

WATERTOWN POLICE DEPARTMENT GENERAL ORDER



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CHIEF OF POLICE

Effective Date: January 1, 2010	Rescinds: Amends: B-130 (March 2008)	Number: B-131
Subject: Transport of Detainee Procedures		Re-evaluation Date: January 2013
Distribution: ALL PERSONNEL	Related CALEA Standards:	

This order consists of the following numbered sections.

1. Purpose
2. Policy
3. Definitions
4. Procedures

1. PURPOSE

The purpose of this policy is to establish guidelines for transporting detainees under the control of the Watertown Police Department.

2. POLICY

It is the policy of this department that all persons being transported pursuant to this policy will be securely restrained, except where special situations exist in the rear seat of the patrol vehicle. All restraints will be applied in a manner consistent with accepted police practices and training with emphasis on minimizing the physical discomfort of the person being transported while at the same time maintaining officer safety. At the discretion of the arresting and/or transporting officer, different types of approved restraints may be used to ensure the safety of the officer and the safety of the person being transported. No unauthorized restraining devices will be utilized by the officer on any person being transported.

3. DEFINITIONS

- a. **CONTRABAND:** Articles or substances prohibited from the possession of detainees.
- b. **DETAINEE:** A person who has been taken into custody.
- c. **HANDICAPPED DETAINEE:** A detainee with an anatomical, physiological, or mental impairment that hinders mobility.
- d. **PROPER SEARCH:** The physical inspection of a detainee's person, clothing and effects for weapons or potentially hazardous articles to be used against law enforcement personnel. This search shall also have consideration for contraband, such as narcotics, narcotic paraphernalia, and implements, which may facilitate an escape from custody or confinement.
- e. **RESTRAINING DEVICES:** Equipment such as handcuffs, flex cuffs, hobble devices, used to restrain the movement of the detainee.
- f. **SECURITY HAZARD:** Any threat to the security of the detainee, to the facility in which he or she is held, or to others with whom the detainee may come into contact with. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and the other actions to be taken by the department personnel to provide proper protection for and security of the detainee.
- g. **TRANSPORTING OFFICER:** A department employee who is responsible for transporting a detainee from one point to another.

4. PROCEDURES

- a. Search of Detained Persons
 - i. Detainees will be searched for contraband and weapons prior to transport, whether immediately following the arrest or before placing in the transport vehicle. (See G.O. B-130 Section 4-M)
- b. Approved Restraints
 - i. Department issued or approved handcuffs

- ii. Flex-cuffs
 - iii. Nylon leg straps
 - iv. Others as approved by the Chief of Police or his/her designee
- c. Restraining a Detainee
- i. To preserve the safety of the officer and to prevent the escape of the detainee, officers should utilize departmentally approved restraints on any detainee.
 - 1. While there may be exceptions, all detainees shall be handcuffed, double locked, and checked for proper application, with their hands behind their back.
 - 2. Officers should document, in their report that "Subject was handcuffed, checked for fit, and double-locked" if applicable.
 - 3. In the event a detainee is violent and it is not possible to double lock the handcuffs, the handcuffs will be checked, adjusted, and double locked, when it is safe to do so.
 - 4. Officers may use discretion in restraining persons or using other restraining devices in specific cases such as:
 - a. Obvious state of pregnancy;
 - b. Detainee has a physical handicap or limitation;
 - c. Detainee has injuries that could be aggravated by standard handcuffing procedures;
 - d. Elderly; and very young persons.
 - 5. In some instances it may be appropriate to apply restraints with hands in front of the subject or apply no restraints at all. In such cases, two officers may be assigned to the transport.
 - 6. Leg restraints may be used for violent or potentially violent subjects. (See G.O. C-100 Section 6)
 - 7. Detainees of the opposite sex will not be restrained together except in an emergency.
 - 8. No juvenile will be restrained in a manner joining the juvenile to an adult except in an emergency.
 - 9. Officers will not restrain themselves with a detainee.
 - 10. Officers will not use restraints that fix detainees to any object or to any part of a transporting vehicle, except in an emergency; except properly utilized approved restraints and seat belts.
 - 11. If a detainee complains of discomfort from the restraint, the officer should check the restraint for proper application, as soon as practical.
 - 12. The use of thumb cuffs or any unapproved restraint devices is specifically prohibited.
- d. Transport of Detainee
- i. Transport of the detainee should be in a vehicle with a dividing screen between the officer and the detainee and the vehicle should have the security screen in the locked position.
 - 1. The detainee should be seated in the right rear seat of the transport vehicle.
 - 2. The rear windows and doors should be disabled.
 - ii. A secondary Officer should assist, if possible, with the transport of a violent or potentially violent subject.
 - iii. Prior to transporting a detainee, the transporting officer shall notify the dispatcher:
 - 1. Identity of the prisoner;
 - 2. Arrest location and destination; and
 - 3. Vehicle odometer mileage; and
 - 4. Vehicle odometer mileage at the time of arrival at the intended destination, i.e. detention center, hospital.
 - iv. Detainees being transported shall wear provided seat belts, unless circumstances warrant that an officer's safety would be in jeopardy while seat belting the detainee or with the permission of a supervisor, which approval shall be communicated to dispatch.
 - v. No more than two detainees should be transported by a single officer unless approved by a supervisor.

- vi. Detainees of the opposite sex shall not be transported in the same vehicle unless extraordinary circumstances exist, and only when approved by a supervisor, which approval shall be communicated to dispatch.
 - vii. Transport vehicle should be checked for weapons and contraband prior to the beginning of the officer's shift and after every transport.
 - 1. Any weapons or contraband discovered will be placed into evidence for safekeeping and the supervisor notified.
 - viii. While transporting a detainee, officer will not assist or become involved in any other police activity unless an emergency condition exists.
 - ix. Any wheelchairs, crutches, prosthetic devices, and medication shall be transported with, but not in the possession of, the detainee.
 - x. Unless approved by a supervisor, no stops, other than required motor vehicle stops, will be made while transporting a detainee.
- e. Special Transport Situations
- i. When a detainee requires special care and attention to accommodate a physical disability during the transport process, the transporting officer or supervisor may arrange for an ambulance or handicapped accessible vehicle to assist with transport. It is the responsibility of the officer to ensure that adequate safeguards and security precautions are taken during transport.
 - ii. Wheelchair bound detainees will be removed from the chair and the chair placed in the trunk of the transport vehicle if possible. Other arrangements may be made for transport of the chair if necessary.
 - iii. Upon removal from the chair, the detainee will be transported in the normal manner. The wheelchair will be searched and secured away from the immediate control of the detainee.
 - iv. If a detainee becomes sick or injured incidental to arrest, the transporting officer, when possible, shall summon emergency medical support to examine the detainee prior to transport.
 - v. If emergency hospital treatment is necessary, the detainee and at least one officer should be transported by the rescue vehicle to the hospital. The officer should remain with the detainee (unless prevented by emergency circumstances or treatment needs) until the hospital personnel release the detainee or until appropriate security can be arranged.
 - vi. If emergency hospital treatment is not necessary, and a reasonable request is made by the detainee to go to the hospital, the detainee may be transported in a department vehicle.
 - vii. Appropriate measures for the security and control of detainees in medical facilities shall be taken. Whenever an officer transports a detainee, or is transported with a detainee, to a medical facility, the officer should:
 - 1. Maintain a constant view of the detainee;
 - 2. Ensure that proper restraints are applied to the detainee until the medical staff needs them removed for medical treatment. Once treatment is completed, proper restraints shall be reapplied;
 - 3. Guard against any injury to the officer and all medical staff;
 - 4. If required to guard the detainee, and when possible, rotate guarding assignments at regular intervals to avoid complacency;
 - 5. Ensure that the detainee does not have contact with visitors;
 - 6. Notify hospital security, if available, and the law enforcement agency within the jurisdiction of the medical facility of the presence of a detainee within the hospital;
 - 7. If the detainee is admitted to the medical facility, and cannot be arraigned or issued a summons, notify the supervisor to arrange for 24 hour guard coverage;
 - 8. Upon the detainee's release from the medical facility, and prior to transport, the detainee shall be thoroughly searched; and
 - 9. Upon the detainee's release from the medical facility, the transporting officer should ensure that all medical records and instructions for future treatment are in the detainee's possession and are provided to the detention facility.

- viii. Whenever a detainee is to be transported and has been involved in the following types of incidents special safety considered shall be adhered to:
1. When the detainee:
 - a. Was involved in a violent struggle during apprehension,
 - b. Was subjected to the use of a chemical agent, taser, neck restraint hold, multiple body weight control, or impact strikes to the body,
 - c. Is highly intoxicated on either alcohol or drugs or a combination.
 - d. Is secured by maximal restraints, or a hobble, or
 - e. Evidences a difficulty in breathing, the transporting officers shall:
 - i. Ensure that the detainee remains in a seated, upright position.
 - ii. One officer should maintain constant visual and audible observation of the detainee.
 - iii. If there is any indication that the detainee 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
 - iv. Shall advise the detention staff accepting the detainee of all of the above circumstances
 - f. Escapes - In the event of an escape of a detainee, the following procedures will be followed.
 - i. The officer will make every effort to recapture the subject consistent with this departments policies and procedures.
 - ii. Following an escape the following notifications will be made.
 1. The Communications Center will be notified immediately by radio and given all pertinent information regarding the escape and the escapee's identifiers such as physical description, clothing, mode and direction of travel, and current charges on the escapee.
 2. The on-duty supervisor will be notified as soon as possible. If the escapee is not immediately apprehended the on-duty supervisor will notify the Patrol Captain. The Patrol Captain will be responsible for notifying the Assistant Chief of Police and/or the Chief of Police.
 3. The Sheriff's Office and the SD Highway Patrol will be notified as soon as practical.
 - iii. If the escapee is not apprehended immediately the Patrol Captain will assume control of the incident and ensure that a "BOLO" is issued by the Communications Center. The Patrol Captain will coordinate a search until relieved, apprehension is accomplished or the search proves futile.
 - iv. All resources available to the Watertown Police Department will be utilized as deemed appropriate, to include but not be limited to, Canine Unit, Search and Rescue Team, etc.
 - v. In the event of a detainee escape the transporting officer will submit a report detailing the circumstances of the escape and request a warrant be issued for the subject. The officer's immediate supervisor will ensure that reports are completed and forwarded to records.

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