

## Salisbury University Police Department

### CHAPTER 70 – DETAINEE TRANSPORTATION

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### CHAPTER 70 – DETAINEE TRANSPORTATION

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*The directives in this chapter relate to the detainee transport function and the agency's responsibility to protect and ensure the safety of the detainee and the public during transport.*

#### **70.1 Transport Operations**

##### **70.1.1 Search of Detainee Prior to Transport**

The transporting officer is legally responsible for the safety and custody of the detainee being transported. Officers shall comply with the following procedures at all times:

- A. Immediately after a person has been placed under arrest and is physically taken into custody, for the purpose of officer safety, a thorough search will be made of the detainee, to include clothing, purses, etc. within his/her control and the detainee will be properly handcuffed. The arresting and/or transporting officer will not depend upon another officer to conduct this search. Personally search each detainee prior to the transport. All persons arrested will be handcuffed, with double-locking mechanism engaged, behind their back, unless a physical or medical condition dictates otherwise, to ensure safety of the officer. Officers will note that this action occurred in case report involving the arrest and transport of a detainee.
- B. In the case of an adult detainee, he/she will be transported without delay to the Wicomico County Detention Center's Central Booking facility. Detainees may be transported to the police department if additional investigation, interviews, testing, etc. is required prior to transport to Central Booking.
- C. Officers will advise the Police Communications Center via radio that the officer and detainee will be en route to the department. Officers transporting detainees to the University Police Department's temporary detention area will drive to the rear parking lot and enter the squad room via the rear door. Communications personnel shall ensure that video/audio monitoring is initiated once the officer arrives in the back parking lot. All monitoring will continue at all times the detainee is in the processing or detention areas. Officers will secure their weapon in the wall-mounted gun locker located in the Squad Room prior to entering either temporary detention area and/or removing handcuffs from a detainee. Weapons will be placed in the gun locker and the key will be removed and be maintained by the officer until the processing of the detainee is complete. At all times when a detainee is located in the temporary detention area, two officers shall be present, if available, especially if the detainee is the opposite gender of the officer.
- D. The officer will search the temporary detention area(s) to ensure that no weapons, contraband or other items are available to the detainee. Officers will secure the detainee by placing handcuffs to one of the large rings attached to the bench. Officers will closely monitor the detainee at all times while the detainee is in the temporary detention area and will log on SUPD form 025 the times at which the officer visually inspects the detainee. In the case of juveniles, SUPD form 020 – Juvenile Detention log - will also be completed.

Refer to 71.3.3

- E. Once processing of the detainee has been completed, he/she will be removed from the temporary detention area and, in the case of juveniles, released to a parent or guardian, unless the juvenile requires transport to the Lower Eastern Shore Children's Center. In the case of adults, whose transport may continue to a detention facility, officers will ensure that the detainee continues to be secured by handcuffs placed behind his/her back. Officers will remove their weapon from the gun locker, secure the weapon on their duty belt and continue with the detainee to the detention facility.
- F. When searching a detainee of the opposite gender, the officer will request the assistance of a second officer on duty to observe the search of the detainee if an officer of the opposite gender is not on duty. When necessary, UPD officers will make contact with allied agencies to request the assistance of an officer of a specific gender.
- G. The policy concerning procedures for strip and body cavity searches shall be conducted in accordance with Chapter 1.2.8.
- H. When transporting any detainee (male, female or juvenile), the transporting officer will:
  - 1. Contact the University Police Communications Center via radio and advise the beginning odometer reading at which time communications personnel will respond by recording the time via radio;
  - 2. The transporting officer will proceed directly to the detention facility using the shortest route possible; and
  - 3. Upon arrival at the detention facility, the transporting officer will contact the communications center via radio and advise the ending mileage at which time communications personnel will record the time via radio.

### 70.1.2 Examination of Transport Vehicles

The University Police Department does not have a designated detainee transport vehicle therefore every officer is required to inspect their assigned patrol unit at the beginning and end of their shift; completing form 011 – Vehicle Inspection and noting the officer's findings. Any items of contraband, possible weapons or other items located shall be brought to the immediate attention of the Squad Supervisor.

During the shift, any patrol vehicle that is used to transport a detainee will be searched ***before***, and ***immediately after*** transporting a detainee. It is important to search the entire seat area; paying close attention to where the detainee will be/was seated. This search will be conducted to ensure that no contraband or weapons are in the vehicle prior to detainee transport and to ensure that the detainee has not left anything in the patrol unit when he/she was removed. Officers will note that this inspection occurred in any case report involving a detainee transport.

### 70.1.3 Positioning of Detainees in Transport Vehicles Without Safety Barriers

For safety reasons, detainees should be under control at all times; minimizing any opportunity for escape or attack on transporting officers as much as possible. Detainees will be handcuffed at all times behind their back unless a physical or medical condition exists which prohibits the use of restraints behind the detainee. As a preventative measure, the placement of detainees during transport without a safety barrier shall be:

- A. When one officer is transporting one detainee, the detainee will be placed on the rear, passenger side seat.

- B. When one officer is transporting more than one detainee in a vehicle, the detainees will be placed on the rear passenger seats.
- C. In situations where two officers are transporting one detainee in vehicles, second officers and detainees will sit on the rear seats. Detainees will be seated on the side away from second officers' weapons.
- D. In situations where two officers are transporting two detainees in vehicles, detainees will be seated on front passenger and rear passenger sides with the second officer seated behind the driver. No more than two detainees will be transported in patrol vehicles.
- E. In situations where officers are transporting detainees seated on rear seats, rear seat window operations will be electronically locked out and door opening mechanisms over-ridden.
- F. Extremely disorderly or violent detainees will be transported by two officers, if possible. In all cases where two officers are necessary for the transport and only two officers are working, a request for assistance by an allied agency will be made by the Supervisor/OIC.
- G. Upon arrival at the detention facility, officer(s) will ensure that there are no escape routes and that there are no potential weapons available to the detainee.
- H. In all detainee transports, safety belts will be used.

#### **70.1.4 Interruption of Detainee Transport**

Under no circumstances shall officers make stops (for meals, toilet facilities, residence halls, etc) during detainee transports. This serves to minimize any opportunity for escape by the detainee or safety risks to the public. When transporting a detainee, the transporting officer will respond to the need to provide law enforcement services **only** in the following situations, after ensuring the detainee is secure and protected:

- A. When there is a need to act immediately in order that a potential victim is not harmed;
- B. When a victim has been injured and assistance is immediately required;
- C. When a crime is in progress and there is an immediate need due to safety reasons that the suspect be apprehended;

Refer to 41.2.7 – Mental Illness (Transports)

#### **70.1.5 Detainee Communication**

Detainees should not communicate with anyone other than the officer conducting the transport. If the detainee's attorney wishes to speak to the detainee, he/she shall be directed to speak to the detainee at the detention facility. Detainees will not be permitted to use any cellular telephones during the period they are in transit to or upon arrival at a detention facility.

### **70.1.6 Arrival at Detention Facility**

When transporting detainees to a detention facility, the transporting officer, upon arrival at his destination, shall comply with the following procedures:

- A. When transporting to a detention facility with an enclosed sallyport area (ie. Wicomico County Detention Center, Lower Eastern Shore Children's Center), firearms will be secured in the trunk of the patrol vehicle prior to removal of the detainee(s) from the patrol vehicle. When transporting to a facility without an enclosed sallyport area, firearms will be placed in a secure designated location within the facility.
- B. Restraining devices will be removed only when directed to do so by the receiving officer at the facility.
- C. The proper documentation (warrants, charging documents, etc) will be submitted to the receiving officer at the detention facility;
- D. The receiving facility/agency personnel are to be informed by the arresting/transporting officer of any potential medical or security risks regarding the detainee; and
- E. In situations so required, the officer will ensure that the signature of the receiving officer and/or written documentation detailing the transfer of custody of the detainee is obtained. Officers will note in the written case report to whom the custody of the detainee was released.

### **70.1.7 Detainee Escape in Transport**

In the event a detainee escapes from custody while positioned in or being transported in the patrol unit, while in the temporary detention area of the department or in any other location while the detainee is in custody of a UPD officer, the officer(s) involved will:

- A. Request immediate assistance from other agency officers on duty as well as other officers in the jurisdiction where the escape occurred. University Police officers will offer assistance in order to recapture the detainee as soon as possible. SUPD communications personnel will broadcast via the radio the escapee's physical and clothing description, direction of travel and any other pertinent information regarding the escapee to all surrounding law enforcement agencies (Salisbury Police Department, Wicomico County Sheriff's Office, Maryland State Police, Fruitland Police Department, etc.)

The Squad Supervisor will brief the on-call Commander with all available information in an effort to determine the need for additional actions to be taken. These actions may include:

- 1. Deploying additional manpower to the search area;
- 2. Conducting neighborhood canvasses;
- 3. Coordinating search efforts with neighboring jurisdictions, if warranted;
- 4. Contacting the University's PIO to coordinate assistance from and notification to the media; and
- 5. Activation of the emergency alert notification system, as appropriate depending upon the circumstances, to include whether the escape occurred from the agency's temporary detention area or in a location on or off-campus. The Squad Supervisor is also responsible for ending the alert, if activated, and notifying all agencies once the detainee is apprehended.

- B. The arresting/transporting officer will submit a written report via the chain of command to the Chief of Police explaining the circumstances of the escape. This report will be completed and submitted prior to the end of the officer's tour of duty.
- C. All University Police officers will make every attempt to locate the escapee and provide pertinent information to communications personnel for dissemination to other units and/or police agencies. The supervisor of the involved officer shall initiate an administrative investigation into the escape in order to determine if any agency policies were violated and if any changes in policies or procedures are needed to prevent a reoccurrence.
- D. Escapees who are re-captured will be charged accordingly in addition to the initial charges leading to their arrest.

Refer to 71.5.1

### **70.1.8 Transport of Security Risk Detainees**

When a detainee, to be transported to another agency, facility (to include medical facility) or court, is considered dangerous or an unusual security risk, the appropriate agency, facility personnel or Judge will be notified by SUPD officers/Communications Center personnel before the transport takes place. This will ensure that precautionary measures and proper handling of the detainee can be planned to minimize any chance of escape and/or injury to the detainee, receiving personnel or the public, as appropriate upon arrival at the intended destination. Any communication with any of the above locations/personnel shall be documented by officers in the written report or through the CAD system if contact is made by Communications personnel.

Refer to 41.2.7

## **70.2 Restraining Devices**

### **70.2.1 Restraining Devices Used During Transports**

Detainee transportation by this department is limited to transportation from the scene of the arrest to the department's temporary detention area, the Wicomico County Detention Center's Central Booking Unit, or the Lower Eastern Shore Children's Center, etc except during extraditions, as necessary. Detainees will be restrained by officers prior to any transport upon arrest as follows:

- A. Detainees will be restrained in handcuffs, double-locked or flex cuffs behind their back prior to being placed in a patrol vehicle - unless a serious physical or medical condition dictates otherwise;
- B. Ankle/Leg restraints shall be utilized as needed in order to minimize the risk of injury and/or escape and/or damage to the patrol vehicle;
- C. Under no circumstances will a detainee be handcuffed to any part of the patrol unit itself, such as the door post, etc;
- D. In instances when an officer encounters a disturbed or extremely violent detainee, the officer will request the assistance of an allied police agency which utilizes a transport vehicle (with cage/barrier). When the use of a straitjacket becomes necessary, the officer will request the use of a straitjacket from the Wicomico County Detention Center to complete the transport.

- E. Under no circumstances will a detainee be placed in or transported in a prone position with his/her hands and feet restrained as practices of this nature may cause “positional asphyxia” during restraint.
- F. Transporting officers, when having a disabled detainee, must use common sense while transporting these individuals. When the disability is such that there is no danger of escape or injury to the detainee or the officer, then restraining devices may be inappropriate. The officer must determine during the time and circumstances of arrest of a disabled individual whether any device will be utilized. If a device is not prudent, a second officer may be requested for safety reasons.

Refer to 41.2.7 – Mental Illness (Section C, 8-d)

### **70.3 Special Transport Situations**

#### **70.3.1 Transporting Sick, Injured or Disabled Detainees**

At any time prior to, during, or after the arrest of an individual, that person is injured or becomes sick, the officer will seek immediate medical attention for the detainee. Medical attention must be obtained prior to transporting the detainee to the booking facility if the sickness or injury occurs prior to arrival at the facility.

At any time a detainee sustains injury while in the custody of any officer of this department, a written memorandum explaining the circumstances leading to the injury will be made and forwarded via the chain of command to the Chief of Police prior to the officer ending his/her tour of duty.

The transporting officer must use the same discretion as outlined in 70.2.1 (F) in utilizing restraining devices on sick, injured or disabled detainees; particularly if the detainee has a pre-existing condition or is totally incapacitated. The officer must use his/her own discretion in ensuring the safety of the detainee and the officer during transport.

When transporting a disabled detainee, the transporting officer will request assistance from another officer when needed in order that the transport may be completed in a manner that is most convenient, comfortable and safe for the detainee and the officer. The officer will ensure that required medical appliances such as wheelchairs, crutches, etc. and/or medicine accompanies the disabled detainee to his/her destination.

Once the officer transfers custody of the detainee to the booking or other facility, any type of custodial contact ends.

Refer to 41.2.7 – Mental Illness (Section C, 8-d)

Refer to 71.3.1 (M)

#### **70.3.2 Security and Control of Detainees Transported to Medical Facility**

When it becomes necessary to transport a detainee, post-arrest, to a medical facility for treatment and examination, the officer will notify the on-duty Squad Supervisor who will use the following procedures:

- A. The detainee will remain in police custody at all times at the medical facility. The officer will confer with the facility’s security staff and the medical staff regarding the continued use of restraining devices if treatment is not affected by the use of these devices.

- B. If the removal of these devices becomes necessary, the detainee will be monitored continuously to prevent the possibility of escape.
- C. If detainees are admitted to medical facilities, SUPD arresting officers will contact supervisory personnel and determine whether to:
  - 1. Release the detainee from custody and apply to warrants; or
  - 2. Remain with the detainee until they are released from medical care.

Refer to 71.3.1 (M)

### **70.3.3 Transporting Detainees in Special Situations**

The University Police Department does not transport detainees in special situations to include funerals or special events.

Refer to 70.3.2 – Medical Facilities

## **70.4 Transport Equipment**

### **70.4.1 Safety Barriers Between Driver and Detainee**

The University Police Department does not maintain patrol vehicles primarily for detainee transports.

Refer to 70.1.3

### **70.4.2 Patrol Vehicle Security**

Refer to 70.1.3 (E)

## **70.5 Documentation**

### **70.5.1 Identification of Detainees**

Each detainee being transported from one facility to another must be positively identified as the person to be transported.

- A. The officer releasing a detainee for transport or an officer picking up a detainee in another jurisdiction is responsible to see that positive identification occurs through the following methods, as appropriate:
  - 1. The authorizing documentation (i.e. warrant, teletype, committal papers) is checked against the booking information and description;
  - 2. Actual physical description of the detainee information from the documentation is compared to the information on the booking documentation and visual inspection of the detainee;
  - 3. Verbal confirmation by the detainee regarding his/her name and date of birth;
  - 4. The officer's personal knowledge of the detainee.



- B. Any detainee transported between facilities must be accompanied by committal papers issued by the court, along with any personal property of the detainee and any other applicable documentation.

Prior to the release of any detainee to another jurisdiction or agency, the on duty supervisor or OIC shall verify the authenticity of the documentation authorizing the release of the detainee. A copy of the releasing documentation will be kept in the appropriate case file.

- C. The transporting officer, whenever picking up or transferring custody of a detainee shall seek or provide documented information about the detainee's security risk, escape or suicide tendencies, unusual illnesses, and any other personal traits of a security nature.

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Edwin Lashley  
Chief of Police