




ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: January 20, 2021	Amends/Supersedes: October 6, 2017 November 2, 2015 April 1, 2015 October 1, 2013 July 1, 2009	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.08.01, OPR.08.02, OPR.08.04, OPR.08.05, OPR.08.07, OPR.08.08, OPR.09.01, OPR.14.01, OPR.12.04			

536.05 Transporting and Processing In-Custody Arrestees

I. Policy

Officers need to maintain safety for themselves and their arrestees. An officer is responsible for the safety and security of an arrestee until booked and subsequently committed to the custody of the Sheriff's Office.

II. Procedure

A. Restraints

1. Arrestees shall be handcuffed with hands behind their back and the handcuffs shall be double locked whenever an arrestee is transported in a police vehicle.
2. When circumstances make handcuffing behind the back impractical or during long distance transports arrestees may be handcuffed with hands in front with the combination of a restraint belt.
3. Additional restraining devices such as leg restraints or a spit hood may be used to protect the officer and arrestee. In extreme cases, a supervisor may approve the use of a stokes basket. The selected device(s) should restrain the arrestee securely without causing injury.

B. Search of Arrestees

1. Prior to transporting any arrestee, the arresting officer will conduct a thorough search of the arrestee.
2. When practical an officer should have another officer witness their search of an arrestee prior to transport in order to protect themselves against accusations of sexual impropriety.
3. If an officer other than the arresting officer is transporting the arrestee, the officer will search the arrestee again prior to placing them in a transport vehicle.

C. Transport Vehicles

1. Prior to and after transporting any arrestee in a police vehicle, a thorough search of the vehicle for concealed contraband or weapons shall be conducted by the officer assigned to the vehicle.
2. Patrol Wagon and Partitioned Vehicles - A police patrol wagon may be used to transport any arrestee. Vehicles equipped with a partition should be used for all transports not made by a patrol wagon.
3. Non-Partitioned Vehicles - When transporting an arrestee in a non-partitioned vehicle, all items, will be removed from the back seat and placed in the front seat or trunk.
 - a. Two-Officer Transport - Arrestees will be placed in the rear seat of the vehicle directly behind the front passenger seat. One officer/auxiliary will sit in the rear seat behind the driver to guard the arrestee.
 - b. Single-Officer Transport - At incidents that necessitate immediate removal from the scene, the arrestee will be placed in the front passenger seat and secured with a seat belt. The transport of a violent, intoxicated or erratic arrestee by a single officer/auxiliary is not recommended.
 - c. Mobility Disability Transport – If an arrestee’s disability limits their ability to be safely transported in a department transport vehicle, officers shall contact the Arlington County Sheriff’s Office to determine if they have a suitable transport vehicle. If no such vehicle is available, officers shall arrange transport through a taxicab company. An officer shall remain with the arrestee at all times during transport in a taxi.
 - d. Opposite Sex Transport - Unrelated persons of the opposite sex shall not be transported in the same compartment of a patrol wagon.
 - e. Transgender, Intersex, and/or Gender-Nonconforming Individual Transport – An arrestee who does not fit any clearly defined gender category should be transported with other arrestees of the same self-identified gender.
4. Supervisors shall document quarterly inspections of police transport vehicles to ensure no weapons or objects that may be used as weapons have been placed between, under, or in back of the seats. This inspection shall include the rear of police patrol vans.

D. Transporting Arrestees

1. Safety and Security - The responsibility for the safety and security of an arrestee being transported remains with the transporting officer until custody of the arrestee is properly transferred to another sworn officer.
 - a. Officers assigned to vehicles that are primarily used to transport arrestees will engage in other law enforcement duties when not involved in transports.

- b. When transporting an arrestee locally, an officer should only stop for emergencies and then, only when the risk to third parties is serious enough to outweigh the risk of escape or injury to the arrestee.
- c. Officers shall not lose sight of arrestee(s) in their custody.
- d. Arrestees shall be placed in seatbelts, unless impractical. If an arrestee is not placed in a seatbelt, an explanation shall be documented in the police case report.
- e. The transporting officer shall advise the dispatcher via police radio at the beginning and at the end of each transport.
- f. During extraditions or other long-distance transports, routine stops may be made for meals, the use of a restroom, and similar activities.
- g. Juveniles transported in patrol wagon shall not be transported with any adult suspected of or charged with a criminal act.

E. Medical Care of Arrestees

- 1. An officer is responsible for requesting a medic unit for an arrestee in their custody when the arrestee claims to be, or appears to be injured, or in need of medical attention. The arrestee shall be evaluated and cleared medically by an Arlington County Fire Department EMT prior to being transported to the Arlington County Detention Facility (ACDF). Should an arrestee need to be transported by ambulance to a medical facility an officer is required to ride inside the patient compartment of the ambulance for safety reasons.
- 2. If an officer notices an injury or the arrestee complains about an injury while at the ACDF or is in need of medical attention, the transporting officer shall request that ACDF medical personnel evaluate the arrestee's condition prior to processing. If an injured arrestee refuses medical treatment, the officer shall obtain a written refusal of treatment form, signed by authorized medical personnel and submit it to the booking officer prior to processing the arrestee. If medical personnel recommend emergency medical attention a police officer shall arrange for the arrestee to be transported to a medical facility for treatment.
- 3. Under no circumstances should a County employee indicate that the County will be responsible for any payments for personal injuries or property damage.
- 4. Should an arrestee be admitted to a hospital, the arresting officer should inform their immediate supervisor who shall coordinate the guarding of the arrestee while hospitalized. The immediate supervisor, or another supervisor so tasked, shall coordinate with the appropriate hospital staff to provide for the maximum security possible during the hospital stay.
- 5. Once treatment has been administered and the arrestee has been discharged from the hospital a copy of the discharge paperwork will be obtained by the officer on location at the time and submitted to the booking deputy as part of the booking process.

F. Transport to Criminal Investigations Division

1. When any arrestee(s), adult or juvenile, are transported to the Criminal Investigations Division (CID) to be interviewed, they will be escorted to, searched again, and placed in a secure interview room.
 - a. Only one arrestee per interview room is allowed.
 - b. The Juvenile Processing Area is not to be used as an interview room or holding area for arrestees.
 - c. Only juveniles in custody for criminal offenses are permitted in the secure interview rooms. Juveniles in custody for status offenses should be held in a soft interview room.
2. All weapons shall be secured in a gun locker prior to the removal of an arrestee/prisoner's handcuffs or placement in an interview room. Weapons are not permitted in prisoner interview rooms or the Juvenile Processing Area.
3. The interview room's video monitoring system shall be initiated upon the arrival of an arrestee and the recording shall not be paused or stopped until the arrestee's final removal from the room.
4. Once handcuffs are removed, the arrestee will be immediately re-handcuffed to an interview table. Any additional removal of an arrestee's handcuffs shall be at an officer's discretion so long as it is related to the collection of evidence, use of a toilet, or other justifiable purpose.
5. The transporting officer shall be responsible for the arrestee(s) until another officer, detective, or the arresting officer assumes responsibility for their security. An officer may leave an arrestee unattended inside a locked and secure interview room but shall maintain a visual surveillance of the exterior door to the room.
6. The Prison Rape Elimination Act (PREA) requires a staffing plan (continuous monitoring of an arrestee) be initiated the moment an arrestee is placed in a secure interview room or processing area. The staffing plan **must** be documented in the officer's case report and shall attest to the following:
 - a. That the interview room was thoroughly searched for concealed contraband or weapons prior to placing an arrestee in the interview room and immediately following the conclusion of the interview.
 - b. The name of the officer placing the arrestee in the interview room and/or assigned to monitor the arrestee prior to their transfer to booking.
 - c. The date, time in/out, and location of the interview room or processing area.
 - d. That the officer provided continuous supervision and monitoring of the arrestee to ensure their safety and security and an annotation as to whether the interview room video system was activated or not.

- e. Any escorts to and from the interview room along with the time and purpose – such as the collection of evidence, use of a toilet, or other justifiable purpose.
- f. Steps taken to protect the arrestee's privacy when it becomes necessary to remove clothing for evidentiary purposes.

G. Transport to Arlington County Detention Facility (ACDF)

1. Arrival at the Arlington County Detention Facility - All weapons shall be secured in a gun locker prior to entering the booking area. The transporting officer shall be responsible for arrestees transported by them until another officer or the arresting officer assumes responsibility, or the booking process is complete, and a commitment card has been signed and accepted by the deputy in charge of the booking area. Until an arrestee becomes the responsibility of the Sheriff's Office, the removal of an arrestee's restraints or handcuffs shall be at the officer's discretion, so long as the removal is related to collecting evidence, use of a toilet, or serves a justifiable purpose.
2. When an officer is transporting a known or suspected violent or abusive subject, or a subject known to be an escape risk, the officer shall notify the Sheriff's personnel working in the booking area prior to entering the booking area.
3. If an arrestee being transported is recognized as a security risk, this will be documented on the prisoner's booking sheet and brought to the attention of any person taking control of the arrestee.

H. Booking Process

1. Prior to appearing before the magistrate, the arresting officer shall:
 - a. Complete a Booking Information Sheet.
 - b. Check for outstanding warrants (QW).
 - c. Run a criminal history check.
2. The arresting officer will then present the arrestee to the magistrate for issuance of a warrant, a bond hearing, and if warranted, a commitment card, prior to the booking process.
3. The release of criminal history information from NCIC/NLETS/VCIN to the magistrate is considered a secondary dissemination if the magistrate keeps the printout. If the printout is returned to the officer for destruction, no logging is necessary. When running the QH/QR or IQ/FQ formats, the officer's name and badge number will be placed in the operation fields and the magistrate's name will be placed in the ATN field. Each logbook entry must contain the following information:
 - a. Date of the inquiry, or, if different, date record received.
 - b. Agency ORI (VA0070100).
 - c. The name of the subject of the inquiry.

- d. The SID, FBI or other records number (if no record was found, the words NO RECORD will be entered in this block).
 - e. Initials and last name of the magistrate; the words Arlington County Magistrate and the date the record was disseminated.
 - f. The officer's initials and last name.
 4. The arresting officer will provide the booking deputy with the following information:
 - a. A completed Booking Information Sheet.
 - b. A printout of the arrestee's NAMS record.
 - c. A printout of the Wanted Person Check (QW).
 - d. Warrants served on the arrestee.
 - e. A copy of the commitment card, or, if the arrestee is released on personal recognizance by the magistrate, a copy of the personal recognizance form.
 - f. A copy of the prisoner receipt form, if transferred from another jurisdiction.
 - g. Communicate any criteria that would place the arrestee at risk of sexual victimization and abuse as outlined in directive 531.07 *PREA*.
 5. After the booking deputy has reviewed the paperwork for completeness and accuracy, the arresting officer may then leave the Arlington County Detention Facility. However, if there is more than one arrestee waiting to be processed, or an arrestee is violent or displays signs of potential violence, one officer shall remain in the booking area.
- I. Release from Custodial Arrest - When it is determined that an individual should be released prior to appearance before the Magistrate, the arresting officer shall notify a supervisor. Supervisors are responsible for ensuring compliance with this section.
 1. The supervisor shall be responsible for verifying the information and, if indicated, immediately release the individual from custody. It is not necessary to take an individual before a Magistrate solely to accomplish a release from custody.
 2. If a vehicle has been impounded or property taken based on the arrest, it shall be immediately returned to the individual at no cost.
 3. All incidents of this type shall be documented in a case report and a copy of the report shall be forwarded to the Office of Professional Responsibility.
 4. In the event that a vehicle has been towed or impounded, the Commander of the Systems Management Division is to be notified in writing that the Department should pay the costs associated with the tow.

J. Escape

1. Officer's Responsibility - When an arrestee escapes from custody, the ECC shall be immediately notified. The officer shall broadcast the following information to all available officers and the dispatcher:
 - a. Description of the prisoner.
 - b. Direction of travel.
 - c. Mode of travel.
 - d. Charge which initiated the arrest.
 - e. Violent behavior.
 - f. Any injuries or medical assistance needed.
2. The ECC is responsible for the immediate notification of ACSO Central Control of any prisoner escape within the Police/Courts building and relay all broadcast information. The dispatcher shall broadcast, at regular intervals, all information compiled on the escaped prisoner, to all personnel, via the radio. All neighboring or area jurisdictions shall be notified, by teletype, giving all available information and necessary updates.
3. Police units will assist the Sheriff's Office in maintaining the outer perimeter of the Courthouse and in conducting a floor by floor search of the building.
4. The officer shall report the incident on appropriate forms and ensure that a National Crime Information Center (NCIC) entry is made, if necessary.

K. Warrant Service - See ACPD Manual section 536.03 *Warrant/Summons Service* for additional information.

1. Voluntary Surrender - An officer has the authority to defer the service of a warrant until the subject arrives at the police department. The officer may communicate with the subject by telephone and may reach an agreement as to when the subject will appear at the department for execution of a warrant. This decision may also be made in the field by agreement between the officer and the subject. Under such an agreement, the subject may be given the opportunity to drive to the department in his or her own vehicle. In this circumstance, the subject will not be considered to be under arrest until the actual service of the warrant at the station.
2. Transfers Between Agencies/Extraditions - The transportation of arrestees between other law enforcement agencies is the responsibility of the Sheriff's Office, except for extraditions. An officer shall bring photographs, fingerprint cards or other items with them on extraditions to positively identify the arrestee being picked up. When transporting an arrestee between outside agencies, the transporting officer is responsible for any documents that must accompany the arrestee. For inter-state extraditions officers must have a properly executed governor's warrant or a properly executed waiver.