattended while being transported.
 - h. Unless approved by a supervisor, no stops will be made while transporting a prisoner.
 - i. A transporting officer shall not respond to the need for law enforcement services or back-up unless the risk to other citizens or law enforcement officers is both clear and serious and the risk to the prisoner(s) is minimal.
 - j. Prisoners of the opposite sex shall not be transported in the same vehicle unless approved by a supervisor.
 - k. If a prisoner is to be transported to court or any other facility and the prisoner is believed to be a security hazard, the transporting officer(s) shall inform the receiving law enforcement personnel in order that they may prepare to accept custody of the prisoner.

vi. Special Transport Situations

- a. Use of restraints when dealing with persons of diminished capacities: These types of persons may present officers with conflicting considerations in determining the best means for restraint and transportation. The ultimate mission is to safeguard the interests of the subject and transporting officers. In some cases an ambulance may be required
- b. If a prisoner becomes sick or injured incidental to arrest, the transporting officer, when possible, shall summons emergency medical support to examine the prisoner prior to transport.
- c. If emergency hospital treatment is necessary, the prisoner shall be transported to the hospital accompanied by at least one officer. The officer shall remain with the prisoner (unless prevented by emergency circumstances or treatment needs) until the hospital personnel release the prisoner or until appropriate security can be arranged.
- d. If emergency hospital treatment is not necessary, and a reasonable request is made by the prisoner to go to the hospital, the prisoner shall be transported in a department vehicle.

1. Prisoners with physical handicaps may be transported in department vehicles. All reasonable precautions shall be taken by the transporting officer to ensure the security and reasonable comfort of the prisoner, without compromising the safety of the transporting officer(s).
2. Appropriate measures for the security and control of prisoners in medical facilities shall be taken. Whenever an officer transports a prisoner or is transported with a prisoner to a medical facility, the officer shall:
 - Maintain a constant view of the prisoner;
 - Ensure that proper restraints are applied to the prisoner until the medical staff needs them removed for medical treatment. Once treatment is completed, proper restraints shall be reapplied;
 - Guard against any injury to the officer and all medical staff;
 - If required to guard the prisoner, and when possible, rotate guarding assignments at regular intervals to avoid complacency;
 - Ensure that the prisoner does not have contact with visitors;
 - Notify hospital security, if available.
 - If the prisoner is admitted to the medical facility, and cannot be arraigned by a magistrate or appropriate official, or issued a summons, notify the Shift Commander to arrange for 24 hour guard coverage;
- e. Upon the prisoner's release from the medical facility, and prior to transport, the prisoner shall be thoroughly searched; and
 1. Upon the prisoner's release from the medical facility, the transporting officer shall ensure that all medical records and instructions for future treatment are in the prisoner's possession and are provided to the detention facility.
- f. Special safety considerations shall be adhered to when a prisoner being transported has been involved in the following types of incidents:
 1. A violent struggle during apprehension;
 2. Subjected to the use of a chemical agent, Taser, neck restraint hold, multiple body weight control, or impact strikes to the body;
 3. Is highly intoxicated on either alcohol or drugs or a combination; or
 4. Is secured by maximal restraints, four point restraints, TARP (Total Appendage Restraint Procedure) devices, or a hobble tool.
- g. **Special safety considerations include:**
 1. Ensure that the prisoner remains in a seated, upright position;
 2. Personnel shall maintain constant visual and audible observation of the prisoner;

3. If there is any indication that the prisoner is in medical distress the officer(s) shall administer emergency medical attention consistent with his/her level of training and shall immediately summon emergency medical support; and
4. Shall advise the detention staff accepting the prisoner of all of the above circumstances.
5. In all cases of restraint, once the restraint is accomplished officers will ensure that the person is turned on their side or in an upright position to facilitate the subject's ability to breathe.