


<b>LEESBURG POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS MANUAL</b>		
General Order Number: 214	Section: OPERATIONS	Effective Date: AUGUST 2023
Title: <b>PRISONER TRANSPORTATION</b>		
Accreditation Standards: OPR.08.01, OPR.08.02, OPR.08.03, OPR.08.04, OPR.08.05, OPR.08.07, OPR.08.08, OPR.09.01		
Review Date: OCTOBER 2023	Total Pages: 5	Chief of Police: 

I. TRANSPORT OPERATIONS

A. Prisoner Search.

The transporting officer shall thoroughly search a prisoner prior to placing the prisoner in the transport vehicle. Officers shall never assume the prisoner has been searched or does not possess a weapon or contraband. Officers shall conduct a search of a prisoner each time the prisoner comes into the custody of the officer after visual contact has been lost.

B. Vehicle Inspection/Search.

1. Officers shall inspect their police vehicle prior to the beginning of their shift. Officers will inspect to ensure the vehicle is in good operating condition and equipped properly.
2. Officers shall search transport vehicles prior to and after the transport of a prisoner to ensure that no weapons, contraband, or personal property is available to the prisoner or is left behind by the prisoner. All contraband or property seized shall be logged into the property room.

C. Prisoner Transportation.

1. Officers shall transport prisoners in police vehicles with a safety barrier when available. The prisoner will be seat-belted in the rear seat opposite of the driver of the vehicle. Officers shall take the most direct route to their destination. Prisoners should not be transported in the front seat of a police vehicle.
2. If a prisoner must be transported in a vehicle without a safety barrier, two officers should accompany the prisoner. The prisoner should be seat-belted in the rear seat with an officer sitting beside the prisoner and the officer's firearm away from the prisoner.
3. If a prisoner must be transported on a commercial carrier, a minimum of two officers will be used as escorts. Escorting officers should be equipped with adequate restraining devices to be used if the prisoner becomes unruly. All prisoners should be considered dangerous and shall be escorted at all times during the transport. Escort officers shall notify representatives of the carrier of their presence and their transport. The officers will carry their badge and identification card for this purpose. Officers shall conduct themselves in accordance with departmental regulations. All officers flying armed on official police business shall be required to complete the *Law Enforcement Officer Flying Armed course*.

D. Visual Observation.

1. The primary duty of the transporting officer is the safe delivery of the prisoner. Transporting officers should not engage in other law enforcement activities while transporting prisoners. When non-emergency situations arise requiring police intervention, the transporting officer should notify the communications technician to contact the appropriate law enforcement authority who will be responsible for handling the incident. The transporting officer should only intervene under extreme emergency conditions where the risk to the prisoner is minimal. If the transporting officer stops, the officer should notify the communications technician of the nature and location of the incident and the assistance necessary. The transporting officer will remain only until other emergency assistance has arrived. The transporting officer will not become involved in any situation which would create a risk of harm to the prisoner.

2. Transporting officers shall visibly observe prisoners in their custody at all times. If a prisoner is not viewed while using toilet facilities, officers shall ensure that there are no escape routes within the facility and there are no potential weapons available to the prisoner. On trips of extended length or whenever possible, female officers should accompany female prisoners and male officers should accompany male prisoners. Where it is necessary to stop for meals or rest stops, the location will be chosen at random. Public facilities should be avoided under normal circumstances and drive through facilities should be used when possible.

E. Prisoner Communication.

Prisoners will not normally be allowed to communicate with attorneys or others during transport. Should an unusual circumstance arise which would necessitate an exception to this policy, the transporting officer will be the individual responsible for monitoring the communication.

F. Procedures at Detention Facilities.

Transporting officers will be aware of and follow the respective procedures at the various detention facilities and mental health facilities utilized. The following policy will apply:

1. Firearms will be secured in the designated area at the receiving facility;
2. Restraints will only be removed on the instructions of the receiving officer;
3. The transporting officer will be responsible for ensuring all necessary paperwork is properly submitted with regard to the transfer, and to ensure that signatures are obtained on forms to be returned to the Department.

G. Escapes.

In the event of a prisoner escape, the transporting officer shall immediately notify the communications technician by police radio or mobile phone who will ensure the on-duty supervisor and the police agency with local jurisdiction are notified. Requests for specialized units, such as canine and the helicopter, are the responsibility of the team supervisor involved. The transporting officer shall complete an Incident or Supplemental report describing the facts surrounding the escape and all actions taken.

H. Security Hazards.

When a prisoner who is to be transported to court, a detention facility, or a mental health unit, is considered a security risk, the transporting officer will notify the appropriate judge, deputy, or medical personnel of such risk and request additional safeguards. In such cases the officer may be authorized to utilize additional restraining devices. It is the responsibility of each officer to properly document all information known regarding a high security risk.

## II. RESTRAINING DEVICES

A. Restraints During Transport.

1. Officers should handcuff prisoners as soon as the prisoner is taken into physical custody. The prisoner's hands should be handcuffed behind their back. Handcuffs shall always be double-locked when put in use. Officers may decline the use of handcuffs or place the handcuffs in the front due to extremes in age (young or elderly), injuries, disabilities, or other appropriate articulable circumstances.
2. Arrested persons being transported in a police vehicle should be secured with a seat belt.
3. The use of restraint devices such as waist chains and leg shackles may be utilized when the prisoner is an escape risk, or may damage the police vehicle, or may assault the officer.
4. At no time should a prisoner being transported be handcuffed to any part of the vehicle.
5. At no time should a prisoner be restrained and placed on his or her stomach in the police cruiser. Such practices have been shown to cause "positional asphyxia", which is death from lack of oxygen.
6. During a mass arrest situation, officers are authorized to utilize plastic "flex-cuffs" in the event that all available handcuffs are being used.

B. Approved Restraints.

1. Handcuffs- restraint device designed to secure an individual's wrists in proximity to each other.
2. Flex cuffs- a commercially produced plastic flexible band cuff with a one-way locking system that can be fastened as a restraint around a person's wrists.
3. Leg restraints- restrict a person's ability to walk by limiting the length of their steps.
4. Waist chain- chain placed around the waist (belly) providing additional ways to immobilize a person.
5. Hobble strap- used to control movement of person's legs
6. Spit Restraint Device- a commercially manufactured, department issued, single use, protective, synthetic small-woven mesh device that is physically placed over a person's head and facial area intended to prevent or reduce the transmission of oral, nasal, and/or facial bodily fluids minimizing the spread of infectious disease that may be caused by human spitting, biting, or physical contact.

III. SPECIAL TRANSPORT SITUATIONS

A. Transporting Opposite Sex and Juveniles.

The following procedure will be applied when an officer must transport a member of the opposite sex or a juvenile;

1. Upon beginning transportation, the officer will advise the communications technician of their starting location, vehicle mileage and destination;
2. Upon arrival at the destination, the officer will advise the communications technician of their location and vehicle mileage;
3. No juvenile shall be transported with adults suspected of or charged with criminal acts.

B. Sick, Injured, Disabled Prisoners.

Physically and mentally handicapped prisoners may require special care and discretion during transport. Officers shall attempt to complete the transport in a manner that is convenient, comfortable, and safe for both the prisoner and the officer. Common sense should be exercised when deciding whether restraints should be utilized.

1. Sick and Injured Prisoners.

The use of restraints shall not be used on a prisoner if restraints would further compound an illness or injury. If this is the case, the officer shall notify their supervisor and request assistance. Any prisoner that is injured or becomes sick, prior to, during, or after the arrest, will be offered medical treatment immediately. Officers shall notify their supervisor immediately when medical treatment is necessary. Medical attention shall be sought before transporting the prisoner to the detention facility. Common sense shall be exercised when considering the use of restraining devices on a sick or injured prisoner.

2. Mentally Disturbed Prisoners.

Restraining devices will be used if necessary to prevent injury to the individual or to the officer. The decision to use restraining devices will be based on the totality of circumstances and the potential for violence exhibited by the individual. Mentally disturbed persons taken into custody should be transported in a police vehicle with a safety barrier. Violent persons may require special restraints and transportation by ambulance to the detention facility or mental health unit. If ambulance transportation is used, a police officer will accompany the ambulance crew. Persons taken into custody will remain the responsibility of the officer until custody is assumed by receiving personnel at the detention facility. Officers will use whatever restraints are necessary to protect all persons. Documentation of restraints used on mentally disturbed persons will be listed on the incident report.

3. Handicapped Prisoners.

When handicapped prisoners are transported, the use of restraints will be a matter of officer discretion. It should not be assumed that restraining devices are not needed. If the situation indicates that failure to use restraining devices may lead to the escape of the prisoner or jeopardize the safety of anyone, then restraints should be used. The seriousness of the offense, the circumstances surrounding the arrest, and the ability to conduct a thorough search prior to transport are among the factors to consider in the use of restraints.

C. Medical Care.

Prisoners who are in need of emergency medical attention shall be delivered to the appropriate medical facility by ambulance. An officer who transports a subject in-custody to a medical facility for a non-emergency medical examination or treatment shall notify his immediate supervisor of such transport. The transporting officer shall request any additional assistance that may be needed to control the prisoner and thereby reasonably protect the safety of the transporting officer, the prisoner and other persons at the medical facility.

1. The officer in charge of the prisoner shall cooperate with the treatment facility personnel and provide such information as might be needed for the proper treatment of the prisoner.
2. A prisoner will remain in a restraint device while at the treatment facility. The restraints may be removed if deemed necessary and they are requested to do so by the medical staff. Caution shall be taken to ensure that the prisoner is isolated from other patients and is never left unattended or permitted to escape the immediate control of the officer.
3. If a prisoner has to be admitted to a hospital or other treatment facility, the officer should discuss the matter with their supervisor in notifying the magistrate and/or Commonwealth's Attorney to determine whether the prisoner can be released from custody pending discharge from the medical facility.
  - (a) If a prisoner cannot be released from custody pending discharge from the medical facility, then notifications must be made through the chain of command to arrange for the prisoner to be guarded.

D. Custody of Prisoners Assisting in Investigations.

1. During certain investigations it may become necessary to assume custody of a prisoner, confined at a Virginia detention facility, to assist with the case. It is the policy of the Leesburg Police to assume such custody in a manner which upholds the safety of all persons. Custody of prisoners is to be assumed only when the prisoner's involvement in an investigation may provide significant information. The rights of the prisoner shall be respected at all times.
2. Procedures.
  - a. Permission from the respective Division commander or a designee shall be obtained prior to assuming control of the prisoner.
  - b. Approval will be based on the following factors:
    - (1) The reason for utilizing the prisoner;
    - (2) The role a prisoner will play, such as locating sites of burglaries, stolen property, or identifying pertinent suspect information;
    - (3) The jurisdiction to be traveled;
    - (4) Safety factors including the type of location to be visited, the time of day, or the degree of escape risk.
  - c. More than one officer shall be with the prisoner in all cases.
  - d. The use of handcuffs is strongly encouraged.
  - e. The Communications Section shall be kept apprised of the overall situation.
  - f. If the destination to be traveled with the prisoner is known to be in another jurisdiction, the law enforcement agency of that jurisdiction is to be notified of the intended visit prior to entry.
  - g. If the prisoner is to be taken outside of the Commonwealth of Virginia, the following conditions must be met:
    - (1) The respective Division commander must be advised and approve the action prior to transport;
    - (2) Law enforcement services of the jurisdiction entered must be utilized beginning at the Virginia border, and the officers from that jurisdiction shall be reminded that Leesburg officers have no police powers outside of Virginia. Leesburg officers can take no action to control the prisoner except those permitted of a citizen of the jurisdiction entered; and
    - (3) The officers of the entered jurisdiction are responsible for the prisoner until the prisoner is returned to the Virginia border.

IV. TRANSPORT EQUIPMENT

A. Safety Barrier.

Marked patrol vehicles should be equipped with a safety barrier separating the driver and rear compartments. The safety barrier must permit conversation between the driver and persons in the rear compartment.

B. Vehicle Modification.

Police vehicles with safety barriers will have the rear doors and windows rendered inoperable from the rear seat.

V. DOCUMENTATION

A. Identification, Documentation, Security.

1. Prisoner Identification.

It is the responsibility of any transporting officer to ensure the prisoner to be transported is correctly identified prior to accepting custody. Identification should be accomplished by comparing the prisoner's appearance with accompanying records, comparing fingerprints, comparing signatures, or any appropriate method that will assure the officer of the correct identity of the prisoner to be transported.

2. Prisoner Documentation.

Officers shall transport all necessary documentation at the time of the prisoner transportation. This documentation shall include property documentation, medical records, detainer authorization, court records, extradition papers or any other pertinent documentation.

3. Prisoner Security.

Information concerning potential security problems with a prisoner will be documented and sent to the facility with the transporting officer. This information would include violent, escape, or suicidal tendencies, as well as any pertinent medical conditions. The transporting officer shall document with an Incident or Supplemental report what information was relayed and note the name and rank of the personnel that received the information.