

## **PRISONER TRANSPORTATION**

STANDARD NO(S):

NYSLEAP 64.1

DATE:

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REFER TO:

John Cleere

### **I. OBJECTIVE:**

To ensure the safe, secure, timely, humane treatment of prisoners while in transit and to ensure the safety of SCSO personnel and the public.

### **II. POLICY:**

Transportation of persons in custody is frequently necessary. It is the policy of the SCSO that these persons be treated humanely, while at the same time protecting them, the officer and the public.

### **III. DETAILS:**

#### **A. Vehicles**

1. Marked vehicles assigned to the Law Enforcement Division will be equipped with a protective screen securely mounted between the driver's compartment and rear seats. This screen prevents the prisoner (s) from having access to the driver's compartment, but will not impair communication between the Transporting Officer(s) and the prisoner(s). Unmarked vehicles assigned to certain members of the Law Enforcement Division will not be routinely used to transport prisoner(s). An unmarked vehicle may be used as a last resort provided that the transporting officer is accompanied by another armed officer as described in 2(b) below or the transport is a part of his investigatory and/or arrest function.
2. In the event circumstances make it impossible to accomplish necessary travel in a vehicle as described above, the Transporting Officer(s) will make certain that the inmate is never out of sight. The following security measures will be used:
  - a. When being transported by a single officer, the prisoner will be handcuffed behind his back, seated in the rear seat and secured by the vehicle seat belt.

- b. When being transported by two officers, the prisoner will be handcuffed, seated in the rear seat and secured by a vehicle seat belt. The second officer will be seated in the front seat.
- 3. The Transporting Officer(s) will thoroughly search the vehicle to insure that it is free from contraband and any other items which could be used by a prisoner(s) to inflict injury or effect escape. The search will be done prior to each time a prisoner is transported.
- 4. The Transport Officer(s) will comply with all state and local vehicle and traffic laws, rules and regulations. The vehicle will be locked; the keys removed, and, when possible, will not be left in an area where the vehicle could be tampered with.
- 5. After the transport, the Transporting Officer will thoroughly search the vehicle for any items which may have been secreted by the prisoner during the transport. Anything found during this search will be photographed, secured as evidence and reported on Evidence Log & Tracking Sheet. Additional criminal charges will be filed against the prisoner, if applicable.

#### IV. TRANSPORT PROCEDURES

- A. Any person who is in the custody of a member of the SCSO Law Enforcement division and who is transported will be searched by the Transporting Officer. Searches will be frisk searches unless there is reasonable belief that a strip search is necessary. Strip searches will be conducted by same sex officers. Body cavity searches are prohibited, except by medical staff.
- B. While transporting an arrestee, the officer having custody shall not lose sight of the arrestee until such custody has been relinquished to another. This procedure shall be followed at all times, including during the prisoner's use of sanitary facilities or while receiving medical attention.
- C. All prisoners will be restrained by at least handcuffs. Officers are prohibited from using techniques that may cause physical injury or death. No member shall transport more than one prisoner without assistance, except as noted below.
- D. No more than three prisoners will be carried in a patrol car, nor more than six in a suburban with the officers occupying the front seat. In the case of multiple arrests, or the transportation of prisoners for court appearance, the SCSO Corrections Division Transport Vehicles will be used.
- E. The Transporting Officer will pick up and drop off inmates at the Seneca County Correctional facility through the vehicle sally port.

- F.** Radio contact will be made with E-911 Center at the following times:
1. Upon taking a prisoner into custody (noting sex of prisoner)
  2. Upon leaving a scene to a transport location
  3. Upon arriving at the transport destination
  4. Upon leaving the transport destination
  5. Upon return to the facility
  6. When an unusual incident occurs during the transport (i.e. accident, delay, etc.)
- G.** Prisoner transports will always take the most direct route from start to finish with no stops for purposes not directly related to the transport. When needed for security purposes, the route will be varied so as not to show a pattern.
- H.** No meal breaks will be taken while on a prisoner transport. If it is anticipated that a prisoner meal will be needed during the transport, arrangements will be made with the facility kitchen staff for the preparation of a meal.
- I.** The prisoner will not be allowed to communicate with anyone other than the transporting officer, legal counsel, and the court.
- J.** During any transport of a prisoner, the officer will not engage in any extraneous activities, except in the case of an extreme emergency.
- K.** If an officer is transporting an inmate of the opposite sex, the officer will make this assignment known to the E-911 Center, giving location, vehicle mileage and destination. Upon reaching the destination, the officer will again contact the E-911 Center and furnish the ending mileage. The same procedures will be followed when returning to the facility.
- L.** When transporting any prisoner, anyone in custody or anyone being transported for any reason the transporting officer will be vigilant for signs of medical emergencies. There will be heightened vigilance while transporting sick, injured and impaired persons. The transporting officers will immediately call for emergency medical assistance by radio and/or cell phone through 911 when the person being transported complains or exhibits any symptoms of anything that may have the potential to be life threatening. Examples are, (but not limited to): breathing difficulties, chest pain, severe lethargy and head injuries. The transporting officer will then make notification to the next available officer in the member's chain of command.
- M.** In the event an inmate escapes from custody, the involved Transport Officer(s) will immediately notify the E-911 Center, giving as much information as to the name, sex, physical and clothing description as possible, along with the direction and method of escape as well as notifying the on duty Supervisor. In

the event there is not a supervisor on duty, the member will contact the next person in the member's chain of command. If the escape occurs in another jurisdiction, notification will be made to the local and state police using inter-agency via radio.

- N. At all times, Transporting Officer(s) will guard against the prisoner receiving unauthorized material or contraband from any source.

## V. UNUSUAL CIRCUMSTANCES

- A. When transporting a prisoner, the Transporting Officer(s) is responsible for the safe delivery of the person in custody.
- B. Any diversion, whether a deliberate attempt to effect an escape, or one which is purely coincidental, can result in the officer's attention being distracted to the extent that the prisoner(s) safety or security is placed in jeopardy. The officer must bear in mind that one's primary duties are to protect the prisoner from injury and to prevent escape.

The transportation of a prisoner is usually done by a marked vehicle, clearly identifiable as one belonging to the SCSO; therefore, it would not be unlikely, in the case of a roadside emergency, for a member of the public to expect that such a vehicle would stop to render assistance. THIS ACTION MUST BE AVOIDED.

1. Only when the risk to a third party is both clear and grave and the risk to the officer and the prisoner is slight, may an officer stop en route to render assistance or engage in any law enforcement activity.
  2. An officer in transport alone shall never stop except in a clearly life threatening situation; rather, shall immediately notify the E-911 Center to take the appropriate action. If there is no way to avoid a stop, the officer must advise the E-911 Center of the location and request assistance without delay.
  3. If two or more members are assigned to the transport, and a stop can be safely made, one must stay with the transporting vehicle at a safe distance from the diversionary activity, while the others render assistance. Upon the arrival of any other patrol units, the prisoner transport should be immediately resumed.
- C. Under no circumstances will an officer engaged in the transportation of a prisoner become involved in a pursuit, roadblock, or other situation which creates the risk of harm to the inmate(s) or the officer(s).

- D.** The Transport Officer(s) will be alert to persons, vehicles, or situations which may be unduly interested in or following the transporting vehicle. The officer(s) will report any such situations to the E-911 Center by radio or cell phone.

#### VI. TRANSPORTATION OF PREGNANT PRISONERS

- A.** When a pregnant prisoner(s) is to be transported, two officers will always be assigned.
- B.** No restraints of any kind will be used during the transport. However, in extraordinary circumstances they may be cuffed by one wrist to prevent the prisoner from injuring themselves or others.
- C.** No restraints of any kind will be used when the prisoner is in child birth labor.

#### VII. NOTIFICATION TO CORRECTIONAL FACILITY –

- A.** The Transporting Officer will advise Correctional Facility personnel of any injuries sustained by the prisoner, the blood alcohol content in the event of a driving while intoxicated arrest, less lethal applications deployed on the prisoner, including but not limited to: OC, Taser or PR-24.