

La Plata Police Department – General Order

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|  | Title: Prisoner Transport | | Order #: 605 |  |
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| CALEA Standard: 1.2.8 70.1.1 70.1.2 70.1.3 70.1.4 70.1.5 70.1.6 70.1.7 70.1.8 70.2.1 70.3.1 70.3.2 70.3.3 70.4.1 70.4.2 70.5.1 | | | | Pages: 9 |

01 POLICY: It is the policy of the La Plata Police Department that all prisoners be transported in a manner that will provide for the secure movement of the prisoner while at the same time providing adequate safety measures for the transporting officer, other employees, the prisoner and the public. Department size does not require any officer to be assigned full-time to the transportation of prisoners. Any officer may be assigned prisoner transportation duties.

02 PROCEDURE:

A. Transport Operations:

1. The transporting officer, prior to moving from one location to another, shall systematically search all prisoners for concealed weapons and/or other contraband. Officers will remove a prisoner’s personal property, to include, but not limited to hat, belt, wallet, money, watch, wristband, necklaces and bracelets. Officers must maintain control of the property by immediately placing all property inside a plastic or paper bag prior to transport, when reasonable, from one location to another location. Additionally, officers should physically inspect all rings worn by the prisoner for the possibility of concealed contraband. It is the discretion of the officer to remove the ring worn by a prisoner. However, if the ring poses an officer safety issue, it will be removed and placed in a plastic or paper bag for further disposition. Officers may transport the prisoner and their personal property to the Charles County Detention Center, another detention facility or a rendezvous point for prisoner exchange with an allied jurisdiction. The prisoner’s personal property will be inventoried prior to release to an allied agency. This does not include evidence or contraband related to

the offense, firearms, or other instruments, which could be used to cause injury to an employee or another person. (CALEA 70.1.1)

- a. Under no circumstances shall officers assume that another officer has searched a prisoner.
- b. Independent searches: Prior to accepting a prisoner for transport, officers will conduct an independent search of that prisoner.
- c. Opposite Sex Searches: The safety of officers and the public are of the utmost importance. The transporting officer must ensure that the prisoner is not in possession of a weapon. This consideration must not be compromised, even in those situations where the prisoner is of the opposite sex than that of the transporting officer.
 - (1) Officers must exercise prudence and good judgment in conducting a search incident to arrest of prisoners of the opposite sex. Attempts should be made to find an officer of the same sex as the prisoner to conduct the search. In this effort, a request will be made to allied jurisdictions for assistance. Officers should consider the:
 - (a) The Charles County Sheriff’s Department:
 - (b) Maryland State Police (La Plata); or,

- (c) Maryland Transportation Authority.
 - (2) If an officer of the same sex as the prisoner is not available, a limited pat down outside of the clothing may be carefully conducted with the blade or back of the hand. This pat down is conducted to locate weapons and/or contraband. Whenever possible to pat down should be captured on an in-car video camera.
 - (3) In cases where reasonable suspicion would exist when the officer, based upon his/her observations and knowledge obtained from witnesses, believes that the suspect may be armed or concealing contraband that if not recovered may be lost or lose its value as evidence, the search shall be as though if the subject and the searching officer were of the same sex. Areas of possible concealment, i.e., behind the ears, under the tongue, should not be overlooked.
- d. Strip Searches: Strip searches shall not be conducted unless the officer has reasonable suspicion to believe that the suspect is concealing a weapon or contraband on his/her person and then only with the approval of the on-duty Shift Supervisor or a Command officer. Strip searches shall be completed in the presence of two officers, whenever possible, who are the same sex as the person who is being searched. The strip search will be conducted in a private and secure area. If a weapon or contraband is observed, taped to the body, the officer shall remove the item in a tactful manner. If a possible weapon or contraband is observed inside a body cavity, the employee shall appropriately restrain the suspect and obtain a body cavity search warrant. Under no circumstances will the officer remove the item.
- The suspect shall be kept under constant and watchful supervision and shall be taken to a hospital facility where the search warrant shall be executed. All strip searches will be documented on the appropriate Departmental form. (CALEA 1.2.8.a, b & c)
- e. Body Cavity Searches: A body cavity search requires a search warrant and must be conducted at a medical facility by a licensed and practicing medical physician. All body cavity searches will be thoroughly documented in the incident report. Additional officers present during the body cavity search will complete a supplemental report. (CALEA 1.2.8.a, b & c)
2. Vehicle checks: Vehicles shall be checked for weapons and contraband prior to the beginning of each shift and immediately after transporting any prisoner. (CALEA 70.1.2)
- a. Patrol Vehicles:
 - (1) Take home vehicles shall be checked as mentioned above with special attention given to areas including the front and rear floorboards and under the back seat, if it pulls out.
 - (2) Pool vehicles shall be checked by the assigned officer at the beginning of each shift and immediately after the transport of any prisoner. Special attention shall be given to areas including the front and rear floorboards and under the back seat, if it pulls out.
 - b. Criminal Investigations Unit Vehicles:

- (1) Take home vehicles shall be checked as mentioned in 02.A.2 with special attention given to areas including the front and rear floorboards and under the back seat, if it pulls out.
 - (2) Pool vehicles shall be checked by the assigned detective at the beginning of each shift and immediately after the transport of any prisoner. Special attention shall be given to areas including the front and rear floorboards and under the back seat, if it pulls out. Detectives may transport complaint prisoners in the front seat of a cruiser. A caged vehicle will be called for non-compliant prisoners.
- c. Prisoner transport vans:
Currently the Department does not have a prisoner transport van.
- d. Found weapons/contraband:
- (1) In the event that a weapon or other contraband is discovered after the transportation of a prisoner, the officer shall include the discovery in his/her supplemental report, detailing the discovery.
 - (2) In the event that a weapon or other contraband is discovered in a pool vehicle prior to a prisoner transport, the contraband will be impounded and placed into evidence. A written memorandum shall be sent via the chain-of-command to the appropriate Division Commander detailing the discovery.
3. Seating arrangements when transporting prisoners: For maximum safety, employees and prisoners shall be seated in specific locations within the vehicle depending upon the vehicle type, the number of prisoners and the number of officers involved. The seating arrangements have been developed to allow the employees to maintain visual contact of the prisoner(s) at all times to minimize the opportunity of escape. Also, it is important to ensure that the prisoner is made as comfortable as possible during the transport by having them appropriately restrained (handcuffed, etc.) and secured in their seat by a seat belt. See Addendum A for the seating chart.
4. Restrictions: Whenever possible, a patrol officer shall not transport an adult prisoner in a vehicle without a cage. The officer must, based upon age, size and attitude of the offender(s), determine whether more than one (1) juvenile can be safely and securely transported in a vehicle without a cage.
- a. Male and female prisoners shall not be transported together in the back seat.
 - b. Juveniles shall not be transported in the same vehicle with adult prisoners.
5. Biohazards: Transporting officers shall be responsible for cleaning up the vehicle after each prisoner transport. Incidents of biohazard shall be immediately reported to the on-duty Shift Supervisor.
6. Notification of transport:
- a. Prior to transporting any prisoner, the transporting officer shall always advise Communications of the start location and the vehicle mileage. The on-duty Communications Specialist

- is responsible for logging the officer's mileage and time.
- b. Should the officer need to stop for any reason, the officer shall notify Communications immediately of the problem (prisoner injuring self, blocked railroad crossing, etc).
 - c. Once the transporting officer has arrived at his/her destination, he/she shall notify the Communications of his/her arrival and mileage.
7. Emergency Stops: Officers transporting prisoners may respond to law enforcement services only when a life threatening condition(s) exist, such as: (CALEA 70.1.4)
- a. An officer is in a life-threatening situation and needs immediate assistance.
 - b. A life threatening offense is in progress and the transporting officer is closer to the scene than responding units. In cases of minor accidents or offenses, the officer should notify Communications or other units of the nature of the incident and location.
8. Escapes: If a prisoner should escape from custody while being transported, the following procedures shall be followed:
- a. Escape occurring within the jurisdiction of the La Plata Police Department:
 - (1) The transporting officer shall make a broadcast to all units advising that a prisoner being transported has escaped. Broadcast shall include all known details of the escape such as the location of the escape, direction and mode of travel, physical description, charges subject was arrested on, and whether the subject is armed or unarmed. (CALEA 70.1.7.a & c)
 - (2) The transporting officer shall ensure that his/her on-duty Shift Supervisor has been notified of the escape and that an orderly search of the area has been initiated. The on-duty Shift Supervisor will ensure that the Chief of Police has been notified of the escape and that an orderly search of the area has been initiated. In order to ensure an orderly search has occurred, the shift supervisor should request from allied law enforcement agencies. (CALEA 70.1.7.a)
 - (3) A systematic search will be carried out until an apprehension is made or the highest ranking officer abandons apprehension efforts. (CALEA 70.1.7.c)
 - (4) The transporting officer, if capable, shall provide the circumstances and details of the escape in an incident report. If the officer is not capable the Shift Supervisor shall prepare the incident report prior to the end of the shift. (CALEA 70.1.7.b)
 - b. Escape occurring outside the jurisdiction of the La Plata Police Department:

- (1) The transporting officer shall attempt to notify Communications. Communications will provide the appropriate allied agency with details of the escape and request their assistance in locating and apprehending the suspect. (CALEA 70.1.7.a)
 - (2) Transporting officers unable to make radio contact with the Charles County Communications Center shall attempt to notify the appropriate local allied jurisdiction and requests it to contact LPPD with details of the escape. The on duty LPPD officer receiving the escape notification shall immediately notify the on-duty Shift Supervisor. (CALEA 70.1.7.a & c)
 - (3) The allied agency will be requested to continue a systematic search until the suspect is apprehended or a Commander from the allied agency calls off the search. (CALEA 70.1.7.c)
 - (4) The transporting officer, if capable, shall file an incident report detailing the event surrounding the escape. If the officer is not capable the Shift Supervisor shall prepare the incident report prior to the end of the shift. (CALEA 70.1.7.b)
9. During transport, no stops shall be made to allow a prisoner to speak to anyone without prior approval from the Shift Supervisor. In the event of an emergency, the transporting officer may relay an emergency message for the prisoner by police radio. Due to officer safety, officers are under no obligation to allow the prisoner to contact his/her attorney midway through a transport. (CALEA 70.1.5)
10. Other agency facilities: When transporting prisoners to an allied agency's jail facility, the transporting officer shall, upon arrival at the facility:
- a. Secure firearms (if so equipped for safekeeping) in a place provided. It is recommended that the officer secure his/her cruiser ignition key with the firearm. If the receiving agency does not provide a place for firearm storage, the firearm shall be secured in the trunk of the transporting vehicle. (CALEA 70.1.6.a)
 - b. Leave restraining devices on the prisoner until he/she is in an area of the receiving facility which is protected from escape, normally the processing or booking area. When removing restraint devices from prisoners, the transporting officer shall comply with the receiving agency's procedures regarding the removal of such restraints. Prior to the removal of restraints devices, the delivering officer shall advise the receiving officer if the prisoner is violent, self-destructive or emotionally disturbed. (CALEA 70.1.6.b)
 - c. Present all necessary prisoner documentation and paperwork to the receiving officer. (CALEA 70.1.6.c)

- d. Verify the change of custody of the prisoner by obtaining the signature of the receiving officer, whenever possible. When this is not possible, the exchange will be documented in the incident report. (CALEA 70.1.6.e)
 - e. Advise the receiving personnel of any potential medical or security related matters regarding the prisoner. (CALEA 70.1.6.d)
11. Medical Facilities: Prisoners taken to a medical facility for treatment shall be restrained unless the removal of the restraints is necessary for medical treatment. (CALEA 70.3.2)
- a. The officer shall maintain visual contact with the prisoner as much as possible. If the prisoner is taken to x-ray or some other specialized medical area for treatment or testing, an officer will follow and will remain outside the entrance to that area if not permitted to enter.
 - b. The officer should be aware that a prisoner has access to several weapons within a medical facility (syringes, scalpels) and shall take whatever action necessary to ensure the safety of all citizens, officers and the prisoner.
 - c. If it is necessary to admit the prisoner into the hospital, if at all possible, this will be done in Charles County.
 - (1) The officer shall be notified of the hospital admission prior to the officer leaving the facility.
 - (2) The Charles County Sheriff's Office or the appropriate allied law enforcement agency will be notified and requested to have a deputy/officer stand guard, after the Commissioner's Hearing, until the prisoner is released.
12. If the prisoner is treated at the medical facility and not admitted, the transporting officer shall obtain all release paperwork on the prisoner as well as written instructions for the future care of the prisoner relating to medication and treatment. Before the prisoner is placed back in the transport vehicle, he/she shall be searched and restrained. (CALEA 70.3.2)
- B. Special Transport Situations:**
- 1. All prisoners transported from any jail facility shall be searched prior to transport.
 - 2. The Department does not transport prisoners to funerals, hospital visits, or other extraordinary situations. (CALEA 70.3.3)
 - 3. Transporting prisoners of the opposite sex and all juveniles:
 - a. The transporting officer shall advise Communications of the start location and vehicle mileage. Communications shall then record and acknowledge the officer.
 - b. Upon arrival, the transporting officer shall advise the ending vehicle mileage. Communications shall then acknowledge the officer.
 - c. If the transport begins or ends out of radio range, the transporting officer will, if possible, telephone Communications and give the beginning or ending mileage and time of departure.

4. Transporting prisoners who are physically or mentally handicapped: (CALEA 70.3.1)
 - a. The nature of the offense and the extent of the handicap shall be considered when determining the levels of restraint and the methods of transportation. (CALEA 70.2.1)
 - b. Wheelchairs, crutches, canes, etc., shall be transported in the trunk of the vehicle or other storage compartment.
 - c. Any item required by the prisoner as a result of his/her handicap shall be transported with the prisoner.
 - d. The subject shall be assisted into and out of the transporting vehicle.
 - e. The transporting officer shall exercise reasonable care and good judgment to ensure officer and prisoner safety while taking into consideration the comfort of the prisoner.
5. Transporting sick or injured prisoners: (CALEA 71.3.1)
 - a. If a prisoner becomes ill or is injured incidental to an arrest or transport, the arresting officer shall:
 - (1) Transport the prisoner to the County Detention area if the illness or injury is of the nature that is apparently non-debilitating and not life threatening. The officer shall advise dispatch to request the Charles County Fire Department (CFD) to meet the officer and prisoner at the Detention Center.
 - (2) Contact Communications and request that he/she contacts CFD to respond to the arrest scene if the illness or injury is of a nature that is apparently life threatening or debilitating.
6. Disrobed Prisoners: Any prisoner who is partially or fully disrobed, will be removed from the public view and covered prior to transport. Disrobed prisoners will not be placed in a transport vehicle with a prisoner of the opposite sex.
7. Transporting prisoners in vehicles without a safety barrier (cage): Compliant prisoners may be transported in the front seat of a non-caged vehicle. Officers/detectives shall request a caged vehicle when a non-compliant prisoner needs to be transported. (CALEA 70.1.3)
- C. Prisoner Restraint: The degree of restraint applied to a prisoner in transport may vary from the use of handcuffs, "flex cuffs" (plastic) and leg irons. Officers will only use those restraining devices authorized, approved, and which they have received training. Officers are permitted to carry additional handcuffs provided they are of the same style/type as issued or approved by the Department. While the degree of restraint to be used on a prisoner shall be, in most cases, left to the transporting officer, consideration of the distance traveled by the prisoner, as well as common sense and good judgment shall be the basis for determination. (CALEA 70.2.1)
 1. Officers shall always take into consideration the physical and emotional state of the arrestee and the nature of the offense when determining the degree of restraint to be used.
 - (3) Document in the written incident report when the injury occurred, whether incidental to arrest, as a result of the criminal activity, or a pre-existing condition.
- b. Pepper spray exposure: See Order 618-Less-Lethal Weapons.

2. Officers will only use metal handcuffs during normal working conditions. The use of “flex cuffs” will be limited to exceptional incidents where numerous arrests are made or for Emergency Response Unit (ERU) operations. All prisoners being transported shall, at a minimum, be restrained with handcuffs.
3. When handcuffs are used:
 - a. They shall always be double locked.
 - b. No prisoner shall be cuffed in front unless a valid medical or physical reason exists.
 - c. A prisoner shall never be cuffed to any part of the vehicle during transport.
4. Restraining devices on physically or mentally handicapped prisoners: The fact that a person is physically or mentally handicapped does not exempt them from wearing restraining devices. The type of device used will depend upon the type and severity of the handicap. The selected device should restrain the prisoner securely without causing injury.
5. Restraining devices on ill or injured prisoners: The transporting officer shall use his/her discretion when determining the degree of restraint to be used. The officer shall take into consideration the nature of the offense, the person arrested and the extent of the illness or injury involved.
6. Restraining mentally disturbed persons: Mentally disturbed prisoners may pose a significant threat to themselves and to the transporting officer. A request for transport assistance from CFD may be necessary to effectively transport a mentally disturbed prisoner.
7. Restraint devices on combative subjects: Combative prisoners pose a

significant danger to the general public, officers and prisoners themselves. The care, custody and control of these prisoners is inherently important and it may become necessary for officers to use an additional Department approved restraint device such as leg irons in order to maintain control of the prisoner.

D. Prisoner Transport Vehicles:

1. Most vehicles assigned to general patrol duties shall have the driver separated from the prisoner by a safety barrier. (CALEA 70.4.1)
2. Patrol vehicles assigned to general patrol duties shall have their rear door handles and window buttons disengaged. The door release locks should be operated from the front compartment or from the outside of the vehicle. (CALEA 70.4.2)

E. Prisoner Documentation: Prisoner transportation to any allied agency:

1. It shall be the responsibility of the transporting officer to confirm the identity of any person being released from the La Plata Police Department to another facility. Confirmation of identity may be achieved through the use of pictures, fingerprints, driver’s license, ID cards or personal recognition by the officer, etc. (CALEA 70.5.1.a)
2. It shall be the responsibility of the transporting officer to ensure that all appropriate prisoner documentation, if any, is in his/her possession when transporting a prisoner from the Department to another holding facility. Documentation, depending upon the circumstances, will vary. Documentation will normally include, but is not limited to:
 - a. A Statement of Charges;

- b. Statement of Probable Cause;
 - c. A warrant hit;
 - d. Prisoner's property; and/or,
 - e. Copy of medical form(s).
3. When deemed a risk, written documentation regarding a prisoner's potential for escape, suicide and/or other security risk shall accompany that prisoner during transport and will be provided to the receiving agency during the change of custody.
(CALEA 70.1.8) (CALEA 70.5.1.c)