



# TRANSPORTATION OF PRISONERS CONFINED TO A WHEELCHAIR

**INDEX CODE: 2003.2**  
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### I. PURPOSE

It is the policy of this department to transport prisoners with the highest regard for the safety of the public, the transporting officer, and the prisoner. Transportation by law enforcement agencies of persons who are in custody is a frequent activity. Situations may arise when a physically disabled person confined to a wheelchair must be transported. This directive is written to provide officers with a procedure that will provide a safe and secure environment when those special circumstances exist. As law enforcement personnel perform prisoner transports, they should be prepared to provide adequately for the safety and security of the prisoner and transporting officers. The transporting officer is legally responsible for the safety and custody of the prisoner being transported.

### II. POLICY

It is the policy of this Department that persons confined to a wheelchair will not be arrested and taken into custody unless the disabled person has committed one of the crimes listed in section III.B of this directive. Officers will issue a ***criminal citation (if applicable) or submit an application for Statement of Charges***, in lieu of physical arrest, when any other crime has been committed. ***An on-scene supervisor may approve a deviation from this policy.*** If a person confined to a wheelchair of any type, including folding wheelchairs, is taken into custody, the officer will not transport the prisoner in a patrol vehicle or in a department prisoner van. The Office of Transportation allows our Department to utilize their vans for the transportation of a prisoner confined to a wheelchair. These vans are properly equipped to ensure a safe and secure environment for the officers and the needs of the prisoner confined to a wheelchair. These vans are to be used only when transportation of a physically disabled wheelchair confined arrestee is necessary.

### III. OPTIONS FOR ARREST

#### A. Criminal Citation or Application for Statement of Charges

Offenders who are confined to a wheelchair will be issued a criminal ***citation (if applicable) or an Application for Statement of Charges will be submitted***, in lieu of a physical arrest, when a crime is committed with the exception of the crimes listed in section "B" of this index code. ***An on-scene supervisor may approve a deviation from this policy***

#### B. Physical Arrest

Offenders who commit any of the following crimes will be placed under arrest and the procedures outlined in this directive will be followed during transport.

- Abduction
- Arson
- Kidnapping
- Manslaughter

- Murder
- Rape
- Robbery
- Mayhem
- Use of handgun in commission of felony
- Assault with intent to murder
- Assault with intent to rape
- DUI or DWI

In cases where a defendant has committed a crime that is not mentioned in the above listing and that defendant does not have sufficient evidence of his/her identity or place of residence, the defendant will be informed that unless that information is obtained, physical arrest will be necessary. Officers are encouraged to use physical arrest only as a last resort in such cases.

#### **IV. TRANSPORT POLICIES**

##### **A. Access to Office of Transportation Vans**

If transportation is necessary during the hours of 0545 and **1700** hours, the supervisor will call the Office of Transportation at 410-222-0292. The supervisor will make their request first to Rodney Tasker, and then to Sherry Bryson. Once a van driver has finished their assigned route, the van will be dispatched to the officer's location. The officer will then ride as a passenger with the Office of Transportation driver while the prisoner is in transport. It may be necessary for that driver to leave immediately after the arrestee has been transported to his/her first destination and a second request be made for any further transports. Supervisors will ensure that the Office of Transportation driver and van are not delayed unnecessarily due to prior and continuing commitments required by the Office of Transportation to service the special needs of the county citizens.

After 1800 hours, the Office of Transportation vans will be located near the gas pumps located at Headquarters and at the Heritage Center at 2666 Riva Road, Annapolis. The key for the vans at Headquarters will be maintained in the supervisors' office in Communications. The keys for the vans located at the Heritage Center will be maintained in the Southern District's Sergeant's Office.

The supervisor or acting supervisor will send an officer from his command to pick up the van from one of the locations and drive it to the place of arrest and transport the arrestee to the station for processing. The officer using the van must sign out the keys in the appropriate log book at each facility.

Once transport needs have been met, the van will be returned to the location where it was obtained from and the keys will be returned to the appropriate location. The officer returning the van must sign the log book indicating that the van and keys were returned.

If a van cannot be located after **1700** hours a supervisor may contact Sherry Bryson at 410-370-7182 or 410-255-2228, for assistance in locating a van.

##### **B. 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.

##### **C. Prisoner Restraint During Transport**

Prisoners are to be restrained during transport. The prisoner will be secured by handcuffing one hand to the frame of his or her wheelchair. The handcuffs will be double-locked and secured in a manner that will be secure and comfortable to the prisoner. The prisoner will be seat belted with the special belts in the vans. Officers will ensure that prisoner restraints do not injure prisoners.

#### **V. PROPONENT UNIT:** Bureau of Patrol.

#### **VI. CANCELLATION:** This directive cancels Index Code 2003.2, dated **01-25-21**.