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|  | Administrative General Order | 33 Transportation of Detainees | PAGE 1 OF 8 |
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33.1 PURPOSE

The purpose of this policy is to provide guidelines for officer safety and detainee security during transportation. The Charleston Police Department is committed to take every reasonable measure necessary to ensure the rights and safety of each transported individual are preserved, while assuring that persons in custody do not escape, are not injured, do not injure others and that the safety of transporting personnel and the general public are not endangered.

33.2 DETAINEE SEARCHES (CALEA 70.1.1)

Every detainee will be properly restrained and searched for weapons and contraband upon assuming custody of a detainee from a detention facility, courtroom, or another law enforcement officer. Searches will be conducted in as thorough a manner as possible, depending on circumstances, prior to placement in a department vehicle for transport.

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Searches of detainees of the opposite sex are to be made with all possible regard for decency. Whenever possible a second officer, other than the searching officer, should be present whenever a detainee is searched by personnel of the opposite sex. Officers will not, under any circumstances, search the natural body openings other than the mouth, nose, or ears of a detainee.

Strip Searches

Under no circumstances will Charleston Police Department officers conduct strip searches. Strip searches will only be conducted at the detention center by detention personnel. Strip searches will be conducted for:

1. For all drug charges;
2. At the request of the arresting officer who has expressed a concern that drugs, weapons and/or contraband have been concealed; and/or
3. At the order of a Supervisor ranked Sergeant or higher.

Strip searches will be conducted in accordance with the policies of the detention center the detainee is confined in.

Body Cavity Searches

Body cavity searches will not be conducted at the detention center, but at a designated medical facility by qualified medical personnel.

Officers will document in their Incident Report anytime a strip search or body cavity search is conducted.

33.3 DETAINEE RESTRAINTS (CALEA 70.2.1)

Detainees transported by department personnel will be restrained with handcuffs or disposable restraints as designated by this policy. Disposable restraints such as flex cuffs are for use by authorized and trained individuals only when handcuffs are not readily available or when handcuffs will not fit an individual in custody. Care must be exercised in applying and removing these restraints. Waist chains and leg irons will be utilized based on the nature of the detainee custody, handling, and method of transport. Other forms of restraint will not be utilized by department personnel unless specifically allowed by written departmental policy. Additionally, at no time will a detainee be restrained to a fixed/non-fixed object, structure, or vehicle unless otherwise expressly authorized by written policy or the Chief of Police, or designee.

Whenever handcuffs are used, the detainee should be handcuffed behind the back with palms facing outward and cuffs double-locked for detainee security and officer safety. All detainees will be seat-belted while being transported in a department vehicle. Restraining devices should be examined periodically to ensure they are not so tight as to restrict the flow of blood. Detainees that show signs of physiological distress caused by restraint devices will have the devices properly adjusted to alleviate distress or discomfort as required. Detainees with physical restrictions or handicaps should be placed in a waist chain as required to preclude physical injury or discomfort. Adjustment should be predicated on absolute need and officer safety priority.

33.4 RESTRAINT OF SICK, INJURED, AND HANDICAPPED DETAINEES (CALEA 70.2.1; 70.3.1)

When transporting a sick or injured detainee, the use of restraining devices will be governed by the same procedures as used for handicapped individuals.

In some instances, handicapped individuals, such as those who require the use of wheelchairs or walking aids, may not require all restraining devices be applied. Alternate restraints and/or vehicles may also be necessary for transporting handicapped individuals.

Transporting personnel may use discretion after examining the following factors:

1. The severity of the charge;
2. The mental state of the detainee;
3. Threats made by the detainee;

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4. Violent or uncooperative acts by the detainee;
5. The potential physical threat to the transporting officer or detainee if restraints are not used;
6. The potential for escape;
7. Record of prior escape attempts, violence, etc;
8. The seriousness of the disability; and/or
9. Whether the disability is permanent or temporary.

33.5 WEAPONS STORAGE (CALEA 70.1.6 a)

To better ensure the safety of police officers, civilian personnel, prisoners, and the public, transporting officers will utilize the security lockers in three (3) strategic areas at the department. These lockers are to be used by all armed transporting officers of this department or any other agency that needs to enter the booking area or the jail area. There are no exceptions to this procedure.

In bringing a prisoner through the rear door of the building, the officer will remove all weapons, place them in the locker, lock the door, and secure the key on his/her person until business is completed at which time he/she will retrieve the weapons, and replace the key in the locker.

When bringing a prisoner through the front door of the building to the booking area, the officer will remove all weapons, place them in the locker, lock the door, and secure the key on their person until their business is completed; at which time he/she will retrieve their weapons and replace the key in the locker.

When entering through the Detective Office, the officer will remove all weapons, place it in the locker, lock the door, and secure the key on his/her person until their business is completed; at which time the officer will retrieve their weapons and replace the key in the weapon storage door.

Transporting officers are also required to abide by all detention facility policies regarding the prohibition of weapons in the Jail and Booking area. Officers will either secure their weapon in the secured trunk of the vehicle or in the firearm storage lockers provided by the CCDC.

33.6 DETAINEE TRANSPORTATION (CALEA 70.1.4; 70.1.5; 70.1.6 b; 70.2.1; 70.3.3; 70.3.3)

Except for unavoidable contact that one prisoner may have with another secured prisoner, or with transporting officers in the same vehicle, prisoners being transported will not be permitted to communicate or have physical contact with other persons, unless in the transporting officer's judgment, the communication is essential.

When transporting a detainee, transporting personnel will not lose sight of the detainee. Transporting personnel will apply leg restraints to a combative/flight risk detainee before removing the detainee from the building or a vehicle at the sally port. This action should be accomplished with appropriate backup and attention to officer safety concerns. A primary duty of transporting personnel is the safe delivery of the detainee.

Transporting officers will place restraints on the detainee before all transports and will not remove restraints, under normal circumstances, until the detainee is safely and securely inside the receiving agency's designated custody transfer area.

If a detainee, being transported to any court or to another agency, is deemed to be a security threat, the departmental personnel transporting the detainee will notify the presiding judge or agency member of the threat and recommend additional security precautions.

Officers are not allowed to transport any detainee to a location other than those designed for prisoner processing, medical or psychological assistance, court proceedings, or those ordered so by a federal, state, or local court. Prohibited transportation locations include funerals, visitation to family, hearing of a will, or similar destinations or events. All such requests will be handled by Sheriff Al Cannon Detention Center.

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Transporting personnel may stop to render emergency assistance on the roadway only when the risk to third parties is both clear and grave and the risk to transporting personnel and detainee is minimal. The best procedure for rendering assistance is to call the incident in over the radio and request another unit to respond. Transporting personnel should be aware that any diversionary incident may place them or the detainee in jeopardy or enhance chances for escape.

When transporting a detainee of the opposite sex, transporting personnel will call the Charleston County Consolidated Dispatch Center by radio and give current mileage and destination. Upon arrival, transporting personnel will advise Consolidated Dispatch of ending mileage.

All detainees should be monitored on a continual basis. When transporting violent detainees, officers will not hog tie detainees during transport because of the potential for injury or possibility of positional asphyxia that could occur over time.

33.7 PROCEDURES FOR TRANSPORTING BY VEHICLE (CALEA 70.2.1; 70.1.3; 70.4.1)

A single (1) transport officer carrying a single detainee in a screened vehicle will place the detainee, in appropriate restraints, in the rear passenger (i.e., right rear) side of the vehicle with seatbelt securely fastened.

When two (2) transport officers are carrying detainees in the same screened vehicle, regardless of whether there are one, two, or three detainees, both officers will sit in the front seat of the vehicle. The detainees will be secured in restraints and seat-belts.

A single (1) transport officer carrying a single detainee in an unscreened vehicle will place the detainee, restrained in handcuffs (or waist chains and leg irons if utilized), in the right front passenger seat of the vehicle and secure the seatbelt. This type transport should only be facilitated when absolutely necessary. Personnel should be very cognizant of weapon control when transporting a detainee in this manner.

Two (2) transportation officers carrying a single detainee in an unscreened vehicle will place the detainee, restrained in handcuffs (or waist chains and leg irons if utilized), in the rear right passenger seat and secure the seatbelt. The second officer will sit in the rear seat directly behind the driver.

A transportation officer carrying detainees in a screened and enclosed transportation van or similar authorized vehicle will place the detainee, restrained in handcuffs (or waist chains and leg irons if utilized), into the vehicle's transportation compartment and secure the prisoner utilizing the vehicle's safety systems.

When transporting detainees to and from General Sessions or Family Court, transport vehicles equipped with a detainee cage/compartment and radio will be used for transport. Detainees will be restrained by waist chains and leg irons.

The transport vehicle will be operated by an assigned Transportation Officer unless otherwise directed.

Operators shall use a spotter for safety when backing any vehicle if the following criteria exist:

1. The vehicle is larger than a pickup truck;
2. Backward visibility is limited due to the vehicle type; or
3. The operator cannot see the area behind him/her clearly.

High profile cases may require additional security measures. Detainees will be loaded and unloaded in a secure area. Detainees with special medical problems will be transported in the accompanying vehicles (ie ambulance, etc). Male, female, and juvenile detainees will be segregated.

33.8 VEHICLES USED IN TRANSPORT (CALEA 70.1.2, 70.4.1, 70.4.2)

Every vehicle used for transport will be searched by assigned personnel at the beginning of each shift, prior and subsequent to transporting detainees.

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At the beginning of each shift, transportation officers will inspect the vehicle to ensure it is in good operating condition and equipped with a spare tire, jack, and lug wrench. Transportation officers will also check that tires are properly inflated and check fuel and oil levels.

All agency vehicles used primarily for transportation of detainees and by the transportation unit will be equipped with a safety barrier (screen) to separate the driver from the detainees. All transportation officers will disable the rear window controls and door handles in the rear compartments. Door release locks will be shielded from access from the rear compartment or operated from the front part of the vehicle or from the outside.

33.9 DETAINEE WHEELCHAIR TRANSPORTATION

Special considerations are required when transporting a person with a disability who is confined to a wheelchair. When persons with disabilities using wheelchairs are arrested such persons will be transported by squad car whenever possible.

Prior to transport, officers will ask the person with a disability if there is any medical reason he/she cannot be removed from his/her wheelchair for transport by a squad car. If there is none, the Officer(s) will use care and caution when assisting the person with a handicap into the squad car.

If the person states he/she cannot be removed from his/her wheelchair, then special transportation by Tel-A-Ride, through CARTA, will be requested by the officer via radio contact with CARTA dispatch. The City of Charleston and CARTA are cooperating to provide transport to the Sheriff Al Cannon Detention Center of suspects who use wheelchairs for mobility. The Charleston County Consolidated Dispatch Center is to contact the Charleston County Detention Center to notify the staff of the arrival of the suspect.

One (1) officer is required to accompany the person in the lift-van if the person is under arrest. A transportation employee may be used in lieu of a sworn officer.

The wheelchair suspect is to be handcuffed with his/her hands in front of his/her body and the wheelchair is to be placed in a manual control position before the suspect is loaded onto the lift-van.

The CARTA driver is responsible for performing the tasks of:

1. Loading the wheelchair;
2. "Locking down" the wheelchair prior to departure;
3. "Unlocking" the wheelchair upon arrival at the county detention center; and
4. Unloading the wheelchair from the vehicle.

All Tel-A-Ride vehicles will be dispatched directly from the Leeds Avenue CARTA depot and travel time from that point is to be taken into consideration.

33.10 TRANSPORTATION FOR MENTAL EVALUATION (CALEA 70.2.1; 70.3.1; 70.3.2)

Mentally disturbed persons pose a special hazard to transporting personnel. Waist chains and leg irons will be used when transporting these individuals by all personnel issued these restraints. If the individual is handicapped, an alternate method of restraint or transportation may be used.

When transporting detainees to state facilities for treatment or evaluation, per probate court orders, warrants, emergency commitments, or other forms of commitment or evaluation from a government entity, the detainee will be transported in waist chains and leg restraints until transport is complete and the designated treatment facility takes custodial responsibility, in accordance with the custodial restraint requirements of the Department.

Detainees will be transported to the designated mental health facility with the copies of the Order of Commitment and the Order of Transport. Personal property may be transported but will be limited to available storage space.

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33.11 TRANSPORT FROM DETENTION OR PRISON FACILITY (CALEA 70.1.8, 70.5.1, 70.1.6 c, d, e; 70.1.8)

Each detainee being transported from a detention or prison facility must be positively identified as the person to be transported. Booking records and numbers assigned to the detainee and his/her date of birth, Social Security number, race, sex, available photograph(s), and any physical characteristics should be compared and verified by both the facility staff and transporting officers prior to release for transport.

Transportation documentation will include the following information:

1. Detainee name;
2. Facility detainee identification number (if assigned);
3. A certified court order to transport (if applicable);
4. Medical records (if applicable);
5. A detainer, if the detainee is being taken temporarily from one facility to another while awaiting trial;
6. A certified court order, if a juvenile has been remanded to the custody of a state juvenile facility; and/or
7. Inventory sheet(s) listing detainee's personal property.

Transporting personnel will inquire about any potential security risks the detainee may represent as a result of suicidal tendencies, behavior while incarcerated, mental disorders, or escape potential. Information should be noted on the transport documentation and provided to the receiving facility upon arrival. Transporting personnel will document the transfer in their report.

33.12 MEDICAL CLEARANCE (CALEA 70.2.1; 70.3.1; 70.3.2)

Each detainee will be interviewed by the arresting officer about medical and mental health conditions during booking.

If a detainee has apparently minor injuries incident to arrest or has received minor injuries previously and has not yet received medical attention before the arrest, the officer will carry the detainee to the appropriate hospital for treatment prior to moving the detainee to the detention facility. Officers will never transport a detainee with serious injuries. EMS will be contacted and, if they determine further treatment is necessary, an officer will accompany the detainee to the medical facility.

If the detainee is transported to the detention facility while feeling ill or has other minor physical or mental complaints, the officer will advise the booking officers, along with a request that the detainee be examined by the detention facility medical personnel. If necessary and directed by the supervisor/commander of the detention facility, the officer must then take the detainee to a designated medical facility for treatment.

Detainees will remain in waist chains or handcuffs, including leg restraints, at unsecured medical facilities unless it becomes necessary to remove or modify them in order to facilitate medical treatment. Detainees will also be under constant observation and control by the officer. Attachment of restraints to medical tables or hospital beds to ensure against escape and unnecessary movement is permissible and warranted in many cases.

All documentation of medical treatment from the attending physician as well as prescriptions, medications, and any follow-up information, will be given to Detention Center medical staff personnel upon arrival at the Detention Center.

Any refusal of treatment by the detainee will be documented in writing by the transporting officer and attending physician and reported to Detention Center staff.

The detainee will be searched again prior to transport from the medical facility.

If a detainee is evaluated by medical personnel and committed to a facility for mental health treatment, the officer will transport the detainee to the designated mental health facility. Custody of the detainee will then be temporarily transferred to the South

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Carolina Department of Mental Health's Public Safety Office. A copy of the officer's Arrest & Booking Report must be submitted with commitment orders.

33.13 BOOKING PROCEDURES (CALEA 70.2.1; 70.1.6 c, d; 70.1.8)

Transporting personnel will follow the procedures of the receiving facility regarding storage of firearms and commitment of detainees. Before relinquishing custody, transporting personnel should:

1. Place their weapons in a secure location for safekeeping;
2. Deliver detainee documentation to the receiving official; and
3. Remove restraining devices after all paperwork transactions are completed and custody is transferred to the receiving official.

When booking a detainee at the Charleston County Detention Center, the transporting officer must submit a copy of the Arrest & Booking Report and copies of the Crime Victim Information Sheet, as applicable. Transporting personnel will advise the receiving personnel about any potential security risks the detainee may represent as a result of suicidal tendencies, behavior while incarcerated, mental disorders, or escape potential. When Sheriff Al Cannon Detention Center is the receiving facility, the officer signs the copy of the Arrest & Booking Report which is maintained on file at the Detention Center. Photographs and fingerprints will be taken of all subjects booked at the Sheriff Al Cannon Detention Center.

33.14 ESCAPE (CALEA 70.1.7)

Whenever a detainee escapes from a officer's custody, the officer will make every effort to recapture the detainee consistent with this agency's response to resistance and/or aggression procedures.

At the time of the escape, the officer will notify the Consolidated Dispatch Center of the incident including the last known location, description of the detainee, and request assistance. The Command Duty Officer will evaluate the situation and request any additional support, such as K-9 search teams or air support.

The Central Investigation Division will be notified immediately for follow-up procedure on any escape of a detainee designated as a jail or prison inmate. Responsible include, but are not limited to, obtaining the Escape Warrant and all investigative reports.

If the escape occurs in this agency's jurisdiction, the Consolidated Dispatch Center will issue a general broadcast over police radio channels as well as notify surrounding agencies. The initial broadcast information will include a description of the detainee, location of escape, and the offense(s) for which the detainee is charged. Additional information will be disseminated as received.

Officers are authorized to use their law enforcement authority to prevent an escape or to recapture a detainee throughout the State of South Carolina.

If an escape occurs while traveling through another jurisdiction, officers will immediately notify the primary law enforcement agency in that jurisdiction and request their assistance in locating and recapturing the detainee. The Charleston Police Department will be notified as soon as possible after the escape.

A full report of the escape will be prepared and forwarded to the Chief of Police through the chain of command, for review and comments. Special care will be taken to determine if established procedures were followed or if a change of procedures is warranted to prevent the occurrence of another escape under similar circumstances.

33.15 UNUSUALLY HIGH DETAINEE SECURITY RISK (CALEA 70.1.8)

In the case of an unusually high detainee security risk, the Transporting Officer or, in extreme cases, Command Duty Officer or respective commander of a designated plan for transport will contact the destination facility or court well in advance to ensure

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the receiving location is equally prepared for detainee's intake. This contact is to include, at a minimum, a briefing of the Detainee's identification, potential risk(s), and Departmental recommendations regarding security, any requests for additional personnel, and the process to be followed during the transfer of custody.

All officers will then follow the policy, procedures, and operational plans of the destination facility once the transfer has been completed. This procedure does not supersede any Detention, Court, or other facility policy on intake, processing, or custody.