



# PRISONER TRANSPORTATION

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## **I. POLICY**

Transportation by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. It is the policy of the department to transport prisoners with the highest regard for the safety of the public, the transporting officer, and the prisoner. The transporting officer is legally responsible for the safety and custody of the prisoner being transported.

## **II. GENERAL POLICIES**

### **A. Prisoner Search Prior to Transport**

A search of the prisoner by the transporting officer is required in every case, before being transported. It must be assumed that the prisoner may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the prisoner. Prisoners should be searched each time they come into the transporting officer's custody, including transport to and from court appearances. See section XI of this directive for policies on searching prisoners.

### **B. Prisoner Restraint During Transport**

Prisoners are to be restrained during transport. At a minimum, the prisoner will be handcuffed. The handcuffs will be double-locked. The prisoner will be seat belted if the vehicle has seatbelts. Absent any intentional or overt actions by the prisoner, officers will ensure that prisoner restraints do not injure prisoners.

Prisoners transported by police officers in patrol vehicles will be handcuffed with the arms behind the back. The handcuffs will be double-locked. Additional restraints (i.e., leg irons, ankle cuffs, red ropes, etc.) may be used as indicated by the prisoner's behavior and history. A prisoner is not to be handcuffed to any part of the vehicle. When deemed appropriate, officers who have been trained in the use of waist chains may use this type of restraint with handcuffs and / or leg irons to limit the mobility of hands and feet.

In cases where a prisoner expectorates saliva (spits) or the officer reasonably believes the prisoner will spit during transport, the officer will place a breathable "Disposable Transport Spit Hood" over the prisoner's head. This will be the only remedy in handling this type of situation.

**C. Officers/Prisoners of Opposite Sex**

1. Male and female prisoners will not be transported in the same vehicle, except in Transport Vans as indicated in Section IV.B, or in specialized vehicles such as buses used during civil disturbances or other extraordinary events.
2. Officers conducting prisoner transports will activate their body worn cameras consistent with the requirement set forth in Index Code 1904.4. Absent emergency circumstances, ONLY officers with properly functioning Body Worn Cameras will conduct prisoner transportation.

**D. Juvenile Prisoners**

Under no circumstances will juveniles, regardless of status, be transported in the same vehicle as adult prisoners.

**E. Notification to Receiving Agency of Medical and/or Security Hazard or Risk**

The transporting officer will notify the receiving agency when a prisoner being transported has any potential medical or security hazards, or if the prisoner is considered an unusual security risk.

**F. Prisoner Communication with Others**

A prisoner will not be permitted to make telephone calls or communicate with his/her attorney or others while being transported. Safety aspects of the transportation function require that the prisoner's right to communicate with attorneys and others will not normally be exercised during the period that the prisoner is being transported.

**G. Extended Transports**

Prisoners who are being transported by vehicle over several hours will be escorted by two transport officers, restrained as described above, and will be provided adequate rest and refreshment periods. When, during transport of a prisoner, a meal will be required, the selection of the place where the meal is to be taken will be done randomly. Care must be taken to allow the prisoners reasonable opportunities to use toilet facilities. However, officers will not lose sight or control of the prisoner for any reason.

**III. SEATING OF TRANSPORTING OFFICERS**

For safety reasons, the prisoner must be under observation at all times. Opportunities for escape or attack on the transporting officers must be reduced as much as possible. The prisoner should be made as comfortable as possible, given the length of the trip being made, and yet secured to the maximum degree.

**A. Prisoners Transported in Patrol Vehicles**

The following specific procedures apply to the transportation of prisoners in patrol vehicles:

1. If a prisoner is to be transported by only one officer, and the vehicle does not have a security screen, the prisoner will be placed in the front passenger seat, with his/her arms handcuffed behind him/her, and the seatbelt and shoulder harness fastened. If the vehicle has a security screen, the prisoner may be placed in the rear passenger seat, with arms handcuffed behind the back, and with seatbelt/shoulder harness fastened.
2. If a second officer is required to transport a prisoner in a patrol vehicle, the prisoner will be placed in the rear passenger seat, with arms handcuffed behind the back, and with the seatbelt/shoulder harness fastened. The second officer will sit beside the prisoner and behind the driver.
3. Prisoners will be transported in patrol vehicles on a one-to-one ratio with officers. No more than two prisoners may be transported in a single patrol vehicle, and they will be transported by two officers, with one prisoner/officer combination in the front seat and the other in the rear seat.

**B. Prisoners Transported in Transport Vans**

1. Prisoner Transport Vans can be used for the transport of multiple arrestees at the direction of a supervisor. Prisoners transported in prisoner transport vans will be secured in the prisoners' compartment and handcuffed. The handcuffs will be double-locked. All prisoners will be seat belted during transport. Transport officers will be seated in the drivers' area. One officer will maintain visual surveillance on the prisoners for the duration of the trip.

2. Opposite sex prisoners may be transported in the same van. They must be separated by distance so that NO physical contact is possible, and all prisoners must be under the control of transport officers at all times. Whenever practical, vans equipped with barriers that physically separate opposite sex prisoners should be used.

#### **IV. LAW ENFORCEMENT ACTION BY TRANSPORTING OFFICER**

Police officers who are transporting prisoners may not stop to render law enforcement services except in emergencies. In all cases, the risk to the prisoner and the possibility of escape must be weighed against the need to stop and render aid. Only when the risk to third parties is both clear and grave and the risk to the prisoner is minimal should the officer stop to render assistance.

Police officers will request that another officer handle situations requiring police service whenever possible. Whenever a police officer transporting a prisoner stops to render law enforcement aid, he/she will resume the transport as soon as possible upon the arrival of other officers.

#### **V. INJURED/SICK/SUICIDAL PRISONERS**

The following procedures apply to police officers who transport injured, sick, or suicidal prisoners.

A. A prisoner who is injured or sick prior to or during an arrest situation will not be transported to any jail or Temporary Detention Area until he/she has been offered treatment, either by the Fire Department or at a hospital (CEW exposure must be transported to the hospital) or medical facility. A prisoner who is suicidal prior to or during an arrest/transport will be transported to a hospital before any prisoner processing per Index Code 1830.

B. If the prisoner declines or refuses treatment, by the fire department, hospital, or medical facility, the transporting officer will inform his/her supervisor. If possible, the refusal will be obtained in writing. The officer will document the circumstances in the incident report.

C. If the prisoner is injured as a result of actions by the officer, a *Use of Force* report is required in addition to the incident report.

D. When a prisoner is transported to a hospital or medical facility the following will apply:

1. While at the hospital or medical facility, caution will be taken to ensure the prisoner is isolated from other patients and is not left unattended, or permitted to escape the immediate control of the transporting officer.
2. The transporting officer will not leave the medical facility until he/she is relieved by another officer or is instructed by a supervisor to do otherwise.
3. The transporting officer will remove the restraints only when it is deemed necessary and he/she is requested to do so by medical staff. If the prisoner is to be admitted to a hospital, the officer in charge of the prisoner will immediately notify the platoon commander. The platoon commander will make temporary arrangements for guarding the prisoner.
4. Final arrangements for guarding the prisoner will be coordinated by the appropriate district commanders.
5. While being transported, a sick or injured prisoner will be handcuffed. The only exception would be if the handcuffs would further compound the injuries. When this is the case, the officer will notify his/her supervisor and request a second officer. If the prisoner is to be transported by ambulance one officer will ride in the rear of the ambulance. The second officer will follow with his/her emergency equipment activated, exercising all due regard for the safety of the public.
6. When a prisoner is released from the hospital and transported to the Anne Arundel County Central Holding and Processing Center (CHPC) all hospital paperwork containing details of the prisoner's current condition, medications, and medical instructions shall be obtained from the physician and will accompany the prisoner to the CHPC and turned over to a Booking Officer.

#### **VI. PRISONERS WITH MENTAL HEALTH ISSUES, DISABILITIES, OR ARE VIOLENT/COMBATIVE**

The following procedures apply to police officers who transport handicapped, violent/combative, or mentally disturbed prisoners.

- A. Officers will consider special needs of physically or mentally handicapped persons, but the safety of the prisoner and the officer is the paramount concern. Physical restraints will be used unless they would cause injury to the prisoner. In such cases, two officers will transport the prisoner.
- B. Personal prosthesis, wheelchairs, crutches, prescription medicine, and other similar items will be transported with prisoners who own them.
- C. If a prisoner is confined to a wheelchair, he/she will be transported in a prisoner van. The prisoner's hands will be handcuffed in front.
- D. If a prisoner displays a potential for violence, a caged patrol car should be utilized. Another officer will assist the transporting officer either by following or accompanying the officer. The prisoner will be restrained with handcuffs. The transporting officer may, at his/her discretion, further restrain the prisoner with leg irons or ankle cuffs, red rope, or the Wrap™ (with the approval of a supervisor) as available. Only qualified personnel who have received training in the use of the Wrap™ can use this restraining device. To apply the Wrap™ on violent/combative subjects, two to four officers should be used. Additional officers may be required depending on the level of resistance encountered. Once the prisoner is properly restrained in the Wrap™, they must be monitored and placed on their side or in a sitting position. This will increase the oxygen recovery rate and reduce the incidence of respiratory fatigue. The Wrap™ will not be used on a prisoner known to be pregnant. A supervisor will respond to the scene where the Wrap™ is applied. The use of the Wrap™ will be documented in the incident report.

## **VII. SPECIAL PRISONER TRANSPORT SITUATIONS**

Special prisoner transport details such as visiting a critically ill person, attending a funeral, or attending the reading of a will, will be performed only by order of the court. These details will always be performed by two or more officers. The prisoner will remain handcuffed and shackled at all times unless the order of the court directs otherwise. If the restraints are to be removed, it will be done with all necessary precautions taken by the officers and only for the prescribed period of time as stated in the court order.

## **VIII. TRANSPORT VEHICLES**

### **A. Vehicle Safety Barriers**

Vehicles used primarily for transporting prisoners (80 percent of their use) must have the driver separated from the prisoner by a safety barrier. Communication between the front and rear compartments should not be impaired to the point that conversation cannot be conducted. Installation of such a barrier should be done in a manner that promotes the safety of occupants in the front and rear compartments.

Safety barriers will only be installed in patrol vehicles that have child safety locks on the rear doors and a window control lock that disables the rear windows from being lowered.

### **B. Transport Vehicles Modified to Prevent Escape**

Vehicles used primarily for transporting prisoners will be modified to minimize opportunities for the prisoner to exit from the rear compartment of the vehicle without the aid of the transporting officer. Vehicles used primarily for transporting prisoners should have window cranks and door handles removed from the rear compartment, and door release locks should be operated from the front compartment or from the outside of the vehicle.

If a patrol vehicle with a safety barrier installed is used to transport a prisoner in a rear seat, the child safety locks on the rear doors and the window control lock must be engaged.

### **C. Search of Transport Vehicles**

A search of transport vehicles is required prior to and after transporting prisoners. Each time a prisoner is to be transported, the vehicle should be examined to ensure that no contraband or similar items are present. Most vehicles will not have been under constant security surveillance, and the search should be made under the assumption that an opportunity has existed for the introduction of contraband, weapons, and other items.

### **D. Prisoner Transport Vehicle Inspections**

Officers engaged in transporting prisoners are required to examine their vehicles at the beginning of each shift prior to use for transporting prisoners. It is the transporting officer's responsibility to ensure that the vehicle is safe and equipped with appropriate items, for example, spare tire, jack, lug wrench, and safety flares. The condition of the vehicle itself should be examined, including the proper inflation of tires, fuel and oil levels, ignition system, and engine operation. The transporting officer will ensure that he or she will be able to refuel the vehicle as needed.

**IX. ANNE ARUNDEL COUNTY CENTRAL HOLDING AND PROSSESSING CENTER**

A. The Anne Arundel County Department of Detention Facilities operates the Central Holding and Processing Center (CHPC). All Anne Arundel County Police prisoners who are to be booked are transported to this facility. The CHPC accepts both juvenile and adult prisoners arrested by the Anne Arundel County Police Department. There is a juvenile entrance and an adult entrance.

B. Central Holding and Processing Center Access

1. Arresting/Transporting Officers shall utilize the secure vehicle yard when moving prisoners into and out of the facility. Arresting/Transporting Officers shall request entrance to the secure vehicle yard by contacting the Detention Center control via intercom. Once the vehicle gates have opened, the Arresting/Transporting Officer shall drive into the yard and remain in the vehicle until the gate is closed. Once secured, the Arresting/Transporting Officer shall exit their vehicle with the prisoner, who must be in restraints, and bring the prisoner to the appropriate sally port (juvenile or adult entrance).
2. All firearms and edged weapons (including all pocket knives) are prohibited in the CHPC and must be secured in a weapons locker or vehicle prior to entering the CHPC. Note: Any edged weapons found on a suspect may be brought into the Sally Port area of CHPC to submit as recovered property/evidence, but the item must be secured in the "Pass Hopper" locker inside the "Search" Room as detailed below. Recovered firearms must remain inside the Arresting/Transporting Officer's Vehicle.
3. Arresting/Transporting Officers not in uniform must clearly display appropriate identification at all times.
5. Arresting/Transporting Officers shall be responsible for any authorized ride-alongs that enter the CHPC.
6. Restraining devices will not be removed from a prisoner while inside the CHPC until the prisoner is turned over to a Detention Center Officer for a secondary search.
7. The Arresting/Transporting Officer will thoroughly search the prisoner using the "Search" room prior to turning over a prisoner to CHPC staff. The officer will utilize a metal detector wand on the prisoner during this search. Any weapons that are located during this search, or the initial prisoner search, will be secured in the "Pass Hooper" locker inside the "Search" room, before entering the main CHPC building. After turning over custody of the prisoner to CHPC staff, the officer will enter the "Evidence" room, remove the weapons from the "Pass Hopper" locker, and submit the evidence/contraband into the Anne Arundel County Police Recovered Property/Evidence drop box located in the "Evidence" room, if the item will fit into the drop box per Index Code 1201 or 1202. Note: Firearms recovered from a prisoner during the search will be immediately returned to the Arresting/Transporting Officers vehicle and secured. Firearms must be submitted into Evidence/Property at a District Station. Any CDS recovered from a prisoner may be placed in the "Pass Hooper" locker as described above, or carried directly to the "Evidence" room, to submit into the CDS Drop Box.
8. The Arresting/Transporting Officer will provide pertinent arrest information to the Booking Officer upon entering the main CHPC area.
9. A CHPC Detention Officer will visually check every prisoner for injuries and/or medical conditions to determine if the prisoner requires any immediate medical attention before acceptance into the CHPC. It is the responsibility of the Arresting/Transporting Officer to transport a prisoner to the hospital if CHPC refuses to accept the prisoner.
10. The Arresting/Transporting Officer will immediately alert CHPC staff regarding any prisoner likely to pose suicidal or assaultive behavior.
11. The Arresting/Transporting Officer will disclose all information to the CHPC staff concerning the prisoner, including all injuries sustained during the arrest, any information affecting the security of

- the facility (such as escape risk), or circumstances indication the prisoner is a danger to himself or others.
12. CHPC staff will conduct an additional search of all prisoners. All evidence/contraband located will be turned over to the Arresting/Transporting Officer.
  13. The Arresting/Transporting Officer shall remain in the facility until such time as a Booking Officer reviews arrest paperwork and accepts responsibility for the prisoner.

The following is a list of property that will be accepted by the Central Holding and Processing Center:

1. Clothing being worn
2. Personal legal documents
3. Wallet and contents
4. Purse/Small backpack and contents
5. Cell Phones
6. Limited personal jewelry of modest value
7. Prosthetic devices deemed to be medically necessary
8. Prescribed medications
9. Personal use amount of legally possessed cannabis

All other property recovered from an arrestee transported directly to the CHPC will be submitted as recovered property per Index Code 1201, if the items can fit into the Recovered Property/Evidence drop box or CDS drop box located in the "Evidence" room at the CHPC. Evidence and contraband recovered from an arrestee will be submitted per Index Codes 1201.1 and Index Code 1202.

C. CHPC staff will notify the Anne Arundel County Police Department to respond and take custody of any AACPD arrestee believed to possess a risk to harm themselves (needs a Petition for Emergency Evaluation), who has been released by the Commissioner's Office and will not be committed to the Detention Center. The responding officer will follow procedures per Index Code 1830 in these cases.

## **X. PRISONER SEARCHES**

### **A. Types of Prisoner Searches**

#### **1. Pat-Down**

A pat-down search is an inspection of the prisoner's clothing to determine whether that person is secreting any property that it is unlawful to possess, or any property that may be utilized as a means to effect an escape, or cause injury to another person, or that may enable the prisoner to destroy evidence. Every prisoner will be subject to a pat-down search by the transporting officer before being transported.

#### **2. Strip Search**

A strip search is when an arrested person's clothing is removed or rearranged so as to permit a visual inspection or a physical examination of the genitals, buttocks, anus, breasts or undergarments of such person, which does not meet the definition of a body cavity search. A limited version of this search, called a "reach in" search, in which an arrestee's clothing is manipulated such that the officer can reach in and retrieve evidence or contraband without exposing the arrestee's private areas, may be performed by an officer during an on-scene arrest in a public place, if certain requirements are met. They are (1) the officer must have reasonable suspicion that evidence or contraband is being concealed on the arrestee's body; (2) the arrestee's clothing can be rearranged or pulled away from his/her body but should not be removed unless there are exigent circumstances; (3) the private areas of the arrestee's body should not be exposed to open view unless there are exigent circumstances; and (4) the officer must take steps to protect the arrestee's privacy by conducting the search out of view of the public and any officers who are not involved in the search or providing security for the searching officer.

#### **3. Body Cavity Search**

A body cavity search is a visual or physical examination into the body's recesses, including the anus, vagina, and internal organs of the body.

### **B. Prisoner Search Limitations**

#### **1. Pat-Down Searches**

Pat-down searches of persons of the opposite sex, which are conducted incident to arrest and at the point of arrest, are permissible if no police officer of the same sex as the arrestee is immediately available to respond to the scene and conduct the search. Officers conducting pat-down searches under these circumstances will exercise the utmost discretion and will ensure that the extent of the search does not exceed the purposes or limits stated above.

Subsequent pat-down searches of prisoners, which are required prior to transporting the prisoner from one location to another, will be conducted by police officers of the same sex as the prisoner.

**2. Strip Searches**

Strip searches of prisoners, besides “reach in” searches, require the permission of a police lieutenant or above, and must be based on reasonable suspicion that evidence or contraband is being concealed on the arrestee’s body. Persons will not be strip-searched in public, nor will persons be strip-searched by or in the presence of persons of the opposite sex. Whenever a member of this department is required to strip search a prisoner, he/she will write an incident report describing the circumstances.

**3. Body Cavity Searches**

A body cavity search requires a search warrant, and may be conducted only by a licensed medical professional, such as a physician, physician’s assistant, or nurse.

A body cavity search may be conducted based on probable cause relating to the concealment or potential destruction of vital evidence. This includes the concealment of CDS or other evidence discovered during the booking process at the CHPC, via the body scanner. If a person has been arrested, the body cavity search must be conducted prior to the prisoner being seen by the Court Commissioner for their initial appearance. Such searches will be initiated only on the approval of an officer of the rank of police lieutenant or above. The officer requesting the body cavity search will submit an incident report detailing the reasons for the search, the results of the search, the name of the person conducting the search, and all other relevant details.

**XI. PROPONENT UNIT:** Bureau of Patrol.

**XII. CANCELLATION:** This directive cancels Index Code 2003, dated *08-01-23*.