A. Purpose

To provide for officer safety and prisoner security during transportation.

B. Policy

The transportation of a prisoner(s) by an officer will be conducted in a manner that provides for the safety of the officer, the prisoner(s) and the general public.

C. Procedure

1. All arrested persons present a potential risk to the safety of the arresting/transporting officer, whether or not they are known by the officer, and whether or not they seem to present an obvious or little immediate threat to the officer. Therefore, it is the policy of the Department that EVERY prisoner who is transported in a police vehicle shall be handcuffed and searched by the transporting officer prior to being transported, unless handcuffing is specifically exempted under the provisions of this procedure. It is preferable, when reasonably possible, for an officer of the same sex as the prisoner to conduct the search. When this is not possible, the officer should have a witness present during the search. The search of the prisoner, prior to prisoner transport, will be documented in the Incident Report. (CALEA 70.1.1)

2. If a strip search or body cavity search is required, the search will only be conducted in a private area of the detention center or medical facility. The search will only be conducted by qualified detention center staff of the same sex as the
prisoner or by qualified medical personnel. Only an officer of the same sex as the prisoner may be present. *(CALEA 1.2.8.a thru .c)*

3. Every patrol vehicle shall be searched by the assigned officer: *(CALEA 70.1.2)*

   a. at the beginning of that officer’s shift; and
   
   b. before and after transporting a prisoner.

   1) Vehicle Checklist for Prisoner Transport:

      a) search rear seat area prior to placing prisoner in car;
      
      b) fold up and lock partition in place;
      
      c) disable door handle with switch in the rear doors;
      
      d) lock windows with switch on drivers arm rest;
      
      e) seat prisoner in rear seat and seat belt in place;
      
      f) call in starting mileage;
      
      g) transport prisoner;
      
      h) call in ending mileage;
      
      i) after transporting prisoner and before leaving transport location search the rear compartment again for contraband weapons and evidence the prisoner may have dropped in the car during transport;
      
      j) treat items left in the car as evidence until it is determined otherwise;
      
      k) after searching the car;
      
      l) fold down the partition;
      
      m) unlock the windows; and
      
      n) enable the rear door handles.

   c. The search of the vehicle, prior to and after a prisoner transport, will
be documented in the Incident Report.

4. At the beginning of each shift, the assigned officer shall examine the patrol vehicle to ensure that it is in good operating condition, properly fueled, and equipped with the proper safety items such as first aid kit, fire extinguisher, traffic vest, spare tire, and jack.

5. Prisoner(s) transported by officers shall be secured in handcuffs with their hands behind their back and the handcuffs shall be double locked. Every prisoner shall be placed in the patrol vehicle and secured with a safety restraining device. This provides for the safety of the prisoner in the event of an automobile accident, as well as, additional security for the officer. Although no one is exempted from the use of safety belt restraints, a Supervisor may grant permission to exempt handcuffing prisoners in special transporting situations. In each of these situations the transporting officer must request and receive permission from the Supervisor in advance. These exemptions will be limited to the following: (CALEA 70.2.1)

a. physically incapacitated persons when the risk of violence or escape appears to be minimal; (CALEA 70.3.1)

b. elderly or ill persons when the risk of violence or escape appears to be minimal; and/or (CALEA 70.3.1)

c. juveniles when the risk of violence or escape appears to be minimal.

Information that must be considered prior to making the exception should include, but not be limited to, the following: the severity of the charges, whether the charges are for crimes of violence, prior record of violent act(s), or escape attempt(s), threats made by the suspect, violent or uncooperative acts, etc.

The condition of physical restraint of the prisoner, or the exemption to restraint, must be documented in the Incident Report.

6. Additional transporting/restraint considerations:

a. When deemed appropriate by a Supervisor, prisoners may be restrained with a waist belt, leg shackles or leg strap.

b. All property of the prisoner and identifying charging information shall be transported with the prisoner.

c. No person shall be handcuffed to a stationary object or to any part of the transporting vehicle or be left unattended.
d. The use of thumb cuffs is prohibited.

e. Officers will check the tightness of handcuffs after they are applied. Officers should be able to slip the index finger under the handcuffs on the top, bottom, and sides.

f. Officers will double lock handcuffs at all times.

g. Officers will promptly investigate complaints from prisoners that handcuffs are too tight. If the handcuffs are determined to be at the appropriate tightness, the officer need not loosen them. The officer will document in the incident report that, upon complaint, the handcuffs were checked.

h. Each officer is responsible for the care and maintenance of his/her handcuffs.

i. Disposable handcuffs such as flex cuffs are authorized in mass arrest situations, when regular handcuffs do not fit, or when handcuffs are not readily available. Care must be exercised in applying and removing these restraints.

j. Only prisoners of the same sex will be transported together. Exceptions may be made for acquaintances and/or relatives that are not combative toward each other.

k. No juvenile may be transported with an adult prisoner to a detention facility.

l. Handcuffs will not be removed until the prisoner is inside the detention facility and the officer is directed by the correctional officer.

m. The procedure commonly referred to as “hog-tying” is expressly prohibited.

7. If a prisoner becomes disorderly during transport: *(CALEA70.1.6.d)*

a. The transporting officer should continue to the detention center if the prisoner does not pose a threat to the safe operation of the vehicle. The Dispatcher should be notified that there is a disorderly subject in the vehicle, and assistance will be required when the prisoner is removed from the vehicle. The prisoner must be kept in the vehicle until help arrives.

b. If a prisoner poses a threat to the safe operation of the vehicle, the officer
should pull to the side of the road, notify the Dispatcher of his/her problem, exit the vehicle and wait for help to arrive. The prisoner should be kept in the rear passenger compartment of the police vehicle, and the officer should not open the rear doors until another officer arrives on the scene.

c. A single officer should not open the passenger compartment to secure a disorderly prisoner until help arrives.

8. A prisoner shall not be allowed to communicate with anyone other than the officers and prisoners being transported with him or her. (CALEA 70.1.5)

9. Whenever a prisoner being transported to court is considered a security hazard the judge will be so notified. The judge may direct the use of restraining devices in court or request additional officers to be present. (CALEA 70.1.8)

10. The primary duty of the transporting officer is the safe delivery of the prisoner in his/her care. Diversionary incidents, whether or not initiated by the prisoner, increases the chances for an escape or potential danger to the safety of the prisoner being transported. Therefore, an officer transporting a prisoner shall stop to render assistance to others along the route only if there is a clear, immediate, and grave risk of physical harm to a third party and no other police unit is readily available to render assistance. Under such circumstances, the Dispatcher will be notified of the identity of the unit, the fact that the officer is in the process of transporting a prisoner, and the location and nature of the incident. The officer shall remain only until other emergency assistance has arrived. Officers who are transporting prisoners shall not become involved in a pursuit, traffic stop, or other situation which may potentially cause harm to the prisoner. (CALEA 70.1.4)

11. Transporting officers will be able to visually observe prisoners in their custody at all times. Extreme care will be taken when stopping for fuel, meals, or personal relief. On trips of extended duration, an officer of the same sex will be utilized to transport a prisoner. (CALEA 70.1.4)

12. Vehicles used primarily for transporting prisoners will have a protective screen that separates the driver from the prisoner, and will be modified to minimize opportunities for the prisoner to exit from the rear compartment without the aid of the transporting officer. This will be accomplished by making doors and windows inoperable from the rear seat. (CALEA 70.4.1)

D. Transportation of Multiple Prisoners (CALEA 70.1.3)

1. A single officer transporting a single prisoner in a screened vehicle will transport
the prisoner in the rear seat, passenger side, handcuffed with the seat belt fastened. At no time will one officer transport more than two prisoners. A single officer shall not transport a prisoner in an unscreened vehicle except under emergency circumstances. (CALEA 70.4.2)

2. Two officers transporting a single prisoner, or two or three prisoners in a screened vehicle, will transport with both officers in the front seat, and the prisoner(s) secured in the rear seat, handcuffed, with the seat belt(s) fastened.

3. One officer transporting a single prisoner in an unscreened vehicle shall place the prisoner in the front, passenger seat, handcuffed, with the seat belt fastened. Two officers transporting a single prisoner in an unscreened vehicle shall place the prisoner in the rear passenger seat with the seat belt fastened. The second officer will ride in the rear seat directly behind the officer with weapon on the opposite side of the prisoner. (CALEA 70.1.3)

4. In any transport situation when there is a large number of prisoners, or if there are other special problems, a vehicle designed specifically for the transportation of prisoners shall be requested from the Charleston County Sheriff’s Department/Charleston City Police. When a county/city vehicle is used for this purpose, an MUSC officer will accompany the unit.

E. Special Transport Situations

1. When a meal is required during the transport of a prisoner (i.e., when transporting a long distance) the eating place will be selected at random so that predicted patterns of behavior may be avoided. (CALEA 70.3.3)

2. When a prisoner is transported to a local hospital for any reason, the following shall apply: (CALEA 70.3.3)
   a. Extreme caution will be taken to ensure the prisoner is isolated from the other patients and is not left unattended, or permitted to escape the immediate control of the transporting officer. Hospital security will be notified upon the officer’s arrival at the hospital. The officer must always closely monitor the prisoner.
   b. The transporting officer will not leave the medical facility until relieved by another officer or instructed to do otherwise by a supervisor. If the prisoner is admitted to the hospital, the transporting officer must notify the on-duty supervisor of the circumstances. The Supervisor shall make a decision on whether the prisoner must be guarded.
c. The transporting officer will remove the restraints only when it is deemed necessary and he/she is requested to do so by medical staff.

d. When transporting a juvenile prisoner, or a prisoner of the opposite sex, the officer will notify the Dispatcher of the current mileage and destination. Upon arrival, the officer will again announce the location and ending mileage.

3. Physically and mentally handicapped persons present conditions that dictate special care and attention. For example, the type of vehicle used would be a consideration when transporting non-ambulatory prisoners or those requiring wheelchairs, crutches, or prosthetic appliances. The safety of the prisoner and transporting officer requires care when transporting handicapped prisoners. (CALEA 70.3.1 and 70.3.2 and 70.3.3)

   a. The degree of physical restraint to handicapped prisoners will be applied within reason, at the discretion of the transporting officer, dependent upon such factors as the seriousness of the handicap, mobility of the prisoner, and the circumstances of the arrest.

4. Any prisoner who is sick or injured shall be examined by EMS personnel and offered treatment for their injury or illness prior to being transported to a detention facility. (CALEA 70.3.1 and 70.3.2)

   a. If the prisoner refused treatment the correctional officer will be notified upon admission to the detention facility.

   b. If the prisoner was injured incidental to an arrest, a supervisor shall respond to the hospital, photograph the injury, and take statements from the prisoner. A use of force investigation shall be conducted as specified in Department policy and procedure.

   c. If necessary, EMS may be called to provide an ambulance for transportation to a medical facility. The ambulance will be accompanied by a MUSC officer and the prisoner will remain under guard by the officer. The officer may follow the ambulance in the police vehicle, or in a violent or high escape risk case, the officer may actually accompany the prisoner in the ambulance.

   d. While being transported, a sick or injured prisoner shall be restrained or handcuffed, unless handcuffs create further injury. A second officer will be utilized to assist in transporting an unrestrained prisoner.
e. Unconscious prisoners shall not be transported in a police vehicle, but shall be transported to a hospital or medical facility by ambulance.

5. Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting officers. Mentally disturbed persons are to be restrained securely without causing injury.

a. If the prisoner is violent, two or more officers may be used to transport.

b. When it appears that a prisoner’s violent or bizarre behavior may constitute a risk of harm to himself or others, the prisoner may be transported on a stretcher in an EMS ambulance with handcuffs and/or body restraints applied. This method of transportation should only be used after other methods have been eliminated as unfeasible.

F. Booking Prisoners at the Charleston County Detention Center (CALEA 70.1.6)

1. The transporting officer(s) will notify the Dispatcher and advise them that they have a prisoner in custody and that they are beginning transport to a detention facility. If the officer is transporting a juvenile or a member of the opposite sex, the officer will give the dispatcher the beginning and ending mileage.

2. The transporting officer(s) will notify the dispatcher operator upon arrival at the detention facility.

3. The officer will ensure that the booking report is completed before taking the prisoner into the detention facility. The officer will give all documentation to the booking officer. This documentation may include a copy of the booking report, the blue and green copies of the uniform traffic ticket, the prisoner’s identification, arrest warrants, and any other documents as necessary. (CALEA 70.1.6.c)

4. All prisoners are to be taken to the intake area.

5. The transporting officer(s) must secure their weapons either in the police vehicle trunk or in the gun lockers provided at the detention center. (CALEA 70.1.6.a)

6. The transporting officer will notify the detention facility if the prisoner is known to be ill or injured and, if so, what medical treatment has been provided. The correctional officer will also be advised if the prisoner is suicidal. (CALEA 70.1.6.d)

7. The handcuffs will be removed at the direction of the booking officer. (CALEA
8. After the booking officer has taken custody of the prisoner, the prisoner’s property has been inventoried, and the booking officer has signed for receipt of the prisoner, the officer may retrieve his weapon and leave. (CALEA 70.1.6.e)

G. Documentation / Transportation From a Detention Facility

Prior to being transported from a detention facility to another location (i.e., the police station for questioning, court, etc.), the officer shall ensure that a positive identification of the prisoner has been made. If the prisoner is being transported to another detention facility a commitment order must be completed by the judge and must accompany the prisoner along with any personal property. The officer will ensure that the prisoner returns any property belonging to the detention facility.

1. Identification verification may be accomplished by comparing the prisoner’s physical appearance with jail records, interviewing the prisoner, or any other method which will assure the officer of the correct identity of the prisoner. (CALEA 70.5.1.a)

2. As applicable, the commitment papers, medical records and all personal property shall be transported with the prisoner. For interstate transports, a properly executed extradition warrant or waiver shall be obtained in advance and transported with the prisoner. (CALEA 70.5.1.b)

3. Information regarding the prisoner’s escape and suicide potential and other security concerns must be recorded and included in the documentation accompanying the prisoner. (CALEA 70.5.1.c)

4. The South Carolina Law Enforcement Division is available to assist with the extradition of prisoners from out of state.

H. Escapes

Following the escape of a prisoner during a transport, the transporting officer must take action which includes the following:

1. Persons to be notified: (CALEA 70.1.7.a)
   a. Dispatcher (immediately by radio) with a description of the escapee and direction of travel;
   b. All surrounding police jurisdictions (immediately);
c. On-duty Public Safety Supervisor;

d. The Supervisor may request the SLED Bloodhound Team;

e. Police jurisdiction(s) of the escapee’s residence and known associates, as well as possible destinations;

f. The Director, Patrol Commander and the Operations Support Commander.

2. Reports to be Completed: (CALEA 70.1.7.b)

   a. Incident Report (escape from custody) and synopsis;

   b. Detailed, oral report to the Patrol Commander and the Operations Support Commander;

   c. Loss of equipment report to the Supervisor;

   d. Any other reports deemed necessary by the Supervisor.

3. Other actions to be taken: (CALEA 70.1.7.c)

   a. A message statewide and additional messages directed to any agencies with a likelihood of coming in contact with the escapee;

   b. Sign additional warrants as required.