

# University of Chicago Police Department

## GENERAL ORDER

		<b>Effective Date:</b> May 22, 2019	<b>Number:</b> <b>GO 509</b>
<b>Subject:</b> <b>Detainee Restraint and Transport Procedures</b>			
<b>References:</b> CALEA 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.1.8, 70.2.1, 70.3.1, 70.3.2, 70.5.1			
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<b>Approved By:</b> Kenton W. Rainey, Chief of Police		<b>Signature:</b> Signed Original on file in Accreditation Office	

### 509.1 PURPOSE

The purpose of this policy is to publish guidelines and procedures governing the safe transportation and restraint of detainees.

### 509.2 POLICY

Officers are responsible for the safety and security of persons in their custody. Detainees will be restrained and transported in such a manner as to prevent escape and to provide for the safety of the public, the person in custody, and officers.

### 509.3 DEFINITIONS

Deadly Force: Force which is likely to cause death or great bodily harm and includes:

- a. The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and
- b. The firing of a firearm at a vehicle in which the person to be arrested is riding.

The intentional punching, striking or grabbing of the throat, restricting the trachea, or blocking or restricting the carotid neck arteries, such as a choke hold, are **unauthorized** weaponless force techniques that result in the restriction of respiration or loss of blood flow to the brain. These techniques create a substantial likelihood of death or great bodily harm, and are therefore considered deadly force and shall be used only when the use of deadly force is justified.

Hog-tying- When a subject is deliberately restrained in a position of discomfort through the combined use of devices such as handcuffs and hobble restraints.

Positional Asphyxia- A condition which can be brought on when a person is restrained in an abnormal posture that interferes with a person's ability to breathe normally.

Officer- All ranks of sworn personnel.

#### **509.4 GENERAL REGULATIONS**

- A. Officers are responsible for the detainee's welfare once a restraint device has been applied. Officers shall safeguard the detainee by:
  - 1. Maintaining physical control;
  - 2. Maintaining visual contact;
  - 3. Relocating the detainee away from hazards;
  - 4. Prohibiting the detainee from walking around unescorted.
- B. Officers shall not attempt to apply any restraint device or technique that is not authorized by this Department. Officers may assist in restraining patients in the UCM Hospitals based on a physician's or nurse's order; but shall not attempt to apply medical restraint devices.
- C. Officers engaged in the application or use of restraining devices are reminded of the dangers of positional asphyxia. Under no circumstances will a person being restrained, have their arms and legs secured together in a fashion commonly known as "hog-tying."
- D. Officers must maintain visual contact with all restrained subjects to ensure that no condition exists that may result in positional asphyxia, or other hazard.
- E. If a detainee is to be secured to an immovable object, it must be designed and intended for such use.
- F. The use of force on a suspect, after a restraint device has been applied, is prohibited; **unless** the suspect's continued physical resistance requires further measures to gain or maintain custodial control. The officer must clearly articulate in the report why force was necessary while the suspect was wearing a restraint device.
- G. See General Order 108, Use of Force, for further on authorized use of force and reporting (Tactical Response Report (UCPD 44.179)).

#### **509.5 CUSTODIAL SEARCHES INVOLVING DETAINEES**

- A. Officers taking persons into custody or accepting custody from other officers, including those from other agencies, shall conduct a thorough search and ensure that the person(s) is appropriately restrained to prevent escape or injury.

**NOTE:** Officers conducting subsequent required custodial searches are cautioned that any preliminary or prior search may not have been fully effective.

- B. Any officer responsible for the transport of a detainee, in addition to the required custodial search, will be responsible for searches of all places the detainee will have access to, both prior to and after the detainee has been placed in the area. The search of the area will ensure that the detainee is not able to access or discard any prohibited items. Areas to be searched include, but are not limited to:
  - 1. Hospital treatment areas.
  - 2. Rooms in UCPD facilities (temporary detention rooms, restroom, etc.).
  - 3. Department vehicles.
- C. Officers will search their assigned Department vehicle at the beginning and end of each tour of duty for unauthorized items (weapons, property, contraband, etc.).

#### **509.6 AUTHORIZED RESTRAINT DEVICES**

Officers are only authorized to apply restraint devices that they have been trained to apply. The devices authorized for use by UCPD Officers are:

- A. Handcuffs. The approved handcuff manufacturers are Peerless, Smith & Wesson, Hiatt and ASP. Handcuffs (hinged or chain) must accept a standard universal handcuff key and be equipped with a double locking mechanism.
- B. Flex cuffs (mostly used in multiple-arrest situations).

#### **509.7 HANDCUFFING AND SECURING PROCEDURES**

- A. Any detainee taken into custody will be handcuffed unless:
  - 1. The detainee is injured to the extent that the process of handcuffing could inflict additional physical injury to the detainee.
  - 2. Physical characteristics (e.g., size, missing limbs) of the detainee prevent the use of handcuffs. Large detainees whose arms don't reach for handcuff use, can be restrained using two sets of handcuffs linked together for extra reach.

**NOTE:** The fact that a detainee is physically disabled does not preclude the use of restraint devices.

- B. Handcuffs shall, if possible, be applied with the person's hands behind the back, palms facing outward, and double locked. Handcuffs will be secured in a manner

to permit blood circulation and avoid unnecessary discomfort. The officer applying handcuffs should be able to place the tip of an index finger between the handcuff and the individual's wrist in order to assure appropriate fit.

**NOTE:** If using flex cuffs, officers will, when feasible, employ the same method of hand positioning.

- C. The custodial officer shall inspect the wrists and handcuffs every thirty (30) minutes to ensure that they are still properly secured, fitted and not restricting circulation or causing injury to the detainee.
- D. If normal handcuffing is physically impractical, due to the medical condition, infirmity or impairments, the detainee can be handcuffed in front or the functional arm can be handcuffed behind the back, to the detainee's belt or beltloop.
- E. At no time will one detainee be handcuffed to another.
- F. Officers must maintain observation of all detainees, and be alert for changes in the detainee's physical appearance or medical condition.
- G. Officers will document in their incident report(s) that all handcuffing and securing provisions were followed, including that handcuffs were double-locked and checked for comfort.
- H. Any deviation from handcuffing standards listed above must be in response to exigent circumstances where significant risk to life or property is imminent.

## **509.8 DETAINEE TRANSPORT AND CUSTODY PROCEDURES**

### **A. Security Before and During Transport**

- 1. Before and after each detainee transport, officers assigned to a Department vehicle are responsible for inspecting the passenger compartment for unauthorized items (weapons, property, contraband, etc.).

**NOTE:** Officers will document in their incident report(s) that the passenger compartment was inspected before and after the detainee transport.

- 2. Officers must search each detainee and double check restraints applied to each detainee, prior to placing them into an agency vehicle.
- 3. All detainees shall be transported in a vehicle equipped with a cage/screen, if one is available. If one is not available, the detainee shall be restrained and seat belted in the rear seat on the passenger side. A secondary officer must sit in the rear seat to maintain control of the detainee. Officers may only transport one detainee at a time in an unscreened vehicle.

- B. Segregation of Detainees- Officers shall not transport in the same vehicle:
1. Adult (18 and older) and juvenile (17 and younger) detainees.
  2. A citizen and a detainee.
  3. Two or more opposing parties involved in a domestic or other dispute.
  4. Male and female detainees.
- C. Transport Guidelines
1. Detainees shall not be allowed to communicate with anyone outside of the vehicle during transport.
  2. The transporting officer shall use the safest and most direct route to his/her destination.
  3. Transporting officers may only stop to render emergency assistance when the risk to any person is clear and grave; and the risk to the detainee is minimal. Normally, no stops will be made while transporting a detainee from the point of arrest to the booking/processing location.
  4. Officers shall advise UCPD ECC of their starting mileage prior to transporting detainees and their ending mileage upon reaching their destination.
  5. The Dispatcher shall announce and record the starting and ending times for the transport.
- D. Provisions for Injured and/or Disabled Detainees
1. The transporting officer will exercise due care when transporting detainees with a physical or mental impairment.
  2. The detainee shall be transported in a vehicle that provides an appropriate level of restraint, reasonable comfort; and room for transporting any necessary prosthesis and/or wheelchairs, crutches, etc.
  3. Supervisors may request or coordinate for use of a Regional Transit Authority transport van or a Department controlled truck or van that will accommodate the needs of the detainee.
  4. If the detainee is required to take prescription medication, it shall be secured away from the detainee and transported along with any other necessary personal effects. Under no circumstances, will an officer

administer medication to a detainee.

- E. Transport to CPD or other Facility. See Section I below for transports from one facility to another.
1. Officers assisting another agency by taking custody or accepting custody from that agency's officers for transporting to a non-UCPD facility, shall report to the ECC the name of the person(s) and at least one (1) identifier, i.e. date of birth, DLN, IR no. etc., prior to the transport.
  2. Officers should comply with the receiving facility's rules (jail, mental health facility, etc.) for securing firearms, detainee search, removing restraints, etc.; unless compliance with the facility's rules would create an unnecessary risk or require actions that conflict with Department policies.
  2. Officers shall deliver any accompanying documentation to personnel at the receiving facility.
  3. Officers shall advise receiving personnel of any potential medical or security risks associated with the detainee.
  4. Custody exchange shall be documented in the narrative of the appropriate incident or supplemental report.
- F. Escape Procedures
1. If a detainee escapes while in transit, the transporting officer shall immediately notify:
    - a. UCPD Communications which will notify Chicago Police Dept.
    - b. His or her immediate on-duty supervisor.
  2. The transporting officer shall provide suspect's name, description, last known direction of flight, and any weapons.
  3. The transporting officer shall assist in documenting the incident and obtaining warrants in accordance with the procedures of the jurisdictional law enforcement agency.
  4. The transporting officer will also be required to document the incident internally.
- G. Medical Treatment

1. Detainees, who are sick or injured, shall receive immediate medical attention.
2. If the detainee displays extreme or life threatening symptoms that include but are not limited to chest pains, seizure, difficulty breathing, or becomes unconscious/unresponsive during transport, the transporting officer shall immediately stop the vehicle in the safest nearby location, summon emergency medical personnel and render aid as appropriate until they arrive.
3. If the detainee must be transported to a medical facility by ambulance, an officer shall either ride along in the ambulance or follow the ambulance to the medical facility.
4. If a detainee becomes unconscious or unresponsive at the jail or other facility, emergency medical treatment shall be provided and/or summoned by the doctors and/or nurses or other staff at the facility. The transporting officer will continue to maintain visual contact with the detainee until a proper custodial transfer has been completed.

#### H. Medical Facility Procedures

1. Detainees taken to a medical facility must be restrained or contained, and closely monitored, at all times.
2. Before entering the medical facility, officers should be prepared to ensure security and accommodate treatment. Standard restraint devices may hinder medical personnel from properly treating the detainee. This does not mean that all restraints must or should be removed.
3. If handcuffs hinder treatment, then the officer should consider applying leg restraints, if available. Medical personnel may request that restraints be removed, adjusted or repositioned; however, the custodial officer decides if and how the detainee is restrained.
4. Medical restraints may be applied by medical staff in addition to, or in place of, law enforcement restraints. Medical restraints may only substitute, if removal of law enforcement restraints is medically required.
5. Officers shall closely monitor all persons while they are in contact with the detainee.
6. The detainee will only be allowed out of the custodial officer's sight when it is **absolutely necessary** for treatment; and only if the officer is certain that the detainee is in a contained location.

7. The detainee is prohibited from using a telephone or receiving visitors while being treated, unless the detainee is admitted to the hospital for an extended period; and the contact is authorized by a supervisor.
8. If the detainee is admitted to the hospital, supervisors shall arrange for a frequent rotation of officer's to guard the detainee and coordinate any additional security measures that may be necessary.
9. When the detainee is released from treatment, the officer shall carefully document any observations about the detainee's condition.
10. The detainee must be searched again and restrained prior to leaving the medical facility.
11. Prescriptions will be turned over to the staff at the receiving facility.

I. Transporting Detainees From One Facility to Another- Including From UCPD

1. Methods to be used in positive identification of detainees. Detainees will be transported only after they are positively identified as the detainee to be transported. If the transporting officer is not the arresting officer, the transporting officer will use the following to ensure transportation of the correct detainee:
  - a. Government issued photo identification.
  - b. Other government issued documents.
  - c. Photographs, fingerprints, and/or physical characteristics.
  - d. Officers shall report to the ECC the name of the detainee(s) and at least one (1) identifier, i.e. date of birth, DLN, IR no. etc., prior to the transport.
2. Documentation accompanying the detainee may vary depending on the starting point, destination and reason for transport. Documentation may include citations, reports, warrants, complaints, DUI sworn report and notice of summary suspension, etc.
3. Information relating to the detainee's escape or suicide potential or other personal traits of a security nature will be recorded and included in the documentation that accompanies the detainee. Transporting officers will verbally inform and confirm with receiving personnel those documented risks.