



TIVERTON POLICE DEPARTMENT

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| SUBJECT: Prisoner Search and Transportation | GENERAL ORDER NO. 350.10 |
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| DISTRIBUTION: Sworn Members, Communications Center Operators |

NOTE: This written directive is for the internal governance of the Tiverton Police Department, and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

I. PURPOSE

The purpose of this policy is to provide guidelines for the restraint and transportation of prisoners in the custody of the Tiverton Police Department.

II. POLICY

It is the policy of the Tiverton Police Department to take reasonable precautions while restraining and transporting prisoners so as to protect the lives and safety of the officers, the public, and the person(s) in custody.

III. DEFINITIONS

For the purpose of this General Order, the following definitions shall apply:

- A. **Contraband:** Articles or substances prohibited from the prisoner's possession.
- 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 belongings for weapons, potentially hazardous articles or contraband, such as narcotics, narcotic paraphernalia, and implements that may facilitate an escape from custody or confinement.

- E. **Restraining Devices:** Department or medically approved equipment that is used to restrain the movement of the prisoner such as handcuffs, waist chains, ankle chains, gang chains, flex cuffs, and tie-down stretchers.
- 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. The degree of the security hazard will govern the means of transport, the type of restraining devices to be used, and other actions to be taken by the officer to provide proper protection for the security of the prisoner and others.

IV. PROCEDURE

A. VEHICLE INSPECTION

1. At the beginning and end of each tour of duty, all assigned vehicles that are regularly used for prisoner transport will be inspected for operational readiness by the officer to whom the vehicle is assigned. The inspection will ensure the following at a minimum:
 - a. The safety screen will be securely in place and undamaged.
 - b. All windows will be intact and outer door latches in proper working order.
 - c. Rear seat door handles and window controls will be deactivated, and any rear door child locks will be activated (if applicable).
 - d. The interior will be thoroughly searched to verify that no weapons or contraband have been left or hidden within the vehicle.
 - (1) The search will be documented in the "Prisoner" section of the arrest folder (*see Appendix A*).
 - e. Any vehicle defect that compromises a vehicle's readiness for prisoner transport will be reported to a supervisor, who will consider grounding the vehicle for repair.
2. Prior to placing a prisoner in the vehicle for transport, the transporting officer will again inspect the interior for weapons or contraband. The vehicle will be searched again after the prisoner has been transported to the destination.
 - (1) The search will be documented in the "Prisoner" section of the arrest folder (*see Appendix A*).
3. This procedure will be followed each and every time a prisoner is placed into or removed from a transport vehicle. This will ensure that any weapons or contraband that might be discovered within the vehicle can be linked to a specific prisoner.

B. RESTRAINING OF PRISONERS

1. Officers will normally handcuff all prisoners with both of their hands behind the back and palms facing outward. The keyholes shall face away from the prisoner, and the double-locking mechanisms shall be activated as soon as practicable.
2. The officer may handcuff the prisoner with his/her hands in front and/or utilize other appropriate restraining devices if the prisoner:
 - a. Is in an obvious state of pregnancy.
 - b. Is handicapped.
 - c. Has injuries that could be aggravated by standard handcuffing procedures.
3. Additional department or medically approved restraining devices may be used to secure a prisoner who violently resists arrest, is a security hazard, or who manifests mental disorders that may pose a threat to himself or herself, the officer, or the public.

C. TRANSPORTING OF PRISONERS

1. Prior to transport, all prisoners will undergo a thorough, proper search.
 - a. The transporting officer should never assume that someone else has already searched the prisoner.
 - b. The transporting officer should always search a prisoner prior to transport, even if the prisoner has already been searched by some other officer, given that no search or a poor prior search is possible.
 - (1) The search will be documented in the "Prisoner" section of the arrest folder (see Appendix A).
 - c. When possible, an officer of the same gender as the prisoner should conduct the protective search if a same gendered officer is present or available to respond to the scene.
 - d. Strip and/or body cavity searches shall be conducted as prescribed in General Order 360.40 "*Strip Searches and Body Cavity Searches*".
2. When transporting a prisoner of an opposite sex or any juvenile to headquarters, the officer will provide dispatch with the following information:
 - a. The gender of the prisoner.
 - b. Arrest location and destination of the transport.
 - c. Mileage readings at the start and conclusion of the transport.

3. Absent exigency or supervisory permission, juveniles shall not be transported in a vehicle with adult offenders.
4. Prisoners will not be handcuffed to any part of the vehicle during transport.
5. The transporting officer(s) shall use reasonable care when assisting a prisoner into or out of a transport vehicle.
6. Prisoners will be transported in the following manner:
 - a. Where the vehicle has a security screen:
 - (1) The prisoner will be seat belted on the passenger side rear seat of the vehicle, so as to be more easily monitored by the vehicle operator. This will be documented in the Prisoner section of the arrest folder (*see Appendix A*).
 - (2) The transporting officer(s) will remain in the front seat of the vehicle.
 - b. A prisoner may be transported in a vehicle without a security screen after receiving authorization from a supervisor or the Patrol Shift Officer in Charge (OIC).
 - (1) Absent a security screen, the transport vehicle must contain a driver and a second officer seated next to the prisoner with his or her primary side/firearm away from the prisoner.
 - c. With the approval of a supervisor or the OIC department approved leg restraints may be used when an officer believes the prisoner has a potential for violent behavior or is a security hazard.
 - d. All prisoners will be secured in the transporting vehicle by proper use of a seat belt unless officer safety considerations make doing so impracticable.
 - e. Prisoners shall not be purposefully transported in a prone position. Doing so risks positional asphyxia, a form of suffocation that may cause death. If it is impossible to keep the subject in an upright or seated position, the person should be placed on his or her side and monitored.
 - f. Any wheelchairs, crutches, medication, or other personal property should be transported with, but not in the immediate possession or within reach of, the prisoner.
 - g. Absent exigency or supervisory permission, prisoners will not be left unattended or unmonitored in a police vehicle.
 - h. While engaged in the transportation process, a situation requiring police intervention or service may occur, e.g. motor vehicle accident or crime in

progress. In most cases these situations will be legitimate; however, the possibility of a ruse to aid an escape always exists.

- (1) Unless approved by a supervisor or the OIC, no stops other than those that are exigent in nature will be made while transporting prisoners.
 - (2) Only under exigent circumstances should transporting personnel intervene in matters unrelated to the transport. When considering responding to a need for law enforcement services while transporting a prisoner, an assessment should first be made of the threat or emergency and the unavailability of other resources.
 - (3) Officers stopping to render emergency assistance will immediately notify the Communications Center (dispatch) and request an additional unit to handle the call and clear as soon as possible to continue the transport.
 - (4) Officers shall not engage in a vehicular pursuit when transporting a prisoner.
- i. Absent exigency or supervisory permission, officers will not transport a male prisoner and a female prisoner in the same vehicle at the same time.
 - j. At no time are civilians allowed to communicate with the prisoner during transportation unless otherwise directed by a supervisor.
 - (1) This will be documented in the “Prisoner” section of the arrest folder (*see Appendix A*).
 - k. Absent exigency or a supervisor-approved escalation, transporting officers shall proceed Code one (1) to their destination.
 - l. The garage doors will be completely closed any time a prisoner is taken into or out of a vehicle in the sally port.
 - m. Prior to removing the prisoner from the vehicle entering the cellblock, firearms will be secured in the security lock-boxes located in the garage sally just outside the hallway door.
 - (1) This will be documented in the “Prisoner” section of the arrest folder (*see Appendix A*).

D. TRANSPORTING TO AN OUTSIDE FACILITY

1. In addition to the procedures in Section C above, the following procedures shall also apply when preparing prisoners who are being held in one of the detention areas for transport to an outside facility:

- a. There will be, at a minimum, two officers in the cellblock when preparing a prisoner for transport. Additional officers may be utilized in the booking area, garage, at the destination facility or whenever and wherever deemed necessary by a supervisor or the OIC to ensure officer safety and prevent escape.
 - b. If there is only one prisoner to be transported, both hands shall be handcuffed with the keyholes facing outward and the double-locking mechanism activated.
 - c. No more than two prisoners will be transported at one time in a caged patrol vehicle.
 - d. Multiple prisoners who are adults and of the same sex and who are considered a security risk will be restrained utilizing Department approved handcuffs and gang chains.
2. Upon arrival at the outside facility, the transporting personnel shall be responsible for:
- a. Following all rules and directives of the outside facility.
 - b. Securing firearms in a lock box when provided by the detention facility/outside agency, unless otherwise directed by a person of proper authority.
 - c. As practicable, visually checking the prisoner's hands/restraints to ensure that they are fully restrained before unlocking the secure prisoner compartment.
 - d. Keeping the prisoner(s) properly restrained until custody is transferred to the receiving party or after placing the prisoner(s) in a holding cell.
 - e. If a prisoner is believed to be violent, ill, suicidal, a security hazard, or an escape risk, the transporting personnel will inform the receiving agency upon arrival. If precautions need to be made prior to the prisoners arrival at the receiving agency transporting personnel will contact the agency prior to the transport.
 - (1) Transporting personnel will complete the "*Prisoner Transfer Form*" (TPD 16-002) (see *Attachment B*) for all prisoners whose custody is transferred to another facility or agency. This includes prisoners that are picked up from the Tiverton Police Department by another agency (i.e. prisoners being held on an affidavit and arrest warrant from another agency).
 - (2) Transporting personnel will request that a representative from the receiving agency sign the "*Prisoner Transfer Form*".

- (3) A copy of the “*Prisoner Transfer Form*” will be provided to the receiving agency.
- f. Ensuring that all necessary documentation is turned- over to that receiving facility, such as:
 - (1) Warrant information.
 - (2) The prisoner’s identification.
 - (3) Paperwork concerning a prisoner’s injuries, medical follow-up information, prescriptions, and impaired mental state if applicable.
- g. Obtaining a name and signature, when applicable, of the person receiving the prisoner(s) (see Section IV (D) (1) (e)).
- h. Personnel will not use a cell phone while handling prisoners, while transporting prisoners, or while loading or unloading prisoners from a transportation vehicle.

E. ESCAPE OF PRISONER

- 1. If a prisoner escapes from custody, the officer will immediately:
 - a. Notify the Communications Center (Dispatch).
 - b. Pursue the prisoner if possible.
- 2. The Communications Center will immediately notify the Patrol Shift Officer-in-Charge (OIC) and assign additional units to assist in the search. Other agencies will be notified by Communications Center as appropriate.
- 3. Make a thorough search of the area for the escaped suspect.
 - a. In cases where the suspect evades apprehension, a warrant shall be drawn for his/her arrest.
- 4. Upon completion of the search for or apprehension of the prisoner, a detailed report will be completed and submitted to the officer’s immediate supervisor. All reports shall be forwarded through the chain-of-command to the Uniform Division Commander (Captain).
- 5. The Captain shall conduct a full review of the incident and submit his/her findings, in writing to the Chief of Police, who shall determine the course of action to be taken.

F. SICK / INJURED / DISABLED PRISONERS

1. If a prisoner is sick, injured or disabled, the officer will, whenever reasonable and practical, summon Tiverton Rescue personnel to examine the prisoner prior to transport.
2. The officer may use discretion in handcuffing sick, injured, or disabled prisoners, first assessing the security hazard and considering the safety of officers and others.
 - a. At the discretion of the officer(s), handcuffs and additional department approved or medically approved restraining devices may be used if mentally disturbed prisoners are a threat to themselves or others or present a security hazard.
3. Subject to the discretion of a supervisor or the OIC, if emergency hospital care is necessary, at least one (1) officer will ride with the prisoner in the rescue.
 - a. The prisoner must be searched prior to transport.
 - b. The officer will remain with the prisoner (unless prevented by emergency circumstances) until released from custody or until appropriate security can be arranged.
4. If a prisoner requests non-emergency hospital care, he or she may be transported in a patrol vehicle with the approval of a supervisors or OIC. The number of officers needed for transport will be determined by the on-scene supervisor or OIC.
5. Transport all medical records and instructions with the prisoner.

F. SECURITY AND CONTROL OF PRISONERS IN MEDICAL FACILITY

1. Prior to removing any violent prisoner or any potentially violent person from a police vehicle, the officer should request and wait for hospital security to arrive.
2. Maintain a constant view of the prisoner.
3. For security and safety, the prisoner should remain handcuffed at all times. Where this is not practical for the treatment of the prisoner, the officer should:
 - a. Assess the risk the prisoner may present to others and himself or herself and advise medical staff prior to the removal of restraints.
 - b. If restraints must be removed for treatment, have hospital personnel use alternative restraints as determined by a risk assessment. Request additional officers if necessary. Replace alternative restraints with normal restraints as soon as treatment is completed.
4. If required, subject to the discretion of a supervisor or the OIC, an officer(s) guarding the prisoner should be rotated at regular intervals to avoid complacency.

5. The Patrol Shift OIC shall conduct periodic checks (via telephone or radio) to ensure the well-being of the guarding officer(s) and the status of the prisoner.
6. Search the prisoner prior to transport to and from the medical facility. Searched shall be documented in the arrest report.
7. Ensure the prisoner does not have contact with visitors.
8. If the prisoner is admitted, the officer is to contact the Patrol Shift OIC who shall arrange for twenty four (24) hour coverage with the appropriate agency if the prisoner cannot be arraigned by a Bail Commissioner or summonsed.
9. Transportation of any prisoner to a medical facility must be documented in the arrest report.

G. SPECIAL SITUATIONS

1. Prisoners who need to be transported to an outside location for special circumstances will require the authorization of a supervisor. Special security measures including, but not limited to, a request for additional officers, specialized transport vehicles or assistance from other law enforcement agencies will be provided on a case-by-case basis.
2. In the booking and/or the detention area, if a prisoner is violent prior to being un-handcuffed; and/or vocalizing that he or she will assault officers or others; and/or threatening suicide; then, for the safety of both the officer(s) and the prisoner, the prisoner may remain properly handcuffed, ensuring that the handcuffs are double- locked whenever possible. A supervisor or the OIC shall be notified and assess the circumstances. Additional officers should be present if, under these circumstances, an attempt is made to un-handcuff such a prisoner.

V. ATTACHMENTS

- A. *Prisoner section of the arrest folder*
- B. *Prisoner Transfer Form” (TPD 16-002)*

ATTACHMENT A

Prisoner Name: _____

In Custody Arrest (Placed in Cell) Misdemeanor Release/Summons

YES NO NA

- Police cruiser was checked for weapons/contraband at beginning of shift?
- Police cruiser was checked for weapons/contraband before placing prisoner in cruiser?
- Prisoner was searched for weapons/contraband prior to transport?

If no, why? _____

- Prisoner was placed in back seat and seat belted?
- If no why? _____

- Prisoner was not allowed to communicate with others during transport?
- Officers secured weapons in lock boxes prior to removing prisoner?
- Police cruiser was checked for weapons/contraband after removing prisoner from cruiser?
- Positive identification made?
- Is arrestee a U.S. Citizen? If no, what nationality? _____
- If not a U.S. Citizen, was consular notification made?
- Holding cell checked for weapons/contraband/means of escape prior to prisoner being secured?
- Holding cell checked for weapons/contraband/means of escape after prisoner is removed?
- Any signs of injury, trauma, bruises, lesions, deformities, etc.? If yes describe: _____

Was prisoner medically treated? If YES, what hospital? _____

Is hospital/medical paperwork in folder? If NO, why? _____

Apparent mental condition: _____

Apparent health condition: _____

Other pertinent information: _____

Arresting Officer Signature _____ Date _____

O.I.C. Signature _____ Date _____

ATTACHMENT B

**TIVERTON POLICE DEPARTMENT
PRISONER TRANSFER FORM**

TPD 16-002 REV. 04/2018

Prisoner's Name: _____ DOB: _____

Date of transfer: _____ Time of transfer: _____

Agency/Facility prisoner released to: Rhode Island Sheriff's Dept. Adult Correctional Institution

Rhode Island Training School Other Agency (name of agency): _____

1. Prisoner was searched prior to transfer? YES NO

2. Is there an active court warrant for this prisoner? (attach copy of warrant) YES NO

If YES, name of COURT holding warrant: _____

3. Is there an active affidavit and arrest warrant for this prisoner? YES NO

If YES, name of AGENCY holding warrant: _____

4. Does prisoner have a sealed personal property bag? YES NO

5. Receiving officer was advised that the prisoner is a potential for (check all that apply, explain):

- SUICIDE RISK
- ESCAPE RISK
- MEDICAL RISK
- VIOLENT BEHAVIOR
- OTHER RISKS (explain below)

6. Additional Information (if applicable): _____

Releasing Officer Signature/ID #: _____

Accepting Officer Signature/ID#: _____