

	SAN MARCOS POLICE DEPARTMENT	
	Policy 7.11 Prisoner Transportation	
	Effective Date: July 3, 2020 Update Date: July 20, 2020	Replaces: GO 207
	Approved: _____ <i>Bob Klut</i> _____ Chief of Police	
	Reference: TBP 10.01, 10.10, and 10.12	

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 for various reasons, such as to the county jail, to a hospital or other medical facility, to court, and for other reasons. Transporting prisoners is a potentially dangerous function. Therefore, it is the policy of this department to take the precautions necessary while transporting prisoners to protect the lives and safety of officers, the public, and the person in custody.

II. PURPOSE

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

III. PROCEDURES (TBP: 10.01)

A. General

1. All prisoners shall be transported in secure, containment vehicles, unless such a vehicle is not available.
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.
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.

B. Searching the Prisoner

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

4. When handling and searching prisoners, officers shall remain mindful of the department's plan for the control of infectious diseases and shall use personal protective equipment when necessary.
 5. Any items removed from the prisoner prior to transport will be securely maintained and returned to the prisoner or turned in to the booking officer upon arrival at the location of detention for placement in the prisoner's property. (TBP: 10.10)
- C. Searching the Police Vehicle
- The transporting officer shall search the vehicle immediately before each prisoner transport to ensure that no contraband or weapons are available to the prisoner. Further, after delivering the prisoner to his/her destination, officers shall again search the police vehicle to ensure that the prisoner did not hide anything in the vehicle. (TBP 10.01)
- D. Transport Equipment
1. Most marked vehicles are equipped with a metal or plastic screen to separate the front and rear compartments making them a containment vehicle. Normally, these vehicles will be used in all prisoner transports in order to prevent prisoner access to the driver's compartment.
 2. All vehicles equipped with metal or plastic screen barriers and used in transporting prisoners will have the rear interior door and window handles removed or disabled in order to minimize the risk of escape by prisoners being transported.
 3. At the beginning of each shift and before transporting prisoners, officers shall check their vehicles for proper security measures and any contraband.
- E. Positioning of Prisoners in the Transport Vehicle
1. When an officer transports a prisoner in a containment vehicle, the prisoner shall be positioned in the rear seat and secured with a seat belt. Further, the prisoners shall be handcuffed with their hands behind their backs except for the exceptions detailed in Policy 7.10 Prisoner Restraints.
 2. When a single officer transports a prisoner in a non-containment 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.
 3. A single officer shall never transport two or more suspects in a non-containment vehicle unless directed to do so by the on-duty supervisor.
 4. If more than one officer transports prisoners in a non-containment vehicle, the following procedures shall be observed:
 - a. One officer shall sit in the rear of the transporting vehicle behind the driver with the prisoner on the rear passenger side with the seat belt fastened.
 - b. When more than one prisoner is transported by two officers in the same vehicle, the prisoners shall be positioned on the front and rear passenger sides (seat belted) and the assisting officer shall sit behind the driver in order to protect the driver and to be able to see the prisoners at all times.
 5. Officers shall not transport prisoners who are restrained in a prone position. Doing so increases the risks of medical complications.

- F. Control of Prisoners While Transporting: Observation and Medical Assistance (TBP: 10.12)
1. During custody and transportation, officers shall continually observe the prisoner, even when it becomes necessary to allow the prisoner the use of restroom facilities if available.
 2. If a prisoner appears lethargic, particularly after an active confrontation with officers, or is unresponsive, immediate medical help may be necessary. The officer should observe the suspect carefully and if the officer is in any doubt about the prisoner's health medical assistance shall be summoned immediately.
 3. Officers should ask an apparently ill prisoner if he or she wishes medical assistance.
 4. The transporting officer shall advise the receiving officer or deputy of any medical conditions of the prisoner, or any suspicions or concerns about the prisoner's physical or mental health.
 5. Prisoners shall not be left unattended at any time during transport with the exception of situations in section G. below.

G. Stopping to Provide Law-Enforcement Services While Transporting

1. When transporting a prisoner, the transporting officer shall provide law-enforcement services only under the circumstances listed below:
 - a. A need exists for the transporting officer to act immediately in order to stop or prevent a violent act and prevent further harm to a victim.
 - b. A person has been injured and assistance is required immediately.
2. In the above situations, the transporting officer shall ensure at all times that the prisoner is secured and protected.
3. Under no circumstances shall an officer transporting a prisoner engage in a pursuit.

H. Escape

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

1. Request assistance immediately from the jurisdiction the officer is in at the time of the escape.
2. Provide dispatch with the following information:
 - a. Location.
 - b. Direction and method of travel, and means of escape.
 - c. Name and physical description of escapee.
 - d. Possible weapons possessed by the escapee.
 - e. Pending charges.
3. Try to recapture the escapee as soon as possible.
4. Submit a written incident report as soon as practicable explaining the circumstances of the escape.

I. Prisoner Communication

The transporting officer shall not allow prisoners to communicate with other people prior to or while in transit unless, in the judgment of the officer, the situation requires it.

J. Arrival at Confinement Facility

Upon arriving at the destination, the transporting officer shall observe the following procedures:

1. Firearms shall be secured in the designated place at the facility being entered or shall be locked in the police vehicle.
2. Restraining devices shall be removed only when the officer is directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure.
3. The proper paperwork (booking sheet, arrest report, property form, etc.) shall be submitted to the receiving facility and, in situations that require it, the officer shall ensure that proper signatures are obtained on paperwork to be returned to the department.

K. Sick/Injured Prisoners and Medical Facilities

1. Any time before, during, or after an arrest that the prisoner is injured or becomes sick, the officer shall seek medical attention immediately. Medical attention shall be obtained before transporting the prisoner to the jail if the injury/sickness happens before they arrive at the jail.
2. The transporting officer shall use discretion in the use of restraining devices on sick or injured prisoners.
3. As a rule, do not remove a prisoner's handcuffs at the hospital unless ordered to do so by the attending physician for a necessary medical treatment.
4. If the prisoner refuses treatment, the refusal process should be captured on body camera. The appropriate documentation must be given to the jail during booking, indicating the refusal.
5. If the prisoner must be admitted to the hospital, the officer shall release the prisoner to the hospital only after consulting the on-duty supervisor. The supervisor, in turn, may consult the magistrate or the city judge. The prisoner may be released depending on circumstances and severity of incident and a warrant obtained.
6. The prisoner shall be kept under observation at all times and, normally, restraining devices shall be used. Officers shall consult with medical personnel concerning the use of restraining devices.
7. If the prisoner is not released, the supervisor shall observe the following procedures to ensure control of the prisoner:
 - a. If the prisoner is admitted and the prisoner was arrested for a violent felony, arrange for guards.
 - b. Request the presence of a magistrate at the hospital so that bail can be set.
 - c. Assist the magistrate in arraigning the prisoner, if necessary,
 - d. When the case is magistrated, responsibility will transfer to the sheriff's office.
 - e. Ensure that guards are checked periodically and relieved as necessary until sheriff's deputies relieve them.

L. Special Transport Situations

1. Transport of Prisoner by Officer of Different Sex than Prisoner

- a. When transporting a prisoner of one sex by an officer of another sex, the body worn and vehicle mounted camera will be used to document
- b. At a minimum the transporting officer shall do the following:
 - i. If the transport cannot be recorded on video; 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. If the transport cannot be recorded on video; 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

- a. When transporting a prisoner with disabilities, the transporting officer shall request help when needed to complete the transport safely for both the prisoner and the officer.
- b. The officer may request the dispatcher to contact ambulance for assistance in transporting.
- c. The transporting officer shall take whatever special equipment or medicine is necessary for the prisoner.
- d. 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, restraining devices may be inappropriate.
- e. Any wheelchairs, crutches, and medication shall be transported with, but not in the possession of, the prisoner.
- f. Department personnel have an obligation to provide a "reasonable accommodation" for disabled prisoners. This obligation requires officers to ensure disabled prisoners are not subjected to the possibility of injury or handling of a disrespectful nature during arrest and transportation procedures.

M. Restraining Devices

When prisoners are restrained during transport, the following procedures shall be followed unless circumstances require an alternate method:

1. Single prisoner shall be handcuffed with both hands behind their back.
2. A wrap, leg and waist belt restraints may also be used in order to minimize the risk of injury or escape.
3. Under no circumstances shall a prisoner be handcuffed to a part of the transport vehicle itself, such as the floor post, protective screen barrier, etc.
4. Officers may use ankle shackles or plastic handcuffs to immobilize legs when transporting any prisoner that might pose an escape risk.

N. Documentation

1. Officers shall document all prisoner transports and shall note any unusual circumstances or events in the arrest report.
2. Officers shall document the circumstances of any apparently ill or injured prisoners and their medical treatment.
3. Officers will report names (and badge numbers, as appropriate) of field personnel from and to whom the prisoner was released or transferred if outside of a correctional or medical facility.