

LITTLETON POLICE DEPARTMENT

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POLICY #: 20-6

SUBJECT: Prisoner Transportation

Last Revision Date: July, 2020

NOTE: This written directive is for the internal governance of the Littleton Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

POLICY:

Proper security measures while transporting prisoners are of paramount concern. The safety of the transporting officer, the security and welfare of prisoners and mentally disturbed persons, as well as the safety of the public is critically important. Therefore, it is the policy of the Littleton Police Department to ensure that all persons arrested will be properly and safely transported, detained and processed.

PURPOSE:

The purpose of this policy is to establish procedures to ensure that prisoners are transported in a manner that will maximize prisoner and officer safety. Officers must ensure that prisoners are adequately controlled and restrained so that they do not escape from custody and are not placed in situations that could result in increased danger to themselves or the public.

PROCEDURES:

Definition:

Prisoner: For the purposes of this directive, "prisoner" shall mean any person that has been arrested, detained or taken into protective custody.

Search of the Prisoner

1. The transporting officer is responsible for the safety and custody of the prisoner being transported. The officer assigned to transport a prisoner shall search the prisoner before transporting. Never assume another officer has already completed a search.
2. Prisoners should be searched by officers of the same gender whenever feasible. This does not exclude searches made by officers of the opposite sex. When searches are conducted by an officer of the opposite sex, established professional

standards will be followed, with the primary importance being the protection of the officer.

3. Use handcuffs as appropriate and seize any contraband, means of escape and potential weapons.

Search of Transport Vehicle

1. Prior to beginning their shift, officers will conduct a thorough search of their patrol vehicle and remove any contraband or similar items that are present in prisoner transportation area. Any items located that are of any significance shall be brought to the attention of a supervisor.
2. Immediately following the transport of any prisoner, or; after any situation where the vehicle has been left unsecured.
3. Under no circumstances will officers transport prisoners in a vehicle that has not been searched as required within this section.

Prisoner Placement

1. Prisoners being transported in vehicles **without** safety barriers shall be placed within the vehicle as follows:
 - a. If the transporting officer is without assistance, the arrested person shall be placed in the right front seat of the cruiser.
 - b. If the transporting officer is accompanied by another officer, the arrested person shall be placed in the right rear seat of the cruiser and the accompanying officer shall occupy the seat immediately to the rear of the driver.
2. Prisoners being transported in vehicles equipped **with** safety barriers shall be placed as follows within the vehicle:
 - a. Shall place the prisoner(s) in the rear, on the passenger side if possible.
 - b. Safety barrier, center slide window **shall** be closed when an officer is not present to prevent escape.
 - c. The safety barrier center slide window may be opened when an officer(s) is present to establish a rapport with the prisoner as an investigative or de-escalation technique.
 - d. In all other circumstances (during transport) it is recommended that the safety barrier center slide window remain closed when a prisoner is

present to prevent escape, and to prevent the spread of bloodborne pathogens, influenza and other airborne pathogens.

Transporting the Prisoner

1. All prisoners must be handcuffed before being transported in department vehicles. Officer shall not handcuff prisoners to any part of the vehicle. Leg restraints may be used if necessary, however;
 - a. A seatbelt will be used to safely secure every prisoner.
 - b. Rear windows should be kept closed while transporting a prisoner if the cruiser is not equipped with window bars.
 - c. Officers must use discretion with deciding to use physical restraints. Being mindful of the person's age, physical impairments or injuries.
 - d. Every effort must be made to ensure restraints do not cause or create a dangerous condition, or aggravate a pre-existing ailment, injury or physical impairment.
 - e. Officers shall understand the potentially deadly condition positional asphyxia and be aware at all times of the risks involved in transporting persons who are restrained.
 - f. Officer's will ensure either body worn cameras and/or cruiser interior cameras are recording
2. Every effort shall be made to transport juveniles and females separately from each other and from adult males.
3. All prisoner transports shall be made in a cruiser equipped with a safety barrier. Only in special circumstances, and approval by a supervisor, will a prisoner be transported in a cruiser not equipped with a safety barrier.
 - a. Under no circumstances will an officer transport two, or more prisoners in a cruiser not equipped with a safety barrier.
4. While transporting a prisoner(s), officers shall refrain from participating in other police activities and go directly to the station without unnecessary delay. All traffic regulations shall be observed during the transport.
5. Officers shall not stop to provide law enforcement services while transporting a prisoner unless there is a substantial risk to the safety of a third party and the risk to the prisoner is minimal. In these cases, the investigator shall take every precaution to ensure the safety and security of the subject being transported.

6. Unnecessary conversation shall be avoided. However, officers should not hesitate to calm an excited prisoner to ensure that there will be no unnecessary distractions to the diver.

Observation of Prisoners during Transport

1. Officers shall maintain continuous sight of prisoners being transported. Officers shall make provisions for the security of the prisoner in situations where direct supervision is inappropriate;
 - a. In cases of extended transports, prisoners may be allowed use of non-supervised toilet facilities providing the following security arrangements can be ensured;
 - b. The toilet facility has only one entrance/exit, and the investigator can monitor this entrance/exit.
 - c. The toilet facility has been completely searched by the investigator for contraband/weapons and is not being utilized by members of the general public. Investigators must ensure the safety of the public while allowing the prisoner use of any public facility.
 - d. Every effort should be made to make the rest stop at a police station.

Meals/Services During Transport

1. In cases of extended transports requiring the purchase of meals or other services, the transporting investigator shall ensure that the establishment to be utilized is selected on a random basis.
 - a. Officers should be aware that the prisoner may be preparing to attempt escape.

Unplanned Communication

1. A prisoner may not communicate with another prisoner while being transported. If the prisoner's attorney wishes to speak to the prisoner, they will be directed to speak with the prisoner at a holding facility.

Arrival at Destination

1. When transporting prisoner's from one facility to another, the officer(s) will follow these procedures;
 - a. Firearms will be secured in the designated place at the receiving facility.
 - b. Restraining devices will be removed only when directed by the officers at the receiving facility.

- c. The appropriate paperwork (detainee requests, bail forms, etc.) will be submitted to the receiving facility.

Prisoner Escape:

1. If a prisoner escapes from an officer during transport, the following procedure will be followed,
 - a. Notify an appropriate dispatch center immediately, include the following information;
 - i. Location of escape
 - ii. Any injuries
 - iii. Last known direction of travel
 - iv. Prisoners physical appearance and clothing description
 - v. Any other information that would assist in the prisoners capture
2. A BOLO shall be broadcast to all area officers, the State Police and the Sheriff's Office.
3. The Chief of Police and/or the Deputy Chief of Police shall be notified immediately.
4. The transporting officer shall assist the agency with jurisdiction in the capture effort, according to the policies of this department.
 - a. If the prisoner is not capture immediately, the transporting officer will assist the outside agency in securing a warrant and/or comply with any other reasonable request the make concerning the escape.
5. Within 24 hours of the escape, the officer(s) involved in the prisoner transport will submit an investigation report for the escape.
 - a. Detailing the events of the escape;
 - b. Attempts made to capture the escaped prisoner.

Transportation of Opposite Sex Prisoners

- a. When an officer transports a prisoner of the opposite sex, the officer will ensure either body worn cameras and/or cruiser interior cameras are recording.

Transportation of Physically Disabled Prisoners

- a. When transporting physically disabled prisoners, the transporting officer shall ensure that the transport is conducted in a safe manner consistent with the specific needs of the disabled prisoner, as well as the security needs of the agency.
- b. In cases where the physically disabled prisoner cannot be transported safely in a police cruiser, an ambulance or other appropriate vehicle may be utilized. It is the responsibility of the officer to ensure that adequate safeguards/security precautions are taken during unusual transport situations.
- c. When transporting physically disabled prisoners, officers will take into consideration the specific disability of the prisoner and determine if the use of restraining devices is appropriate given the totality of the circumstances.

Transportation of Sick or Injured Prisoners

- a. In cases where prisoners become sick or injured prior to or during transport, the arresting investigator shall immediately notify a supervisor and arrange for the provision of medical services as appropriate.
- b. If medical attention is required at the scene of the incident, officers shall ensure the continued security of the prisoner while allowing for the provision of emergency medical care.
- c. If medical attention is requested by the prisoner, but is not required at the scene of the incident, the investigator shall notify a supervisor who will determine if the prisoner should be transported to a local police station and examined by Ambulance personnel or if the prisoner should be immediately transported to the local hospital.
- d. In cases where sick/injured prisoners are to be transported, the assigned officer shall ensure the security of the prisoner as well as the security of any medical personnel attending to the prisoner.

Medical Treatment for Prisoners

- a. In the event that an officer is required to transport a prisoner to a medical facility for treatment, the transporting investigator shall ensure that adequate custody/control of the prisoner is maintained during the treatment.

- b. Officers should be aware that prisoners may sometimes feign illness/injury in an effort to create circumstances that are favorable for an escape attempt. Additionally, medical personnel should be adequately protected during the course of any examination attempt.

- c. If the prisoner is admitted to the hospital, the transporting investigator shall ensure that adequate custody is maintained until further security

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