

Germantown Police Department

Policies and Procedures

Number: 2-11
Effective Date: February 26, 2007
Subject: Prisoner Restraint and Transportation
Previous Revisions:

I. PURPOSE

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

II. POLICY

It is the policy of the Germantown Police Department for officers to follow established procedures for effectively and humanely restraining persons under arrest and for safely transporting arrested persons to the Germantown City Jail or other facility.

III. PROCEDURE

A. Handcuffs:

1. All subjects taken into arrest custody shall be handcuffed behind their back except:
 - a. when the subject has an injury that does not permit his/her arms to move safely behind the back.
 - b. when the subject's age, physical condition, or physical limitations indicates a risk of injury in this procedure.
 - c. Juveniles under twelve (12) years of age.
2. Handcuffs shall be double-locked, except when the arrest environment is tactically unsafe for the officer to double-lock the handcuffs.
3. If a subject complains that the handcuffs are too tight, the transporting officer shall ensure that unnecessary tightness, which may prevent proper blood circulation, does not occur.

4. All arrestees will be handcuffed before being searched, except in circumstances requiring immediate frisk or other protective search.
5. Excluding the use of a fixed prisoner bench in the Department's interview room or jail or where exceptional circumstances require it, officers shall not handcuff a subject to a fixed object such as posts, vehicles, buildings, fences, etc.
6. Plastic handcuffs may be used when officers take into custody several subjects, or when a subject requires multiple restraints.

(Note: Once applied, plastic handcuffs can only be removed with a tool made for removal of this type of restraint).
7. Leg restraints may be utilized in circumstances when added security is necessary, or when the subject has a physical defect, which would prevent the use of traditional handcuffs. Leg restraints are usually kept in the jail.
8. "Hogtying" subjects is strictly prohibited. Hogtying is defined as securing the hands to the feet or legs, in back of the person, with any restraining device or method.

B. General:

1. All prisoners will only be transported in secure, caged vehicles, except where it is not reasonably possible under the circumstances.
2. In no case shall a person known or believed to be a juvenile (as defined in applicable state law) be transported with adults suspected of or charged with crimes.

C. Searching the Prisoner:

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

D. Searching Police Vehicles:

The transporting officer shall search the vehicle before each prisoner transport to ensure that no weapons or contraband are available to the prisoner. Further, after delivering the prisoner to his/her destination, officers shall again search their

vehicles to ensure that the prisoner did not hide contraband, weapons or other evidence.

E. Positioning of Prisoners in the Transport Vehicle:

1. When one officer is transporting one prisoner, the prisoner will be positioned on the rear seat on the side opposite the officer (driver) with the safety belt secured.
2. When one officer is transporting more than one prisoner, the prisoners will be located on the rear seat and the transporting officer will use seat belts as possible to better secure the prisoners.
3. If more than one officer is in the vehicle transporting prisoners:
 - a. If there is one prisoner, one officer should position himself/herself in the front of the transporting vehicle with one prisoner on the side away from the officer. The passenger officer should be able to visually observe the transported prisoner.
 - b. In a situation where more than one prisoner is transported by two officers in the same vehicle, the prisoners should be positioned on the rear seat and the passenger officer should position himself/herself in the front seat in order to see the prisoners at all times.
 - c. The limitation on the number of prisoners to be transported in a car shall be determined by the number of properly working seatbelts.
 - d. When necessary, male and female prisoners may be transported in the same vehicle.

F. Control of Prisoners While Transporting:

1. Observation:
 - a. The officer shall observe prisoners at all times, except as is required for safe driving.
2. Stopping to provide law enforcement services while transporting is discouraged except:
 - a. When there is a need for the transporting officer to act immediately in order that a potential victim is not harmed.

- b. When a victim has been injured and immediate assistance is required.
- c. When a crime is in progress and there is an immediate safety requirement that the suspect be apprehended.
- d. In all of the above situations, the transporting officer shall ensure that his/her prisoner is secure and protected.
- e. Under no circumstances shall an officer transporting a prisoner engage in a vehicular pursuit.

3. Escape:

In the event a prisoner escapes while being transported, the transporting officer will use the following procedures:

- a. Assistance will be requested immediately from the jurisdiction the officer is in at the time of the escape.
- b. The transporting officer will offer his/her services in order to recapture the escapee as soon as possible.
- c. The transporting officer will submit a written report as soon as he/she returns to the Department explaining the circumstances of the escape.

4. Prisoner Communication:

The officer shall exercise discretion in deciding whether to allow conversation between the transported prisoner and another party. No force shall be used to silence a prisoner.

5. Arrival at Germantown Jail:

When transporting prisoners to the Germantown Jail, the transporting officer will follow these procedures:

- a. The transporting officer will enter the sally port and have door G-1 closed.
- b. The officer will secure his/her weapon in the designated firearms locker and secure the locker before removing the prisoner from the vehicle.

- c. Prior to entering door G-2, the officer will conduct a complete search for contraband and weapons. The prisoner will remain handcuffed during this search.
- d. After entering the jail facility, it becomes the responsibility of both the arresting officer and the booking dispatcher/jailer to monitor the prisoner.

6. Arrival at Other Destinations:

When transporting prisoners from one facility to another, the transporting officer upon arriving at his/her destination with the prisoner will follow these procedures:

- a. Firearms will be secured in the designated place at the facility being entered.
- b. Restraining devices will be removed only when directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure.
- c. The proper paperwork (jail committal, property form, etc.) will be submitted to the proper person at the receiving facility and, in situations that require it, the officer will ensure that proper signatures are obtained on paperwork to be returned to the Department.

7. Medical Facilities:

When a prisoner is transported to a medical facility and is admitted by the attending physician, the officer will immediately notify the supervisor. The supervisor will in turn:

- a. seek assistance of local law enforcement to ensure control of the prisoner.
- b. have the prisoner released from police custody, if appropriate, by contacting and seeking advice from the appropriate judicial official.

G. Special Transport Problems:

1. Transport of Prisoner by Officer of Different Sex:

- a. When transporting a prisoner of one sex by an officer of another sex, an additional officer may be requested to accompany the transport.

- b. When it is impractical to use a second officer, the transporting officer will, at a minimum:
 - (1) Contact the dispatcher and advise the odometer mileage. Also record same information on the arrest report/daily log sheet.
 - (2) The transporting officer should proceed directly to the destination by using the shortest practical route.
 - (3) Upon arrival at the destination, the transporting officer will contact the dispatcher and advise the odometer reading. Also, the transporting officer will record same information on the arrest report/daily log sheet.

2. Handicapped Prisoner:

- a. When transporting a handicapped prisoner, the transporting officer will request assistance when needed in order that the transport may be completed in a manner that is the most convenient, comfortable and safe for both the prisoner and the officer. Paramedics may be contacted for assistance. The transporting officer will ensure that whatever special equipment or medicine is necessary for the prisoner to have is taken as well.
- b. When the handicap is such that no danger of escape or injury to the prisoner or officer exists, then the restraining devices may be inappropriate.

3. Injured/Sick Prisoners:

- a. At any time before, during, or after the arrest, the prisoner is injured or becomes sick, the officer will seek medical attention immediately. Medical attention will be obtained before transporting the prisoner to the jail if the injury/sickness happens before arrival there.
- b. The transporting officer must use the same discretion as previously explained in using restraining devices on sick or injured prisoners. Obviously, if a prisoner is injured or sick enough to be totally incapacitated, restraining devices may not be appropriate.

H. Documentation:

1. Prisoner Identification:

When picking up a prisoner for transport at a detention facility, the transporting officer should ensure that he/she has the correct person by:

- a. Officer's personal knowledge of the prisoner.
- b. Requesting verification by the jail custodian of the prisoner's identity.
- c. Checking previous arrest photographs/ fingerprints obtained through the Communications Center.

IV. REVIEW PROCESS

An annual review of this policy shall be conducted to determine if it should be revised, cancelled or continued in its present form.

This order shall remain in effect until revoked or superseded by competent authority.

