

**CITY OF SCHERTZ
POLICE DEPARTMENT**

Policy: 8.13 Title: *PRISONER / PERSON TRANSPORT*

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I. POLICY

Transporting persons, whether in custody or not, is a constant requirement and a frequent activity performed by officers. It is the policy of the Schertz Police Department to transport persons with the highest regard for the safety of the public, the transporting officer, and the prisoner. The transporting officer is responsible for the safety of the persons being transported.

II. PURPOSE

The purpose of this policy is to establish procedures to ensure that persons transported by members of this department are transported safely and securely.

III. PROCEDURES

A. General

1. Transporting officers shall be alert, attentive and will take precautionary measures to reduce the probability of injury to any person being transported, employees and citizens.
2. Transporting officers shall take preventative measures to ensure a person in custody does not escape during transport.
3. Unless in exigent circumstances, all prisoners shall be transported in department vehicles equipped with a prisoner partition or cage.
4. All vehicles utilized for transport shall have a working in-car audio and video recording system.
5. All transports, whether prisoner, witness, complainant, courtesy ride or citizen, shall be recorded by the use of the vehicles in-car audio and video recording system.
6. Officers may transport witnesses, complainants or provide courtesy rides to those in need.
7. Unless related, a prisoner known or believed to be under seventeen (17) years of age (juvenile) shall not be transported with an adult prisoner. For the purpose of a courtesy ride not involving prisoners, it is acceptable to transport adults and juveniles together.

B. Transport equipment

1. Marked patrol vehicles shall be equipped with partitions restricting a prisoner to the rear passenger compartment of the vehicle. Further security measures shall include transport seats, window guards and door panels that minimize the risk of escape, damage to the vehicle or injury to the prisoner.
2. Marked patrol vehicles assigned to Sergeants are not required to be equipped with prisoner partitions and other security measures if so desired.
3. Department transport vans shall be equipped with a prisoner transport insert that allows for the separation of prisoners by providing two (2) different compartments, having the ability to separate male and female prisoners during transport.

C. Searching the transport vehicle

1. Officers shall inspect and search their vehicles at the beginning and end of each shift to ensure that their vehicles are safe and free of weapons, property, evidence and contraband.
2. Transporting officer(s) shall search the transporting vehicle immediately prior to each prisoner transport to ensure that no weapons, property, evidence or contraband is available to the prisoner.
3. Furthermore, after delivering the prisoner to their destination, the transporting officer(s) shall again search the transporting vehicle to ensure that the prisoner did not hide or leave behind any weapons, property, evidence or contraband.
4. Officers shall also check the transporting vehicle prior to and after each transport to ensure that the vehicle is clean and free of any bodily fluids or debris.
5. If the transport vehicle is contaminated, it will not be used for transport of any type and shall be cleaned as soon as possible. Officers shall be mindful of the department's Infections Material and Disease Control policy in cleaning a contaminated vehicle.

D. Searching prisoners prior to transport

1. Officer shall always search a prisoner before placing the prisoner into the transporting vehicle. Officers must never assume that a prisoner does not possess a weapon, contraband, evidence or that someone else has already searched the prisoner. The transporting officer shall conduct a search of the prisoner each time the prisoner enters their custody.
2. When handling and searching prisoners, officers shall remain mindful of the department's Infections Material and Disease Control policy and shall use personal protective equipment when necessary.
3. Any items removed from the prisoner prior to transport will be securely maintained and returned to the prisoner or turned over to the person receiving the prisoner upon arrival at the location of detention.

4. Any contraband or evidence removed from the prisoner shall be secured as evidence and submitted in accordance with department policy.

E. Positioning of prisoners and vehicle type

1. All police department vehicles used for transporting prisoners shall be equipped with a prisoner partition or cage.
2. When an officer transports a prisoner, the prisoner shall be positioned in the rear passenger seat and secured with a seat belt. Prisoners shall be handcuffed in accordance with Policy 6.1 Use of Force.
3. Unless related, male and female prisoners will not be transported in the same vehicle together unless the department transport van is utilized, which is equipped with a dividing partition to separate both male and female prisoners.
4. If transporting two (2) prisoners at the same time in a patrol unit, one prisoner will be positioned in the rear passenger side and the other on the rear driver's side seat. If there are three (3) or more prisoners to be transported at the same time, officers shall utilize the department transport van.
5. Officers shall not transport prisoners in a prone position.

F. Transporting

1. When transporting a person, whether in custody or not, the officer shall verify the identity of the person being transported.
2. Prior to transporting a prisoner, the transporting officer shall obtain all paperwork, property and/or medical records on the prisoner from the officer or individual releasing custody of the prisoner.
3. Upon starting the transport, the transporting officer(s) shall:
 - a. Activate the in-car or other video / audio recording system for the duration of the transport. In cases of the in-car video system failing during transport, the transporting officer shall activate their body worn camera for the duration of the transport.
 - b. Contact the communications center via radio, advising of where the person is being transported, the gender of the person, the transporting vehicles odometer mileage and starting location. The communication center shall log the transport information and broadcast the starting time of the transport via the radio.
 - c. The transporting officer shall go directly to their destination by using the shortest practical route. The communications center shall be notified of any stops or deviations to the identified destination, such as being delayed by a train. Any changes from what would be the most direct route shall also be shared with the communications center.

4. Upon arrival at the destination, the transporting officer shall contact the communications center via radio, advising of arrival location, the transporting vehicles ending odometer mileage. The communications center shall log the date, time and the odometer reading.

G. Prisoner Communication with Others

1. A prisoner will not be permitted to make telephone calls or communicate with anyone while being transported.

H. Prisoner / Person Observation and Medical Emergencies

1. During transport, officers shall monitor the transported person's actions and behavior for signs of distress, injury or other medical conditions.
2. Under no circumstances shall anyone (prisoner, witness, complainant, citizen, etc.) be left unattended in the secured area of a department vehicle. Unattended shall include:
 - a. Out of sight of the vehicle and subject, no matter how brief a time.
 - b. Out of direct control of the vehicle, a distance that is too far to give immediate assistance if necessary or the ability to hear a plea for assistance.
3. If a person appears lethargic, particularly after an active confrontation or incident, appears unresponsive, or an officer has any doubt about the person's health, officers shall summon medical assistance immediately.
4. Officers shall ask an apparently ill or injured person if they need medical attention. If they advise "no", but there is still concern for the person's health, officers shall immediately summon medical assistance.
5. If during transport a concern arises about the persons health, the transporting officer shall:
 - a. Notify the communications center of the need for medical assistance and the officer's location.
 - b. If immediate medical attention is not readily available, the transporting officer shall transport the prisoner to the nearest medical treatment facility.

I. Injured or Sick Prisoners

1. A prisoner who is injured or sick prior to or during an arrest situation will not be transported to any jail or detention area until they receive medical attention, either by EMS, at a hospital, or other medical treatment facility.
2. If the prisoner declines or refuses treatment, the refusal will be obtained in writing.
3. If the prisoner refuses to provide written refusal for medical treatment, the officer shall have the attending EMS technician, physician or nurse sign the refusal form as witnesses.
4. When a prisoner is transported to a hospital or medical treatment facility, the following will apply:

- a. While at the hospital or medical treatment facility, caution will be taken to ensure that the prisoner is isolated from other patients and is not left unattended, or permitted to escape the immediate control of the transporting officer.
 - b. 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.
 - c. The transporting officer will remove the restraints only when it is deemed absolutely necessary and is requested to do so by medical staff for the purpose of a medical procedure.
5. While being transported, a sick or injured prisoner shall be handcuffed. The only exception would be if the handcuffs would further compound an injury with the person hands secured behind their back. In this case, the transporting officer has the option to:
 - a. Secure the prisoners hands in front of them, apply leg restraints and request a second officer to ride along for the transport.
 - b. Contact EMS and have the prisoner transported via EMS, with the prisoner secured to gurney during transport.
 - c. If the prisoner is to be transported by ambulance, one officer will ride in the rear of the ambulance while the second follows behind the ambulance.
 - d. If the medical need of the prisoner justifies an emergency response to the hospital, the second officer will follow with their emergency lights and siren activated, exercising all due regard for the safety of the public.
6. When a prisoner is released from the hospital and transported to the jail or other holding facility, medical treatment paperwork containing details of the prisoner's current condition, medications, and medical instructions shall be obtained and will accompany the prisoner. Upon releasing the prisoner, all medical paperwork will be turned over to the jail or detention facility.
7. If the prisoner must be admitted to the hospital, the officer shall contact the on-duty supervisor. The supervisor, in turn, shall consult with the magistrate or the city judge. The supervisor shall observe the following procedures to ensure control of the prisoner:
 - a. If the prisoner is admitted and the prisoner was arrested for a felony, arrange for officers to maintain custody. If possible, request the presence of a magistrate and arrange for the magistrate's transportation to the hospital so that bail can be set.
 - b. Assist the magistrate in arraigning the prisoner, if necessary, or stand by while the magistrate issues a warrant.

- c. Serve the warrant, if one has been issued. If the magistrate will not release the arrestee on personal recognizance, then maintain officer's presence until the prisoner makes bond or the case is filed. When the case is filed, the on-duty supervisor will work with the Sheriff's Office in order to transfer responsibility of the prisoner to the Sheriff's Office.
- d. The supervisor shall ensure that officers are checked periodically and relieved as necessary until the prisoner is released or transferred to the Sheriff's Office.
- e. The prisoner shall be kept under observation at all times and, in most cases, restraining devices shall be used. Officers shall consult with medical personnel concerning the use of restraining devices.

J. Transporting violent prisoners

- 1. If faced with transporting a dangerous or violent prisoner that presents a security hazard, officers shall:
 - a. Secure the prisoner with both hand and leg restraints.
 - b. A second officer will ride with the transporting officer for safety.
 - c. Advise the communications center via radio of the prisoner's behavior and request the jail or destined facility be notified of the incoming violent prisoner.
 - d. Go directly to the destination by using the shortest practical route.
 - e. During transport, the officers shall provide regular updates on their location, therefore providing an estimated time of arrival to their destination.

K. Prisoners with disabilities

Officers have an obligation to provide "reasonable accommodations" for disabled prisoners. This obligation requires officers to ensure disabled prisoners are not subjected to the possibility of injury or handling in a disrespectful nature during arrest and transportation procedures.

- 1. Officers will consider special needs of physically handicapped persons, with the safety of the prisoner and the officer being paramount.
- 2. The prisoner will be restrained with handcuffs. Based on the type of handicap officers may, at their discretion, utilize other authorized restraint devices such as leg irons or hobble restraints.
- 3. Personal prosthesis, wheelchairs, crutches, prescription medicine, and other similar items will be transported with prisoners who own them.
- 4. If a prisoner is confined to a wheelchair, they should be transported in the transport van with their hands cuffed in front. The transport van also always the room needed to transport the wheelchair.
- 5. Additional officers may be required depending on the level of assistance needed prior to, during and at the end of the transport.
- 6. In some cases, and keeping the prisoner's safety in mind, it may be in the best interest of the prisoner to have EMS transport for officers.

- J. Stopping to provide police services while transporting
1. Officers who are transporting prisoners may not stop to render police services except in the most exigent circumstances and as a last resort to prevent the loss of life or immediate serious bodily harm.
 2. 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 a transporting officer consider to stop and render assistance.
 3. When transporting a violent, dangerous or high profile prisoner, officers shall not stop transport under any circumstances.
 4. Whenever a transporting officer stops to render police service, they shall resume the transport as soon as possible upon the arrival of other officers.
 5. Under no circumstances shall an officer transporting a person or prisoner engage in a pursuit.
 6. Officers shall notify dispatch of any incident that requires a police response during transport of a person or prisoner.
- K. Escape
- If a prisoner escapes while being transported, the transporting officer shall observe the following procedures.
1. Request assistance immediately from the jurisdiction the officer is in at the time of the escape. The transporting officer shall immediately provide dispatch with the following information:
 - a. Location.
 - b. Direction and method of travel and means of escape.
 - c. Name and physical description of escapee.
 - d. Possible weapons possessed by the escapee.
 - e. The nature of the offense, which resulted in the arrest.
 2. Attempt to recapture the escaped prisoner as soon as possible.
 - a. The transporting officer shall submit a written report through the chain of command, to the Chief of Police, as soon as practicable explaining the circumstances of the escape.
- L. Arrival at destination jail or holding facility
1. Upon arrival at the destination, the transporting officer shall observe the following procedures:
 - a. Firearms shall be secured in the designated place at the facility being entered. If there are none, all firearms and any other weapons shall be locked in the trunk or storage box of the transporting vehicle.
 - b. Any restraining devices used on the prisoner shall be removed only when directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure within the accepting facility.

- c. The proper paperwork (booking sheet, arrest report, property form, etc.) shall be submitted to the receiving facility and, in situations that require it, the officer shall ensure that proper signatures are obtained on paperwork to be returned to the department.
- d. The transporting officer will notify the accepting facility if a prisoner has any potential medical, mental health or security hazards, or if the prisoner is considered an unusual security risk.

M. Documentation

Officers shall document all prisoner transports, notating any unusual circumstances, events, illness or injuries within the report. Officers will also list the names of the personnel from and to whom the prisoner was released or transferred to.

By order of

Michael R. Hansen
Chief of Police