



Approved:  
*Chief Marcia Harnden*

Subject:

# 241. Transportation

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## 241.1: PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for transportation of detainees or persons in custody. Members of this department are responsible for providing safe and secure transportation of detainees, persons in custody, personnel, and the general public.

## 241.2: POLICY

**It is the policy of the Albany Police Department to provide safe and secure transportation of detainees, persons in custody, personnel, and the general public.**

## 241.3: CUSTODY TRANSPORTATION

- a. Persons in custody shall be properly restrained and transported in the back seat of a patrol vehicle equipped with safety barrier between the officer and the persons in custody. The persons in custody shall be placed in a position to allow the transporting officer the greatest degree of visibility and control of the persons in custody. In most circumstances, a single person in custody shall be placed in the right-rear seat of the transport vehicle. The positioning of the person in custody shall allow the person in custody the greatest amount of comfort while providing maximum security. To reduce the possibility of positional asphyxia, the person in custody should be transported in a seated, upright position.
  - 1) If there is more than one officer in the vehicle, the persons in custody shall be placed in a position to allow the passenger officer the greatest degree of visibility and control of the persons in custody. In most circumstances, a single person in custody shall be placed in the left-rear seat of the transport vehicle.
- b. Person(s) in custody should be transported by patrol vehicles whenever possible. In the event patrol support is not available due to distance or availability, persons in custody can be transported in cars without safety barriers with two officers/detectives and only one person in custody at a time.
  - 1) When two officers are present in the vehicle, the person in custody should be placed in a passenger-side seat of the vehicle with the second officer riding in a position that will allow

additional physical control of the person in custody, if necessary. The specific passenger seat will depend on the vehicle type and the person in custody.

- 2) Officers transporting persons in custody in non-patrol vehicles are encouraged to use leg restraints.
- c. Proper restraining devices (i.e., handcuffs, belly chains, or leg restraints) shall be used to restrain the person in custody. They shall be applied tight enough to prevent them from slipping off. Handcuffs shall be double-locked. Persons in custody are never to be restrained to any part of the vehicle.
- d. Prior to transporting a persons in custody, officers shall notify dispatch of the number of persons in custody and the destination. When transporting a person in custody of the opposite gender, gender identity, or gender expression of the officer, the starting and ending mileage will be given to dispatch or entered into the narrative of the MCT.
- e. More than one person in custody may be transported together; however, normally a female person in custody should not be transported with a male person in custody, and a juvenile shall not be transported with an adult.

#### 241.4: RESTRAINTS

- a. All arrested persons and persons in protective custody will be handcuffed as soon as practical prior to being transported.
- b. Unless exceptional circumstances exist, all arrested persons shall be handcuffed with their hands behind their back during transport. Exceptions may include:
  - 1) Physically impaired or otherwise incapacitated persons.
  - 2) Elderly or ill persons arrested for minor offenses.
  - 3) Multiple arrestees with limited handcuffs or transport vehicle limitations.
  - 4) Duration of transport. A transport of several hours may require that a detainee be secured with alternate restraints.
  - 5) Juveniles.
- c. All arrested persons being transported in a police vehicle shall be properly secured with a seat belt unless otherwise addressed in this policy.
- d. The use of leg shackles, belly chains, and soft restraints is permissible when transporting a prisoner to or from another institution. Factors to consider before using these devices include:
  - 1) Nature of charges against the prisoner.
  - 2) Escape potential of the prisoner.
  - 3) Risk of assault by the prisoner.
  - 4) The sentence the prisoner is serving or may be subject to serve.
  - 5) Duration of transport.
- e. No person shall be handcuffed to any part of a vehicle.

- f. No detainee shall be left unattended or out of sight/sound while in a vehicle.
- g. The use of the WRAP may be employed for combative, violent, or assaultive persons in custody. Special care shall be used to avoid positional asphyxia with subjects detained in the WRAP.
- h. When transporting mentally ill or mentally disturbed persons, provided that person is being detained as a danger to themselves or others, or where that person is in custody for a criminal offense, the officer shall document the type of restraint and method of application used during the transport in their report.

#### 241.5: VISUAL OBSERVATION

- a. Transporting officers will visually observe persons in their custody at all times.
- b. A female officer will accompany females in custody on any trip of extended length or greater than 8 hours when practical.

#### 241.6: MEALS

- a. On any extended trip where it is necessary to make rest or meal stops, the locations will be chosen at random.
- b. In the event a rest or meal stop is necessary, public facilities should be avoided, and drive-through facilities should be used whenever possible.

#### 241.7: ASSISTANCE TO OTHERS

- a. Transporting officers shall not stop to render law enforcement assistance along the transport route unless an emergency exists. Such an extreme emergency should present an immediate substantial risk of serious physical injury or death to an individual if not acted upon. Whether the officer is justified to stop or not, an attempt shall be made to immediately contact the appropriate local agency and notify them of the following:
  - 1) The identity of the officer(s);
  - 2) The officer's status;
  - 3) The nature and location of the incident.
- b. The transporting officer will only remain at the scene of an emergency until proper assistance has arrived.
- c. Transporting officers shall not become involved in a pursuit, roadblock, or other situation which might create a risk of harm to the person in custody.

**241.8: ESCAPES**

- a. If a person in custody escapes from custody while being transported, the following persons shall be immediately notified by the transporting officer:
  - 1) Albany Police Dispatch and/or local 9-1-1 Call Center (immediately);
  - 2) On duty Shift Supervisor;
  - 3) Immediate police jurisdiction;
  - 4) Surrounding police jurisdictions.
- b. The following reports shall be submitted by the transport officer(s):
  - 1) Police incident report;
  - 2) Memorandum, via chain of command, to the Chief of Police outlining the details of the escape;
  - 3) If equipment is damaged or missing, [City of Albany Property Damage/Loss Report](#);
  - 4) Any other reports as deemed necessary by the Shift Supervisor.
- c. Other actions to be taken:
  - 1) Notification to the police agency in the jurisdiction of the last known address of the escapee;
  - 2) Teletype message to the surrounding police jurisdictions.

**241.9: COMMUNICATION DURING TRANSPORT**

- a. Persons in custody rights to communicate with attorneys, family, clergy, and/or others will not normally be permitted during transports.
- b. If special circumstances arise which, in the officer's opinion, necessitate an exception to the above restriction, the officer may allow the person in custody to communicate with another person. It will be the responsibility of the officer to monitor any such communication and make a notation in their report.

**241.10: TRANSPORT TO OR FROM OTHER DETENTION FACILITIES**

The transporting officer will be aware of and follow the procedures at state institutions, forensic hospitals, mental health units, and county correctional facilities by contacting the facility prior to transport. The following policy will apply to all detention facilities:

- a. The transporting officer will follow the weapon protocol for each individual facility.
- b. The transporting officer will advise receiving officer(s) of any potential medical or security issues.
- c. Restraints will only be removed when instructed to by a receiving officer.
- d. The transporting officer will be responsible for the exchange of all necessary signatures and paperwork for the transfer of custody.

**241.11: MEDICAL FACILITIES**

When a person in custody is transported to a medical facility for treatment, the following will apply:

- a. The officer shall ensure that the person in custody is isolated from other patients and not left unattended or permitted to escape their immediate control.
- b. If the person in custody is admitted, the transporting officer shall notify the Watch Supervisor.
- c. The transporting officer will not leave the person in custody at the medical facility until relieved by another officer or directed to by a supervisor.
- d. The transporting officer will remove the restraints only when it is necessary and when requested by the medical staff.
- e. When a person in custody is admitted to the hospital, the decision to assign a guard will be initially made by the Watch Supervisor. The final decision will be made by the Operations Captain.
- f. Any time a person in custody is taken to the hospital a report is required indicating the circumstances. This can be part of the original arrest report if the actions are consecutive.

**241.12: IDENTIFICATION OF PERSONS IN CUSTODY**

- a. An officer assigned to transport a person in custody to court or any other facility shall verify the identity of that person prior to accepting custody.
- b. Identification may be accomplished through social security number, mug shots, fingerprints, or any other method which will assure the officer of the correct identity of the person in custody being transported.

**241.13: DOCUMENTATION-INTERFACILITY TRANSPORTATION**

If a person in custody is transported to court, any court appearance papers will be furnished to the court of jurisdiction by the transporting officer at the time the person in custody is delivered. No documentation will be required when a person in custody is transported to the Albany Municipal Court.

**241.14: SECURITY INFORMATION**

- a. Information regarding any potential security risks presented by the person in custody will be documented and sent to the facility by the transporting officer.
- b. The officer will complete any paperwork requested by the receiving facility.

**241.15: PRISONER TRANSPORTATION TO COURT**

In the event that the Albany Police Department must transport prisoners from a jail to court proceedings (typically at the Albany Municipal Court), the following procedure shall be followed:

- a. If a prisoner is transported to court, any court appearance papers will be furnished to the court of jurisdiction by the transporting officer at the time the prisoner is delivered.
- b. The court will advise the Department as soon as practical when they are aware of a prisoner or prisoners requiring transportation.
- c. Unless authorized by the court, prisoners shall not remain in physical restraints, such as handcuffs, or shackles, during court appearances.
- d. Upon receipt of a transportation request, the patrol supervisor should assess the risk of each prisoner to be transported based on the criteria on the [Transport Risk Assessment: Form A45](#).
  - 1) If, in the patrol supervisor's opinion, the prisoner poses an unusual security risk, the supervisor shall complete Form A45 and email it to the court for review by the judge.
  - 2) A copy of the completed form shall also be emailed to the Records Section for retention.
- e. If authorized by the judge, the prisoner will remain in physical restraints during the court appearance.
  - 1) If, at any point during the court appearance, an officer observes behavior by a prisoner which gives the officer concern over safety or potential flight, the officer should alert the court and obtain verbal authorization to place the prisoner in physical restraints.
  - 2) Nothing in this policy is meant to preclude an officer from taking appropriate steps to protect their own safety or the safety of the public.