

Directive	Detainee Transportation	600-17	1 of 10
Effective Date	January 1, 2010		



Wilkesboro Police Department

Electronic Written Directives Document

I. PURPOSE

The purpose of this policy is to establish procedures to ensure that detainee's are transported in a manner that will maximize their safety as well as the transporting officer's safety.

II. POLICY

Transportation by Wilkesboro Police Officers of persons who are in custody is a constant requirement and a frequent activity. In all instances of transporting persons in custody of the department, there are concerns that should be kept in mind for the detainee's safety and their rights while assuring that they do not escape, that they are not injured or do not injure others, and the safety of the transporting officer is not endangered. All persons in police custody will be considered as a potential danger to the transporting officer(s) and will be properly searched.

III. DEFINITIONS

- A. **DETAINEE:** A person who has been deprived of his or her liberty and freedom of movement and kept under involuntary restraint, confinement or custody; to include all persons under arrest but not yet incarcerated as well as those incarcerated including mentally ill subjects being transported.
- B. **DISABLED DETAINEE:** A detainee with an anatomical, physiological, or mental impairment that hinders mobility.
- C. **TANSPORT OFFICER:** A sworn law enforcement officer who is responsible for transporting a detainee from one point to another.

IV. PROCEDURES

- A. Detainee transport involves individual officer responsibilities for search, security and control, and understanding of how to deal with a variety of situations.
- B. All detainees will be physically restrained with agency approved restraining devices, such as handcuffs, leg irons and hobble restraints. Flex cuffs: When the use of regular handcuffs is not appropriate, feasible, or sufficient, flex cuffs may be used. Padding may be used to prevent injury to the wrists.

Directive	Detainee Transportation	600-17	2 of 10
Effective Date	January 1, 2010		

- C. All detainees must be transported to the Wilkesboro Police Department or detention facility without unnecessary delay.
- D. Juvenile detainees will be transported in the same manner as adult detainees. In no case shall a juvenile known or believed to be under the age of 18 years be transported with adult detainees suspected of or charged with criminal acts.

V. SEARCHING DETAINEES

The transporting officer will always search a detainee before placing them into the vehicle. It should never be assumed that a detainee does not possess a weapon or contraband or that someone else has already searched the detainee. The transporting officer will conduct a search of the detainee each time the detainee comes into the custody of the officer after visual contact has been lost

VI. SEARCHING POLICE VEHICLES

- A. All patrol vehicles that are used to transport persons in police custody will be searched at the beginning of each tour of duty. Attention should be given to any damage and to areas accessible to a detainee where weapons or evidence may be concealed. The vehicle area used for detainee transport will be clear of all equipment, seat organizers, property, personal belongings, etc. Any contraband or evidence located will be reported to the officer's immediate supervisor.
- B. The transporting officer will search the vehicle prior to and at the end of each detainee transport to ensure that no weapons, contraband, and other items are available to the detainee.

VII. RESTRAINING DEVICES

- A. To ensure the safety of the transporting officers and the detainees being transported, **officers will handcuff all detainees being transported with their hands behind their back**, except when health or physical state requires an alternative means of restraint. Any alternative restraint will be documented in the officer's report.
- B. When transporting detainees, The following procedures will normally be followed:
 - 1. A detainee should be handcuffed with both hands behind their back, palms outward. Subjects who are large or inflexible should be handcuffed in the rear using two sets of handcuffs or flex cuffs.

Directive	Detainee Transportation	600-17	3 of 10
Effective Date	January 1, 2010		

2. Leg irons and hobble restraints may also be utilized as needed in order to minimize the risk of injury and/or escape.
3. Under no circumstances will a detainee be handcuffed to a part of the transport vehicle itself, such as the door post, protective barrier, etc.
4. CAUTION: "HOG TYING" (to tie a person's hands to the feet in front or back) has been found to cause death or serious physical injury. Practice of this nature may cause "positional asphyxia" and is PROHIBITED.

VIII. POSITION OF DETAINEES IN VEHICLE

- A. All prisoners will be handcuffed with hands behind their backs, detainees transported in police vehicles equipped with prisoner shields will be placed in the rear right seat area and the seatbelt secure, unless health, physical condition, or circumstances, of arrest dictate otherwise.
 1. Not more than two prisoners will be transported in the same vehicle unless supervisory approval is obtained.
 2. When a two-person unit equipped with a prisoner shield is utilized, both officers shall occupy the front seat. The second officer shall maintain continuous surveillance of the detainee(s)
- B. When a single officer is transporting a detainee in a vehicle without a prisoner shield, the detainee must be restrained and seated in the right front seat, with seatbelt secured. Only one detainee will be transported in a police vehicle that is not equipped with a prisoner shield
 1. When two officers transport a detainee in a vehicle without a shield, the detainee must be seated in the right rear seat, with the seatbelt properly secure. The second officer will sit in the left rear seat behind the driver. The second officer shall maintain continuous surveillance of the detainee. Only one detainee will be transported in a police vehicle that is not equipped with a prisoner shield.
- C. **All detainees will be seat belted while being transported.**
 N.C. General Statute 20-135.2 A (c) exempts occupants from the seatbelt requirement while in the custody of a law enforcement officer, being transported in the backseat of a law enforcement vehicle. However, it will be the policy of the Wilkesboro Police Department to secure all detainees with safety restraints while being transported, if feasible.

Directive	Detainee Transportation	600-17	4 of 10
Effective Date	January 1, 2010		

IX. NOTIFICATIONS

Officers will advise the Communications Center of their destination when transporting a person in police custody. When transporting a person of the opposite gender, officers will advise the Communications Center of the starting mileage and at the completion of the assignment, the ending mileage. When transporting a juvenile, officers will advise the Communication Center of the starting mileage and at the completion of their assignment, the ending mileage, regardless of the juvenile's gender.

X. CONTROL OF DETAINEES WHILE TRANSPORTING

A. Visual contact

While transporting a detainee, visual observation of the detainee must be maintained by the transporting officer(s) at all times.

B. Detainees will not be permitted to smoke while being transported.

C. Stopping to Provide Law Enforcement Services While Transporting: When transporting a detainee, the transporting officer will respond to the need to provide law enforcement services only in the following situations:

1. When there is a need for the transporting officer to act immediately in order that a potential victim is not harmed.
2. When a victim has been injured and assistance is required right away.
3. When a crime is in progress and there is an immediate need because of safety reasons that the suspect be apprehended.
4. In all of the above situations, the transporting officer should ensure at all times that his detainee is secure and protected.

D. Escape: In the event a detainee escapes while being transported inside the Town of Wilkesboro, the transporting officer(s) will use the following procedures:

1. Immediately notify communications of escape with present location, direction of travel, complete description and name of the prisoner and any other pertinent information that will assist in the apprehension of the prisoner.

Directive	Detainee Transportation	600-17	5 of 10
Effective Date	January 1, 2010		

2. Have the communications function broadcast and alert all local agencies and ensure all other Wilkesboro units are notified.
 3. A supervisor shall be called to the scene and other law enforcement agencies may be notified if appropriate, and circumstances warrant their involvement.
 4. Officers will report to their immediate supervisor all facts concerning the escape or attempted escape and document all details in an incident or follow-up report by the end of the shift.
- E. In the event a detainee escapes while being transported outside the Town of Wilkesboro, the transporting officer will:
1. Attempt to apprehend the prisoner.
 2. Notify and request assistance immediately from the jurisdiction you may be in at the time of the escape.
 3. The transporting officer will notify, as soon as practical, his/her supervisor.
 4. If the prisoner is not apprehended while officer(s) are still outside our jurisdiction, the transporting officer(s) shall assist the local agency in securing a warrant charging the prisoner with escape, prior to the officer(s) leaving this jurisdiction.
 5. Officers will report to their immediate supervisor all facts concerning the escape or attempted escape and document all details in an incident or follow-up report as soon as feasible.

NOTE: The chief of police or his designee shall conduct an administrative investigation of all escape of prisoner incidents.

- F. Detainee Communication: The transporting officer will not allow detainees to communicate with other people while in transit. The prisoners being transported by the Wilkesboro Police Department shall only be allowed to have communications with the transporting officer(s) while in the transporting vehicles. Prisoners may communicate with attorneys, bail bondsmen, family, etc., after arriving at the officer's destination and the prisoner is secure and booking procedures completed.

Directive	Detainee Transportation	600-17	6 of 10
Effective Date	January 1, 2010		

G. Arrival at Destinations: Upon arrival at the jail or facility, the transporting officer will follow these procedures.

1. Firearms/weapon(s) will be secured in the designated secure area at the facility being entered or the trunk of the police vehicle.
2. Restraining devices will be removed only after the detainee is in a secure location or cell or when directed to do so by the jail or facility personnel. Officers shall follow the rules and regulations of the receiving facility.
3. After detainee and officers have received the proper documentation from the on duty magistrate, the arresting / transporting officer shall deliver the detainee and documentation to the receiving detention officer / jailer at the facility.
4. The officer will notify the proper person of any potential medical or security risks.

H. Medical Facilities: When a detainee is transported to a medical facility and is admitted to the facility by the attending physician, the officer will immediately notify the shift supervisor of the situation. The supervisor will in turn use the following procedures to ensure control of the detainee.

1. Have the detainee released from police custody, if the detainee is in custody for a misdemeanor offense only, the supervisor will have the arresting officer issue a citation and release the person from custody, except in domestic violence cases where arrest is mandatory.
2. If the detainee has to remain in police custody for a felony offense and cannot otherwise be released from custody for security or legal reasons, the medical facility should be requested to put the detainee in a secure private room if possible.
3. The detainee should be kept under observation at all times and, normally, restraining devices should be utilized. Officers should consult with medical personnel in reference to best utilization of restraining devices. The Officer(s) assigned to monitor the detainee will monitor meals and utensils, monitor or regulate personal contacts with the detainee.

Detainees are prohibited from having visitors and or telephone contact while admitted to the medical facility.

4. The oncoming shift supervisor should be notified of the situation as soon as practical and schedule of officers assigned to the guard function should

Directive	Detainee Transportation	600-17	7 of 10
Effective Date	January 1, 2010		

be developed and assignments made clear to all concerned. Officers assigned to guard the detainee should not become lax or complacent; officer(s) will not fraternize with the detainee at any time. Officer(s) will document any unusual occurrence.

5. The shift supervisor should brief every officer who assumes the guard assignment as to what restrictions and duties are expected and ensure that every officer is equipped with a two-way radio or other means of communication.
 6. The shift supervisor will ensure that the officer assigned to guard a detainee is checked periodically and is relieved as necessary.
 7. When the detainee is released from the medical facility, the detainee's condition should be carefully recorded. All instructions for future treatment and medication should be obtained in writing and signed by the attending physician. **Prior to leaving the facility the detainee shall be searched and restrained.**
- I. Administering Medication: Prisoners requiring prescription medication may provide the medication to the officer to transport along with the prisoner, if circumstances permit. Officers will not dispense medication, but will provide it to the jail if the prisoner is incarcerated. If at any time a prisoner appears to be in any medical condition requiring the medication, appropriate medical personnel will be called to administer the medication

XI. SPECIAL TRANSPORT SITUATIONS

A. Disabled Detainee

1. When transporting a disabled detainee, if the individual's condition allows, officers will transport detainee in a police vehicle equipped with a prisoner shield, if detainees condition does not allow, the detainee may be transported in the front passenger area of the police vehicle. Proper care will be used when placing the person into the police vehicle with a prisoner shield. The detainee's wheelchair, crutches or prosthetic appliance will be secured by the officer along with the detainee. Prosthetic appliances, crutches and wheelchairs will be examined to ensure that they do not conceal any weapons or contain evidence of a crime. If the disabled detainee must be transported in a special vehicle, the on-duty supervisor will make arrangements for transport of the arrestee through Wilkes County Emergency Medical Services.

Directive	Detainee Transportation	600-17	8 of 10
Effective Date	January 1, 2010		

2. The transporting officer, when having a disabled detainee in custody, will use discretion and sound judgment when determining whether restraining devices are necessary for disabled detainees. When the disability is such that there is no danger of escape or injury to the detainee or officer, then the restraining devices may be inappropriate. The officer must determine at the time of the transport, what, if any device, will be utilized with these special situations. If any alternative restraint is used, it will be documented in the officer's report.

B. Injured/Sick Detainees

1. If a detainee becomes sick or is injured incident to or during an arrest and is in need of medical treatment, the officer will seek medical attention immediately. In non-life threatening situations, the officer may choose to transport the injured or sick detainee directly to the hospital. This should only be done after receiving supervisory approval. The officer may advise the Communications Center to dispatch Wilkes County Emergency Medical Services to respond and transport the detainee; if EMS transports a detainee an officer will accompany the detainee during transport.

Note: Wilkes County Jail will not receive detainees with a blood alcohol level of .25 or above without the detainee being seen by a medical facility and having a medical release from the facility/doctor

2. Detainees with life threatening medical conditions or injuries must be transported to a medical facility by ambulance in such instances; an officer will be designated to accompany the detainee during transport. The need for restraining devices will be determined upon consultation with the medical personnel providing the immediate treatment to the detainee.
3. If the detainee is seen at a medical facility, but not admitted into the facility, the officer will stay with detainee until released and the detainee receives a medical release order from the doctor/ medical facility. Upon release from medical facility, the officer shall search the detainee to ensure no weapons/contraband was hidden prior to being placed in police vehicle. Upon arrival at the jail / detention facility the officer will advise the jail / detention personnel of the detainee's recent medical treatment.

C. Transporting of Detainees who are mentally ill:

1. A minimum of two officers will be required to take custody of persons on involuntary emergency commitment and involuntary non-emergency commitment. Mentally disturbed detainees will be transported in the same manner as a non-mentally disturbed detainee.

Directive	Detainee Transportation	600-17	9 of 10
Effective Date	January 1, 2010		

2. Officers will transport mentally disturbed subjects to the Wilkes Regional Medical Center for evaluation.

D. Transporting detainees in special situations:

1. The Wilkesboro Police Department does not have a holding facility, transportation of detainees in special situations, such as visiting a critically ill person, attending a funeral, or attending the reading of a will, will be the responsibility of the Wilkes County Sheriff's Department and North Carolina Department of Corrections.
2. If officers should need to transport detainees from the Wilkes County Sheriff's Department for special situations such as viewing crime scenes or for line-ups, interviews and interrogations, officers will take special precautions for the following:
 - a. Safety of prisoners and officers;
 - b. Prevention of unauthorized contact with prisoners;
 - c. Escape of prisoners.
3. Officers will use restraints when transporting detainees. There should whenever possible, be at least two officers utilized when transporting detainees.

XII. TRANSPORT EQUIPMENT

- A. Police vehicles that are primarily used for transporting detainees are equipped with prisoner shields (barrier separating the front and rear compartments). These vehicles are utilized in detainee transports in order to prevent detainee's access to the driver's compartment.
- B. All vehicles equipped with barriers and utilized for transporting detainees have electric locks with the drivers position having master control over the door locks and child proof locks on the rear doors which incapacitates the rear door handles. It is the responsibility of each officer to ensure that these controls are in the proper position prior to transporting a detainee.

XIII. PRISONER IDENTIFICATION AND DOCUMENTATION

- A. Officers transporting detainees to court or from one detention facility to another will verify the identity of the detainee. Booking records and numbers,

Directive	Detainee Transportation	600-17	10 of 10
Effective Date	January 1, 2010		

driver's license, photo Id's or fingerprint records of the detainee will be used to confirm identity of the persons to be transported.

- B. The transporting officer will be responsible for inquiring from detention facility personnel and /or court personnel any potential security problems, including escape or suicidal tendencies and this information shall be relayed upon delivering the detainee to the receiving officer and or facility.
- C. When transporting a detainee from one facility to another the officer shall upon arriving at their destination:
 - 1. Secure firearms/weapon(s) in the designated secure area at the facility being entered or the trunk of the police vehicle.
 - 2. Transfer custody to the receiving officer.
 - 3. Deliver all documents (medical records, warrants commitment papers etc.) and detainee property to the receiving officer
 - 4. Relay any Information to the receiving officer of the detainee's escape or suicide potential.
- D. All rules in effect for security, at any facility, shall be adhered to by the transporting officer.
- E. When receiving a detainee from another jurisdiction for transport, the transporting officer is responsible for securing all documentation necessary for transfer of custody. The transporting officer is also responsible for ascertaining if a prisoner being received presents an escape/suicide risk or health hazard.
- F. For interstate transports, the escort officer should have a properly executed Governor's warrant or properly executed waiver. The escorting officer should also be specifically alerted to any potential security problems that the prisoner may present during transport. This information should include escape or suicidal tendencies as well as unusual illnesses.

XIV. REFERENCES

CALEA Chapter 70