

NEW CANAAN POLICE DEPARTMENT

SUBJECT: PRISONER TRANSPORTATION

GENERAL ORDER NUMBER: 89-20-73
FILE: OPS 5
PRISONER & COURT

I PURPOSE/POLICY

The purpose of this general order is to provide the guidelines necessary to ensure the safety and security of police officers, prisoners and the general public.

II RESPONSIBILITY

It is the responsibility of all departmental personnel to adhere to this general order. It is the additional responsibility of the supervisory and command staff to ensure its compliance.

III PROCEDURES (TRANSPORT OPERATIONS)

A The transporting officer is responsible for the safety and custody of a prisoner when transported. It must be assumed that the prisoner may have the opportunity to obtain contraband prior to the time he/she is transported by the officer. It should never be assumed by an officer that someone else has searched the prisoner. Prisoners shall be searched each time they are transported in addition too;

1. When the initial arrest is made
2. Prior to processing at the police department

B Each patrol vehicle equipped with a safety barrier may be used for prisoner transport during the course of a shift, therefore, each officer assigned a patrol vehicle shall, at the beginning of each shift, inspect their vehicle for contraband or property. The officer will also ensure that the vehicle is operating properly and that it contains the required equipment (Re: General Order 89-1-54, Patrol).

1. Additionally, officers shall search their vehicles prior to and after transporting a prisoner.
2. When contraband or property is discovered, it shall be submitted to Property Management and a case report written detailing the circumstances (Re: General order 88-1-44, Property Management).

C When a lone officer transports one prisoner, the prisoner should be seated in the back seat on the passenger side of the vehicle. When two prisoners are transported, a second officer will assist in the transport and both prisoners shall be seated and secured on the back seat.

1. Unless an emergency situation exists, no more than two prisoners shall be transported in the same patrol vehicle.

2. The use of restraining devices shall be in accordance with this general order.
3. When practicable, prisoners should be seat-belted into place.

D Officers shall not lose sight of the prisoner' during transport.

1. Reasonable access to toilet facilities should be afforded to a prisoner, however, this will not be required during the actual transport. The transporting officer shall not stop to purchase food or other items and should drive directly to the destination without delay.

E On trips of extended length where it is necessary to stop along the route for meals, gas, rest stops etc, the locations will be chosen at random. Public facilities should be avoided under normal circumstances and drive through facilities should be used whenever possible.

F The primary duty of the transporting officer is the safe delivery of the prisoner to their destination. Therefore, the officer shall not stop to render assistance to third parties along the route except under extreme emergency conditions where the risk to third parties is clear and grave and the risk to the prisoner is minimal.

1. When assistance is rendered, the officer shall immediately notify the dispatcher.
2. The officer shall only consider stopping when arriving first at the scene and shall remain only until other emergency assistance has arrived.
3. The officer shall not become involved in a pursuit, road block, or other situation which might create a risk of injury to the prisoner.

G In the event that the prisoner escapes during transport, the transporting officer shall;

1. Immediately notify the dispatcher by radio or telephone. The officer should give his/her exact location and all other pertinent information.
 - a. The dispatcher shall notify the Shift Commander of the incident.
 - b. The dispatcher is also responsible for notifying the shift supervisor of the agency that has jurisdiction over the location of the escape.
2. Complete a case report in detail of the escape. The report should also include a description of any equipment or weapons taken, damaged property or injuries sustained. Once the report is approved by the shift supervisor a copy will be forwarded to the Chief of Police and the Commander of the Operations Division.
3. Additionally, the dispatcher shall send a teletype message detailing the escape and relevant information to surrounding law enforcement agencies. If the address of the escapee is known, the agency having jurisdiction should be notified of the escape directly.
4. The Commander of the Operations Division will assume responsibility for and coordinate the search efforts.

- H** In order to insure the safety of the transporting officer, prisoners will not be permitted to communicate with others while being transported.
1. When extenuating circumstances exist which necessitates communication, it shall be conducted prior to or after the transport is completed.
- I** The transporting officer shall comply with the rules and regulations of each agency when delivering a prisoner to a court, medical facility, mental health facility or when directed to a jail facility. The following procedures will apply to all facilities;
1. The transporting officer shall retain possession of his/her firearm unless he/she is entering a secure area or directed otherwise by a court security officer or judge.
 2. The restraints shall only be removed from the prisoner just prior to placing the prisoner in the cell or when instructed by the court security officer, medical staff or other authorized person.
 3. The transporting officer will be responsible for insuring that the proper documentation is exchanged. Additionally, this officer shall obtain the signature of the receiving officer or staff member on the appropriate form(s).
 4. The transporting officer will advise the receiving agency of any potential medical or security risks.
 5. The transporting officer will document the transport in an Incident Report.
- J** When a prisoner is transported to an area hospital or medical facility for any reason, the following procedures shall apply;
1. The shift supervisor shall be notified and approve of any such transport.
 2. The transporting officer shall take extreme caution and ensure that the prisoner is isolated from other patients and is not left unattended.
 3. When utilized, restraints shall be removed only when necessary or when requested by medical personnel.
 4. If the prisoner is admitted to the facility, the transporting officer will notify the shift supervisor of that fact,
 - a. Upon admission, the decision whether a patrol officer will guard the prisoner will initially be made by the shift supervisor. The final decision shall rest with the Commander of the Operations Division.
 - b. The transporting officer shall not leave the facility until relieved by another officer or instructed by a supervisor to do otherwise.
- K** When a prisoner who is to be transported to court is considered a security risk, the dispatcher shall notify the appropriate court personnel of such condition.

IV PROCEDURES (SPECIAL TRANSPORT SITUATIONS)

- A** When transporting a female detainee, a female officer will be present whenever possible. If unavailable, a male officer will transport the detainee and report the mileage (within 1/10 mile) to the dispatcher at the start and end of transport. The dispatcher will record the starting time, ending time, and mileage of transportation into the CAD log
- B** Physically and mentally handicapped prisoners may present conditions for their transportation which dictate special care and attention. Officers shall use all available resources to ensure the safe transport of these prisoners. The special care may include,
1. Type of vehicle used to transport.
 2. Careful transporting of medicines or other items.
 3. Request for assistance from the emergency medical service.
- C** Any prisoner who is injured or as the result of an arrest shall be afforded medical care as soon as possible.
1. If the injury or illness is obviously superficial or minor, the prisoner should be transported to the police department where the prisoner will be examined by the emergency medical service.
 - a. The emergency medical service will be responsible for determining what treatment is necessary and if the prisoner should receive treatment at a medical facility.
 2. If the injury or illness appears to be serious or there is any doubt concerning the extent of injury, the emergency medical service shall be dispatched to the scene, where they will provide medical care. If transport to a medical facility is not required, the prisoner will be transported to the police department after receiving treatment. Proper police security and protection will be provided.
 3. If transport to a medical facility is required, an officer will accompany the prisoner and remain with him/her at all times. As a general policy, restraining devices should be utilized when transporting sick or injured prisoners. Exceptions to this policy may include; if such devices would further compound the injuries or illness, age, past history, psychological state, handicaps or other attributes which may reduce the risk posed by the prisoner. When a prisoner is transported without the use of restraints, it is recommended that a second officer accompany the prisoner.
 4. If the prisoner refuses medical treatment, the officer shall obtain a copy of the "refusal form" for inclusion into the case file.
 5. Officers involved in an incident where a detainee suffers an illness or injury shall submit a supplementary report stating the details of the incident, (Re: General Order 89-17-70, Use of Force). All documentation pertaining to the incident, including medical reports if available, shall be submitted to the Chief of Police and the Commander of the Operations Division for their review.

6. The shift supervisor shall photograph the injuries sustained and investigate the incident when,
 - a. An officer is injured
 - b. There is alleged misconduct by an officer.
 - c. The shift supervisor believes such investigation would be in the best interest of the police department.

D When transporting handicapped prisoners, the use of restraining devices will be applied within reason, at the discretion of the transporting officer. It should not be assumed that restraining devices are not required on handicapped prisoners. The decision should be based on the potential for injury to the officer, prisoner or others.

1. When a handicapped prisoner is transported without the use of restraints, it is recommended that he/she be accompanied by a second officer.
2. When necessary, the police department may request assistance from the emergency medical service.

E The police department will not transport prisoners to special events including funerals, hospital visits or other extraordinary activities. Special details of this nature provide prisoners with the opportunity for unauthorized personal contact, escape or infliction of injury to themselves or others.

V PROCEDURES (RESTRAINING DEVICES)

A Unless extenuating circumstances exist, officers should not transport more than 1 detainee per vehicle. Detainees shall be handcuffed, hands behind their back, while being transported.

1. When the need arises that more than one detainee is to be transported in the same vehicle, a second officer will assist in the transport and both detainees shall be seated and secured on the back seat. Exceptions to this procedure may include;
 - a. Violent prisoners.
 - b. Prisoners of the opposite sex.
 - c. Any other situation which, in the interest of officer and/or prisoner safety, would preclude the officer from using the method of restraint.
2. Handcuffs or other restraining devices shall not be used on juveniles unless the officer can document his/her belief that the juvenile is a danger to him/herself or to the officer, or the juvenile is an escape risk.
3. At no time shall a prisoner be handcuffed to a fixed object or vehicle except in an emergency situation where no practicable alternative exists. The exception to this is the use of the booking bench in the Booking Area.

- B** In the event that handcuffs do not provide sufficient control of a detainee, the officer may utilize the hobble restraint device, which is stored in the trunk of each patrol vehicle.
1. Circumstances in which use of the hobble device may be warranted include:
 - a. The detainee is considered to be at risk of escaping from or causing damage to the patrol cruiser (i.e. kicking out the window.)
 - b. The detainee is considered to be at risk of harming himself or others.
 - c. The detainee is displaying violent behavior.
 2. The hobble device shall be secured around the detainee's ankles and through the doors of the cruiser to prohibit movement of the detainee's legs. The hobble device will not be used to "hog-tie" a detainee or in any other manner that would place them at risk of serious physical injury or death. Any use of the hobble device will be documented in an Incident Report.
- C** Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting officer. The restraining device selected should restrain the prisoner securely without causing injury. The officer should use the least coercive devices so as not to agitate the prisoner unnecessarily.
1. The transporting officer may use handcuffs and/or leg restraints to restrain a prisoner if he/she believes that it is the most appropriate response to a situation. Handcuffs/leg restraints may also be used in an emergency situation.
 2. If it appears that a prisoner requires a greater degree of restraint than is provided by handcuffs and hobble device or that such use will cause injury to the prisoner, the following procedures should be implemented,
 - a. The emergency medical service will be dispatched to the scene.
 - b. The officer(s) should attempt to control the situation until the arrival of the emergency medical service. Officers shall utilize the wrist and leg restraint devices attached to the gurney.
 - c. The prisoner is transported in the emergency medical service vehicle accompanied by an officer to their destination.
 3. If the emergency medical service is unavailable or if requested by the shift supervisor, the medical staff at Silver Hill Hospital may be requested to provide restraining devices and/or assistance at the scene.

VI PROCEDURES (TRANSPORT EQUIPMENT)

- A** Patrol vehicles used to transport prisoners will be equipped with a safety barrier which prevents the prisoner from gaining access to the drivers compartment. The barrier will not impair communication between the drivers and prisoner compartments.

- B** Patrol vehicles used to transport prisoners will be modified to minimize opportunities for the prisoner to exit the vehicle without assistance from the transporting officer. These modifications include;
1. Removing or disconnecting the electric window control in the rear compartment.
 2. Removing or making the interior rear door handles inoperative.
 3. Any other modifications which would assist in making the transport vehicle more secure.

VII PROCEDURES (DOCUMENTATION)

- A** The transporting officer shall be responsible for correctly identifying any prisoner prior to accepting custody. The identification may be accomplished by;
1. Physical description
 2. Photo/document identification
 3. Fingerprints
 4. Comparison of signatures
 5. Personal knowledge or any other method which will assure that the officer correctly identifies the prisoner.
- B** When a prisoner is transported to court, all documentation associated with the arrest will be furnished to the court by the transporting officer.
1. The documentation may, include the following as applicable;
 - a. Uniform Arrest Report (UAR)
 - b. Federal and State Fingerprint Cards
 - c. Notice of Rights Form
 - d. Case/Arrest Report
 - e. Bond Form & Receipt
 - f. Promise to Appear Form
 - g. Officers Arrest Affidavit
 - h. Detainee Behavior Questionnaire
 2. If a juvenile is transported to the Bridgeport Juvenile Detention facility, the transport and documentation shall be in accordance with General Order 88-6-50, Juvenile Operations.

- C If, while in our custody, a prisoner exhibits psychological, suicidal, irrational or other type of dangerous behavior, which demonstrates that the prisoner is a risk to himself or others, a supplemental report shall be completed on the incident. The supplemental report will be included in the case file and in the documentation forwarded to the court. This behavior will also be documented on the Detainee Behavior Questionnaire (State Form JD-MS-5.) The form will be forwarded to appropriate court personnel upon transfer of the prisoner.
1. The dispatcher will notify the transporting officer of any such behavior so that the appropriate precautions may be taken.
 2. Pursuant to section III, K of this general order, the dispatcher shall notify the presiding judge or designee in charge of security of the possible security hazard.

VIII DISTRIBUTION

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

IX EFFECTIVE DATE

This general order approved by the Police Commission on April 19, 1989, and is effective April 27, 1989.

Reviewed: April 2000
Revised October 2008
Reviewed August 2009

Per Order,

Edward J. Nadriczny
Chief of Police