
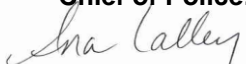
	<b>ELGIN POLICE DEPARTMENT</b> 151 Douglas Avenue Elgin, Illinois 60120	
<b>Effective Date:</b> 06/17/02	<b>STANDARD OPERATING PROCEDURE</b>	<b>Revised Date:</b> 11/04/20
<b>Chief of Police:</b> 	Transportation of Detainees, 71.1	
<b>Cross Reference:</b> SOP 41.3, Vehicles & Uniforms SOP 53.1, Line Inspections SOP 71.2, Restraining Devices SOP 72.4 Holding Facility: Detainee Processing & Healthcare Services 725 ILCS 5/103-3b		<b>Policy Sections:</b> 71.1.1 Search of Detainees 71.1.2 Vehicle Inspections 71.1.3 Seating of Detainee 71.1.4 Transporting Officer Vigilance 71.1.5 Detainee Communication 71.1.6 Transporting Officer Requirements 71.1.7 Escape Notifications 71.1.8 Detainee Security Risks

## **PURPOSE**

The purpose of this policy is to establish guidelines for the transportation of persons in custody by the Elgin Police Department.

## **POLICY STATEMENT**

It is the policy of the Elgin Police Department to transport detainees in a manner that will adequately provide for the safety and security of the detainee, officers and the community.

## **DEFINITIONS**

**Detainee:** Any person in custody by an employee of the Elgin Police Department or another law enforcement agency.

**Gender Identity:** A person's internal sense of gender, which may be different from one's assigned sex.

**Gender Non-Conforming:** A term used for individuals whose gender expression, gender characteristics, and/or gender identity does not conform to gender norms.

**Intersex:** A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that is atypical.

**ISPERN:** Illinois State Police Emergency Radio Network which provides personnel in police mobile units with inter-agency communication capability for police activity of an emergency nature; the system is under the control of the Director of the Illinois State Police.

**TIGN:** Acronym for individuals who are transgender, intersex or gender non-conforming.

**Transgender:** Person whose gender identity differs from their birth sex.

**Reasonable Accommodations:** Actions taken to accommodate a person that does not jeopardize the safety of the officer or pose an undue hardship. Accommodations can be religious, physical, mental or emotional, academic or are employment related.

## **PROCEDURES**

### **71.1.1 SEARCH OF DETAINEES**

- A. It is the responsibility of the transporting officer to conduct a thorough search of all detainees placed into custody prior to being transported or when it is tactically safe.
- B. The search of a detainee shall consist of a visual and physical inspection of clothing and outer garments for weapons and contraband. When possible and if time permits, the search should be

conducted by an employee of the same sex as the detainee.

- C. Based on the totality of the circumstances, reasonable accommodations should be made in instances when a detainee self-discloses that they are transgender, intersex or gender non-conforming, hereinafter referred to as TIGN.

#### **71.1.2 VEHICLE INSPECTIONS**

- A. Officers shall inspect their vehicles at the beginning of each shift. Any issues noted by the inspecting officer, which may contribute to unsafe vehicle operation, shall be brought to the attention of a supervisor. Refer to Standard Operating Procedures 41.3, Vehicles & Uniforms and 53.1, Line Inspections for monthly vehicle inspections and equipment.
- B. It is the responsibility of the transporting officer to search the rear area of the transport vehicle prior to and immediately following the transport of the detainee. Any weapons and/or contraband located during the search of the vehicle should be reported to a supervisor, as soon as practical, and inventoried according to department procedure.

#### **71.1.3 SEATING OF DETAINEE**

- A. A detainee shall not be transported in the front seat of any department vehicle.
- B. Detainees transported in a transport van shall be secured in the rear compartment, separated from the driver.
- C. Detainees transported in all police vehicles shall be seat belted, when possible.
- D. When feasible, during detainee transports, officers shall use a vehicle having a shield or partition.
- E. Officers shall not transport more than two detainees in a standard police vehicle having a shield or partition.
- F. Officers shall not transport more than one detainee in a police vehicle not having a shield or partition. When transporting in such vehicle, one officer shall sit in the back seat, behind the driver's seat, and the detainee shall be seated behind the front passenger seat.
- G. Male and female detainees should not be transported in the same vehicle.
  - 1. However, if a special police vehicle with separate passenger compartments for detainees is available, than male and female detainees may be transported in the same vehicle.
  - 2. Based on the totality of the circumstances, reasonable accommodations should be made when a detainee indicates they are TIGN.

#### **71.1.4 TRANSPORTING OFFICER VIGILANCE**

- A. The primary responsibility of the transporting officer shall always be the custody and safety of the detainee and the public. The transporting officer(s) shall take all reasonable steps to:
  - 1. Ensure the safety detainees. Detainees shall be monitored for signs of respiratory distress or situations requiring medical intervention.
  - 2. Prevent the escape of detainees.
- B. Detainees who are handcuffed will remain under continuous visual observation during short distance transports, less than two hours, unless transported in the transport van. Short distance transports shall not be interrupted, except in emergency situations.

- C. The transporting officer shall be responsible for reviewing all documents to determine if the detainee is a high risk, suicidal, or has the potential to escape.
- D. All transports outside the City of Elgin, to include Cook and Kane County warrant services, require the use of leg shackles and a waist belt.
- E. Transports shall require one officer with a vehicle equipped with a shield or partition. If a detainee is a high risk, then two officers shall be utilized for the transport. If it is impractical to conduct the transport with two officers in one transport vehicle, the second officer may follow the transport vehicle.
- F. When possible, two officers are required for long distance transports, transports for multiple detainees, and high risk/suicidal detainees. One of the officers shall be the same gender identity as the detainee, if available.
- G. During long distance transports, greater than two hours, detainees may request the use of restroom facilities. In such cases, the transporting officer(s) shall attempt to locate a police department or jail prior to taking the detainee to an unsecured facility. The following shall be performed:
  - 1. Search the facility for weapons prior to allowing access.
  - 2. Enter the facility with the detainee.
  - 3. If applicable, officers can remove the handcuffs during use of the facilities. Prior to exiting the facility, the handcuffs shall be placed back on the detainee with a second officer present, if one is available.
  - 4. Position themselves in such a manner as to prevent an escape.
  - 5. Search the detainee after the use of the facility.
- H. During long distance transports, when it is necessary to provide a meal for the detainee, the transporting officer(s) shall select the restaurant and obtain a receipt for the meal. "Drive through" type restaurant facilities shall be utilized when available. If necessary, to enable the detainee to consume the meal, the detainee may be taken to a local police facility.
- I. Any officer transporting a detainee who encounters a situation needing police assistance shall notify communications, or another jurisdiction via ISPERN if outside the city limits, of the incident and summon police assistance to handle the situation. An exception to this procedure will be situations where the transporting officer observes a life threatening emergency.

#### **71.1.5 DETAINEE COMMUNICATION**

- A. Detainees shall not be permitted to communicate with family members, attorneys, or friends while being transported.
- B. Pursuant to 725 ILCS 5/103b, the detainee shall be entitled to all rights concerning communication with others upon arriving at any new custodial facility.

#### **71.1.6 TRANSPORTING OFFICER REQUIREMENTS**

- A. When transporting detainees, officers shall adhere to the following:
  - 1. Upon arrival at the Elgin Police Department:
    - a. Advise the Emergency Communications Division of arrival.

- b. Secure all firearms and knives in department gun lockers before removing the detainee from the transport vehicle.
  - c. Utilize the sally port for access to the booking area, when applicable. Ensure all reasonable steps are taken to prevent an escape.
  - d. Take a position that does not allow the detainee to see the entrance code to the Holding Facility.
  - e. Conduct another search and remove the detainee's property, listing the property on the Quick Property Receipt.
  - f. Secure the detainee to the shackle post or place the detainee in a holding cell while awaiting fingerprinting and other detainee processing procedures.
  - g. Complete the booking process.
  - h. Notify the jailer of the arrest, charges, risks, or hazards.
- 2. Upon arrival at other facilities:
  - a. Comply with all rules and regulations of other jurisdictions.
  - b. Comply with the receiving agency's rules concerning the safekeeping of firearms and removal of restraining devices.
  - c. Deliver all pertinent documents to the receiving officer.
  - d. Ensure that the detainee's property is properly transferred and accounted for.
  - e. Provide the receiving agency with any relevant information when the detainee poses a potential medical or security risk.
  - f. Along with the receiving officer's name and badge number, document the date and time of the transfer.
  - g. Ensure the detainee is properly restrained.
- 3. Refer to Standard Operating Procedure 72.4 Holding Facility: Detainee Processing and Health Care Services for information for additional information on the processing and release of a detainee to another facility.
- B. On transports where a camera is not recording the area where the detainee is located, The Emergency Communications Division shall be advised of the beginning and ending mileage when transporting juveniles and opposite sex detainees.
- C. Adult detainees shall not be transported through the patrol operations area unless escorted by an officer.
- D. Juvenile detainees shall be transported into the station, as listed in the preferred order below:
  - 1. The officer shall park in the rear lot of the department and escort the juvenile through the main rear door. The juvenile shall then be walked through the main patrol hallway, to the main elevator, and then brought into the juvenile area through the public entrance.
  - 2. If the juvenile is violent or presents a security risk, the officer shall call the Holding Facility to determine if any adults are in the main processing/booking area. When the area is clear, the juvenile shall be transported through the sally port into the Holding Facility,

through the adult investigations area and then into the juvenile investigations area.

#### **71.1.7 ESCAPE NOTIFICATIONS**

- A. Should a detainee escape during transport, the transporting officer shall:
  - 1. Notify the Emergency Communications Division to provide the following:
    - a. Location of the escape.
    - b. Direction of travel of the escapee.
    - c. Physical description of the escapee.
    - d. Charges pending against the escapee.
    - e. Any known cautions about the detainee.
    - f. Any additional information that will assist in the apprehension of the escapee.
  - 2. Notify the shift supervisor of the escape.
  - 3. In the event of an escape, the transporting officer shall submit a general police report and any other reports as directed by the chief of police or designee.
- B. Should a detainee escape during transport outside of the Elgin city limits, the Emergency Communications Division or the officer shall make appropriate notifications, which includes communication with the appropriate law enforcement agency.
- C. If the detainee is subsequently apprehended, the transporting officer shall pursue appropriate criminal charges, in addition to canceling the appropriate LEADS/ISPERN messages.

#### **71.1.8 DETAINEE SECURITY RISKS**

- A. In the event the detainee is brought before the court, the transporting officer shall notify court personnel, including judges, of all potential risks associated with the detainee.
- B. Refer to Standard Operating Procedure 71.2, Restraining Devices to view department guidelines on the use of handcuffs, ankle cuffs, disposable flex cuffs, transport belt, and the safety restraint chair and Standard Operating Procedure 71.3 Special Transports for additional information on detainee security.