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	Subject: Detainee Transportation			
	Issuing Authority: Charles Femino Chief of Police		Signature: 	Effective Date: December 7, 2021
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Purpose

The purpose for this directive is to establish guidelines for restraining, searching, and transporting detainees safely. Officers are legally responsible for the safety of persons they arrest while in their custody. Officers shall ensure that these individuals are restrained, searched and transported in accordance with this directive.

The transportation of detainees is potentially dangerous for police officers, and the public. During transportation, an otherwise cooperative detainee could attempt to harm themselves or escape. Not only is it embarrassing for the department if a detainee escapes, but also it allows a potentially dangerous individual back on the street.

There are two types of detainee transports. The first is the transporting of detainees from the place of arrest to the booking facility. The second is the transporting of detainees to court, for medical treatment, or to other holding facilities.

The procedures in this directive are designed to protect the officer, the detainee, and the public from injury and to protect the officer from any claims of improper treatment.

Policy

A. All departmental vehicles normally used to transport detainees shall:

1. Have a safety barrier installed separating the driver's compartment from the rear compartment. [70.4.1]
2. Be modified to minimize the opportunities for the detainee to exit the rear compartment without the aid of the transporting officer. [70.4.2]
3. Be outfitted with seatbelts for all occupants.

Procedures

A. Inspection and Search of Transporting Vehicles:

1. At the start of the shift and prior to being used, each officer assigned to a police vehicle that can be used to transport detainees shall thoroughly search the vehicle for any contraband, weapons, or instruments that may be used to inflict injury. If anything is found, the officer shall notify the Shift Commander and file a report, which will be forwarded to the Deputy in charge of Patrol. [70.1.2]
2. It is the transporting officer's responsibility to ensure that the vehicle is safe and equipped with appropriate items. The vehicle itself should be examined to ensure proper working order, to include proper inflation of tires, fuel and oil levels, ignition system, and engine operation. Missing equipment or discrepancies shall be noted and corrected in a timely manner.
3. Before transporting a detainee, the officer transporting the detainee shall search all areas accessible to a prisoner for weapons and contraband and file a report if any such items are discovered. The officer should never assume the officer who was previously assigned to the vehicle searched the vehicle. [70.1.2]
4. As soon as practicable after a detainee has been removed from the vehicle, it shall be searched again. This not only insures that the prisoner has left nothing in the vehicle, but if items are found, link those items in a timely manner to the detainee. The officer should be aware of any evidence or contraband the detainee may have tried to conceal.

B. Searching Detainees and Inventorying Property:

1. Anytime a detainee is placed in a transport vehicle, he/she shall be thoroughly searched prior to transport. The search shall commence as soon as a detainee is in custody and under officers control. The transporting officer will search the detainee for weapons, contraband, or fruits or instrumentalities of a crime. The only exception will be if a search at the scene of an incident could endanger the officer or detainee. The search will then be conducted as soon as the detainee and officer are a safe distance from the incident scene. The officer should conduct this search in a manner consistent with their training using the back of their hand and or metal detecting wand. Ideally, this search will be conducted in the presence of another officer. All detainees are to be searched regardless of gender. Whenever practicable, the search should be conducted by an officer of the same gender. [70.1.1]
2. The officer(s) who perform detainee transport will be responsible for inspecting the transport vehicle (wagon) prior to transporting detainee (s) and after the transport is complete and the detainee has been removed from the transport vehicle. This inspection is to ensure that the transport vehicle is free of any weapons, contraband or detainee

belongings. The transport vehicle will be inspected in this manner each time it is used during the course of any given shift. [70.1.2]

3. Juveniles shall be searched in the same manner as adults.
4. All property shall be removed from detainees and bagged prior to being placed in the transport vehicle. Upon arrival at the station this property shall be processed in accordance with department policy 300.

C. Handcuffing [70.2.1]

1. All adult detainees who have been taken into custody and those juvenile detainees, when it has been deemed appropriate by the officer, shall be handcuffed until arrival within the booking area or until transfer of custody takes place at court or other facility, unless, the arresting officer determines that circumstances exist that make this action unwarranted. No exceptions to the handcuffing requirement may be made in any case where: [70.1.6(b)]
 - a. The detainee is under the influence of alcohol or drugs
 - b. The detainee is under arrest for a violent offense
 - c. A threat against the officer's safety exists
 - d. The detainee is a threat to escape custody
 - e. The detainee has a known history of violence
 - f. The detainee resisted arrest or otherwise has exhibited violent behavior
2. **Juveniles under arrest** should be handcuffed when being transported especially when:
 - a. The juvenile has been arrested for a violent offense
 - b. A threat against the officer's safety exists
 - c. The juvenile is a threat to escape custody
 - d. The juvenile has resisted arrest
 - e. The juvenile has a history of violence
 - f. Other exigent circumstances exist
3. All officers shall ensure that when an individual is handcuffed, the handcuffs are double-locked and checked for comfort. In the event the detainee is violent and it is impossible to immediately double-lock the handcuffs, the handcuffs should be checked, adjusted, and double-locked as soon as assistance is available and as practicable.
4. All detainees handcuffed will be handcuffed with their hands behind them, palms facing outward. This requirement would not be necessary on long transport where proper shackling devices are used.
5. If deemed necessary by the Shift Commander, Street Supervisor or transporting officer, alternative restraining devices such as leg restraints may be used in addition to being handcuffed.

D. Placement of Detainees in Transport Vehicles

1. The preferred method of transport shall be the transport wagon (Unit 200) or but the Shift Commander or the Street Supervisor or may authorize other means when appropriate.
2. With permission from the Shift Commander or the Street Supervisor, Somerville Housing Police's (Unit 93) unit equipped with a safety barrier, may be used to transport detainees.
3. When one officer is transporting with a cruiser equipped with a safety barrier, the detainee will be placed in the rear seat on the passenger side.
4. When two officers are transporting with a cruiser equipped with a safety barrier, the detainee will be placed in the rear seat on the passenger side. The officer not operating the cruiser will sit in the front seat and visually check the detainee.
5. When two officers are transporting in a cruiser without a safety barrier, the detainee will be placed in the rear seat. The officer not operating the vehicle will sit in the rear seat, weapon side away from the detainee. This type of transport will rarely—if ever—be authorized. [70.1.3]
6. When transporting using the wagon, the detainees will be placed seated in the rear of the wagon and the officer seated in the front cab.
7. Whenever several dissimilar suspects (adult males, adult females, male juveniles, etc.) have been arrested, they should be transported in separate compartments when practical. At no time should juveniles be transported in the same compartment as adults.
8. Detainees shall be secured in transport vehicles with a seatbelt. If for some reason a detainee is unable to be secured, transport may be approved by the street supervisor. Justification for this change shall be noted with dispatch and documented on any accompanying reports. Such instances may include but are not limited to medical reasons, injuries, extremely uncooperative individuals and instances where doing so would pose a risk to the health or safety of the detainee or transporting officer.

E. Transporting Detainees from Scene of Arrest or Other Facility to the First Facility

1. Prior to transporting a detainee, the officer will radio dispatch and give the number of detainees being transported, destination, and starting mileage. Dispatch will acknowledge this information along with the time. Upon arrival at the stated location, whether at the station or another facility, the officer will radio dispatch and notify them of the arrival and give the ending mileage. Dispatch will acknowledge this information and note the both the time and destination in the QED. Upon arrival at the Station, the transporting officer shall inform the dispatcher, who in turn will notify the commanding officer of the arrival and any potential medical or security risks. If the detainee is to be transported to a facility other than the Station, the commanding officer shall notify that facility of any potential medical or security risks with the detainee. [70.1.6(d)(e)]

2. The transporting officer will transport detainees so that the officer is able to observe the detainee—as practicable.
3. Prisoners shall be transported in such a manner so as to maximize their safety, safety of the public, and safety of the transporting officer. It is the transporting officer's legal obligation to ensure the safety of a prisoner in custody. All prisoners will be searched each time there is a change in the officer taking custody of the prisoner.
4. Unnecessary conversation with the detainee shall be avoided. However, officers should not hesitate to calm an excited detainee. Conversation with non-police personnel and police personnel alike should be avoided until the detainee has been booked at the station. [70.1.5]
5. Officers shall proceed directly to the facility or station for booking without unnecessary delay. In route, all traffic regulations shall be observed. Lights and sirens shall not be used unless their use is necessary and this can be articulated and documented, if necessary. Any and all necessary documentation (ex. signed warrant) shall be delivered to the commanding officer after the detainee has been secured at the facility. [70.1.6(c)]
6. At the Facility, the transport vehicle shall be backed into the sally port area and the bay door to the sally port closed.
7. The officer transporting the detainees will secure his/her firearm in the firearms locker located in the sally port. The officer operating the vehicle shall also ensure the keys to the transport vehicle are not accessible to a detainee. When the detainee transport originates or terminates at another police facility, officers shall secure his/her firearm in the appropriate firearms locker. [70.1.6(a)]
8. After the firearm has been secured, the detainee will be escorted to the booking area.

F. Transporting Sick, Injured or Disabled Detainees to a Medical Facility [70.3.1]

1. Trips outside of the Station present detainees with an opportunity to assault staff or escape. Accomplices at treatment facilities could assist in an escape attempt. Officers must remain vigilant at all times.
2. In the event an officer becomes aware, either after the detainee has been arrested, but prior to being transported to the booking facility/court, or during transport to the booking facility/court, that a detainee is sick, injured or has become either physically or mentally disabled, he/she shall notify the commanding officer and the commanding officer shall make the determination if the detainee shall be transported directly to a medical facility, the booking facility or Somerville Fire and Cataldo Ambulance should be notified in order allow them to examine the detainee before being transported.

3. If an officer becomes aware that a detainee is sick, injured or has become either physically or mentally disabled, while detained at the holding facility, the officer shall notify the commanding officer as soon as practicable and Somerville Fire and Cataldo Ambulance shall be notified in order allow them to examine the detainee before being transported to the medical facility.
4. Any wheelchair, crutches, devices, and medications shall be transported with, but not in the possession of, the detainee.
5. Whenever practicable, mentally disabled detainees should be transported by ambulance and restrained with proper devices. If required, handcuffs may be used until a more appropriate restraining device can be applied.
6. Accountability
 - a. Detainees brought to a hospital for a mental health evaluation shall remain the responsibility of the transporting officer until such time that proper custodial transfer has occurred.
 - b. Sick, injured or disabled detainees brought to a hospital shall remain the responsibility of the transporting officer until relieved by another officer, the custody of the detainee is transferred to another entity, the detainee is bailed, or the detainee is returned to the station.
7. Notification of Hospital Police:
 - a. When a detainee is transported to a hospital, the dispatcher or other department member shall notify the hospital police or security.
 - b. If there are any unusual risks or circumstances, the hospital police or security shall be advised.
8. Security and Control of Detainees Transported to Medical Facilities [70.3.2]
 - a. Violent or high security risk detainees may, at the discretion of a supervisor, be accompanied by more than one officer to the hospital.
 - b. Officers may employ a higher level of security and vigilance for violent or high-security detainees than is presented in this policy.
 - c. The detainee shall remain restrained while at the hospital unless the removal of restraints is required for medical reasons. The immediate supervisor will be notified in any case where the restraints have to be removed. The following restraints are acceptable: [70.1.8] [70.2.1]
 - (1) Detainee handcuffed with hands in front and hands together and leg restraints

(2) Detainee handcuffed with one or two hand(s) to the bed, stretcher or gurney, and leg restraints

- d. The assigned officer shall remain in the area of the detainee at all times, unless medical necessity dictates otherwise. In this event, the officer should attempt to remain in a position to monitor the detainee as best he can to prevent escape.
- e. The assigned officer must remain alert for others who may assist the detainee in escaping or who may harm the detainee.
- f. The assigned officer must be aware of potential weapons in the immediate area of the detainee.

9. Emergency Treatment:

- a. The assigned officer shall accompany the detainee through registration and triage. The assigned officer's knowledge may be helpful to medical staff in evaluating the detainee's claims of sickness or injury.
- b. The officer should make periodic inquiries as to the progress of the evaluation and treatment and keep the Shift Commander informed for the purpose of staffing.

10. Admittance:

- a. In the event that the detainee is admitted, the officer should request that the detainee be placed in a private room for security purposes and for the safety of other patients and staff members. A private bathroom with a single door is preferred.
- b. Advise the Shift Commander of the nature of the situation, room number, room telephone number, and estimated length of treatment.
- c. The officer shall inspect the interior of the room, closets, and bathroom for potential weapons.
- d. The officer must remain in the room or just outside of the room, but always within sight of the detainee.

11. Visitors: [70.3.2]

- a. Detainees are under arrest and in police custody.
- b. The visitation policy that applies to the holding facility (see department policy 300 Holding Facility) applies to the hospital site as well. The immediate supervisor shall be notified of any potential visitors.

12. Eating: [70.3.2]

- a. The officers should advise hospital staff that the detainee should be fed using disposable plates, cups, and dinnerware.
- b. The officer should visually inspect any meals or beverages prior to their being given to the detainee.

13. Bathroom use:

- a. The detainees hands may be un-restrained, if necessary, to use the bathroom. The officer shall maintain the leg restraints and stay within sight of the bathroom. The bathroom should be checked for potential weapons or routes of escape before being used by the detainee. Paying special attention to any “sharps containers” (syringe depositories).
- b. If the detainee needs assistance in using the bathroom, hospital staff will assist the detainee.

14. Telephone: [70.3.2]

- a. Detainees are not allowed to use the telephone at the hospital.

15. Bail or Arraignment:

- a. In the event that a detainee will be admitted to a hospital for an extended period of time, the Shift Commander shall notify the Deputy in charge of Patrol.
- b. The Shift Commander should investigate the possibility of contacting the court to ascertain if the detainee can be arraigned at the hospital.

16. Release:

- a. Upon the release of the detainee from the hospital, the officer shall:
 - (1) Obtain any prescriptions and dosage instructions
 - (2) Obtain any instructions for care of the detainee, including follow-up visits
 - (3) Advise the dispatcher of the release from the hospital and the return trip to the station
 - (4) Transport the detainee back to the Station
 - (5) Have the dispatcher annotate the return time by broadcasting it
 - (6) Return the detainee to the holding cell after being patted down
 - (7) Brief the Shift Commander upon the return from the hospital or other facility of any medications, care, or return visits required or prescribed. (see holding area policy for clarification on dispensation of medications)

1. Transporting a Detainee from the Holding Facility to Court or another Agency Facility

1. Before entering the booking area, all officers will secure their weapons in a firearms locker.
2. Personal property of the detainee that is accompany the detainee and the original prisoner property sheet should be loaded into the cab of the transport vehicle prior to all detainees.
3. Before placing the detainee in the transporting vehicle, the officer will search the vehicle for weapons or instruments that could be used to escape.
4. The transporting officer shall insure the following paperwork accompanies the detainee. [70.1.6(c)][70.5.1(b)]
 - a. Two copies of the booking sheet or courtesy booking sheet.
 - b. If a detainee has been arrested on new charges, officers shall include one arrest packet (unless previously delivered to the court), Arrest Packet shall include the following as indicated in Policy 126, Incident Reporting:
 - (1) One original and two copies of the application for criminal complaint
 - (2) One original and five copies of the arrest report (court case summary)
 - (3) One original and four copies of the Booking Sheet
 - (4) One Board of Probation report
 - (5) Two original and two copies of any traffic citations (when applicable)
 - (6) Two copies of the OUI document (when applicable)
 - c. If the detainee was arrested on a warrant or warrant in addition to new charges, officers shall include:
 - (1) One original and 2 copies of the signed warrant(s).
 - (2) One copy of the located warrant summary from open fox.
 - (3) One original and four copies of the Booking Sheet.
 - d. If the detainee is a juvenile, a Juvenile Release form shall accompany them.
 - e. A [Detainee Transfer notice form #303](#) (when applicable) [70.1.6(d)][70.5.1(c)]:
 - (1) If the detainee, while in custody, attempts or threatens suicide, a copy of the attempted suicide report will accompany the detainee to court or receiving facility (M.G.L. Chap. 40, Sec. 36A).
 - (2) If the detainee, while in custody, experienced a medical event, any medical release paperwork will accompany the detainee to court or receiving facility.

- (3) If the detainee, while in custody, attempts escape, a copy of the report will accompany the detainee to court or receiving facility.
- (4) If a detainee poses a security risk
5. One copy of the FBI Fingerprint Identification report.
6. Upon removing the detainee from the cell, the transporting officer will search the detainee and handcuff him/her. If deemed necessary by the Shift Commander, Street Supervisor or transporting officer, alternative restraining devices such as leg restraints may be used in addition to being handcuffed.
7. The transporting officer shall positively identify that the detainee to be transported is the correct detainee. Positive identification may be ascertained from another employee, or by checking the identification of the detainee against the description and booking photo. [70.5.1(a)]
8. Have the officer or official taking custody of the detainee at court or receiving facility sign a copy of the Booking Sheet, Property Sheet and [Detainee Transfer Notice form #303](#) to confirm transfer of custody and return these forms to the Records Bureau. Upon the transporting officers return to the station they shall indicate transfer of custody in the QED system. [70.1.6(e)]
9. When the detainee transport terminates at another police facility or courthouse, officers shall secure his/her firearm in the appropriate firearms locker, while unloading detainees. [70.1.6(a)]

H. Transporting Detainee(s) Over Extended Distances [70.1.4]

1. A detainee transported over an extended distance shall mean any transport of a detainee out of state or for a length of time greater than four (4) hours. Transporting Officers will only make stops for fuel, meals, or for the use of toilet facilities. The following procedure will be followed when making any stops.
2. When transporting a detainee for an extended distance or time, and a meal is required, the transporting officer shall select the restaurant on a random basis.
3. On an extended transport, the transporting officers shall keep the detainee in sight at all time, except when the detainee needs to use toilet facilities and the following conditions exist:
 - a. The toilet facility is searched for contraband and any dangerous weapons prior to use
 - b. The toilet facility only has one entrance/exit which can be monitored by the transporting officers

I. Police Services While Transporting Detainees [70.1.4]

1. While transporting detainees, officers are prohibited from engaging in any activity that could endanger a detainee's safety. The transporting officers will stop to provide police services only in the following circumstances:
 - a. Where immediate response is required to prevent serious bodily injury or death
 - b. Where serious injury has occurred requiring immediate attention
 - c. Where a serious or violent crime is in progress and/or a criminal is fleeing and immediate apprehension is required.
 - (1) In all of the above situations, the transporting officer shall ensure at all times that the prisoner is secured and protected.
 - (2) Under no circumstances shall an officer transporting a prisoner engage in a pursuit or a traffic stop.
2. If the transporting officer's witnesses an incident requiring police services, the officers shall advise dispatch of the location and nature of the incident. Dispatch shall either send another unit to the location or notify the appropriate agency.

J. Special Situation Transportation

1. Officers shall not transport detainees to funerals, reading of wills, etc. These duties shall be conducted by the Sheriff's Department.

K. Unusual/Security Risk Detainees

1. If a detainee to be transported to another agency or court is considered an unusual security risk, e.g., high profile, extremely violent, an escape risk, or has medical issues, the Shift Commander will notify the receiving agency before the detainee is transported, so that the receiving agency can properly prepare to receive the detainee. The Shift Commander, or/his designee, is responsible to document in the CAD system the reasons the detainee is considered an unusual security risk [70.1.6(d)][70.5.1(c)]
2. High profile detainees may be fitted with a ballistic vest and /or other protective gear as deemed necessary by the shift commander.

L. Detainee Escape [70.1.7]

1. If a detainee escapes from custody while being transported, or while at the station, the transporting officer shall immediately notify dispatch by radio or by other means, giving as much information as possible including the following:
 - a. Detainee's name
 - b. Description, including clothing

- c. Offenses for which the detainee is under arrest
 - d. Location of escape
 - e. Direction of flight
 - f. Possible destination, if known
 - g. Any other pertinent available information
2. The transporting officer will begin an area search and attempt to regain custody of the detainee as soon as possible.
3. Dispatch will immediately notify the Shift Commander of the detainee's escape. The dispatcher shall immediately broadcast to all patrol units the name and a description of the escapee, the estimated time of escape, whether the escapee is armed/dangerous, whether on foot or in a vehicle, the possible direction of flight, and any other pertinent information.
4. If the escape took place in another city or town, that agency will also be immediately notified. An immediate search shall begin under their direction. The use of a K-9 should be considered. The dispatcher shall then broadcast the same information to other surrounding departments and agencies over BAPERIN. As soon as possible, a message shall be sent over the CJIS system, advising other departments and agencies.
5. The transporting officer shall, before the end of the shift, submit a written report, detailing the events surrounding the escape to the Shift Commander. The Shift Commander shall submit a written report concerning the events leading to the escape and the actions taken to regain custody, including any recommendations concerning possible corrective measures to the Deputy in Charge of Patrol.