

CHAPTER 71  
PRISONER TRANSPORTATION

DISCUSSION: The transportation of prisoners by law enforcement officers is a constant requirement. Prisoners are transported under many circumstances to include: immediately following routine arrest, transfer to other agencies or holding facilities, movement of prisoners from holding facilities to medical treatment centers, or courts, and for various other reasons. Although the majority of prisoner transports conducted by the Hattiesburg Police Department are not lengthy, there will be those occasions that require extended travel with prisoners.

In all cases, when prisoners are transported, it is necessary that officers are cognizant of the prisoners' safety and rights as well as their own safety and the safety of the general public. Care must be taken so that prisoners do not escape and that they are not placed in situations that could result in harm to anyone. As Hattiesburg Police Officers perform prisoner transports, they should be prepared to do this in a manner that will provide adequate safety and security of the prisoner, transporting officer and general public.

71.1 TRANSPORT OPERATIONS

71.1.1 Search of Prisoners

Each time an officer takes a prisoner into custody for transporting purposes, the officer shall search the prisoner using the guidelines below.

- A. Handcuff the prisoner.
- B. Search the prisoner for any contraband and/or weapons that they may have obtained prior to arrest, or any item capable of inflicting serious bodily injury or death.
  - 1. Search will consist of a pat down of outer clothing.
  - 2. Inspection of all pockets, hat, hair, foot-wear, any tote bag that the subject has in his immediate possession.
- C. A search of the area within the immediate reach and control of the person(s) arrested.
- D. A strip search shall be conducted only when there exist a reason (P/C) to believe that there is an item of evidentiary value or weapon to be obtained. The officer performing such a search should be able to articulate this reason. The reasonable and prudent standard should be the test applied to determine the need for this type of search. Given the intimate nature of the strip search; the potential for embarrassment along with the propensity for complaints require that a higher degree of suspicion is needed in performing a strip search than would be required for "stop and frisk" or "plain feel" search. An officer of the same sex as the prisoner will perform the search in a secure

and private place out of public view. An observer of the same sex should be used for the protection of both the officer and the prisoner.

- E. A body cavity search is far more intrusive than a strip search, thus requiring more justification. Body cavities such as the mouth, ears, nose that lend themselves to a visual nonintrusive search may be conducted by the officer. Intrusive searches that require invasive procedures are to be conducted by medical personnel and require a court order or documented consent.

#### 71.1.2 Search of Transporting Vehicles

- A. A thorough inspection will be made by an officer of the vehicle assigned to him/her for their tour of duty. At the beginning of each shift, the officer will search his/her vehicle to ensure that it is free from contraband.
- B. After transporting prisoners, the officer shall again conduct a search of the passenger compartment to insure that no contraband or similar items have been introduced. This search will ensure that items found in the vehicle may be linked in a timely manner to the prisoner.

#### 71.1.3 Placement of Prisoners During Transportation

- A. Placement of prisoners during transport in vehicles without a "safety barrier" shall be as follows:
  - 1. If the arresting officer is without assistance, the arrested person shall be placed in the front seat of the police vehicle with the passenger restraint fastened prior to being transported to protect the prisoner as well as limit his/her mobility.
  - 2. If the arresting officer is accompanied by another officer, the arrested person shall be placed in the right rear seat of the police vehicle and the accompanying officer shall occupy the seat immediately to the rear of the driver. An exception can be made in the case of extended transport when body chains and/or leg restraints are in place.
  - 3. Two (2) prisoners, due to the inherent danger, should not be transported without a safety barrier, except in extreme or unusual circumstances. They shall be placed in the front and rear passenger seats. The assisting officer shall sit directly behind the driver.
  - 4. Prisoners shall not be transported in vehicles without a "safety barrier" when officers have civilians or participants in a "ride along".
- B. Placement of prisoners during transport in vehicles that are equipped with a "safety barrier" shall be placed in the rear, on the passenger side. If a second officer is

assisting during transport, the second officer may sit in the front or in the rear behind the driver.

#### 71.1.4 Observation during Transport

- A. An officer shall maintain observation of a prisoner that he/she is transporting except when the prisoner needs to use the toilet facilities and the following conditions exist:
  - 1. The prisoner is being transported for an extended distance outside the boundaries of the City of Hattiesburg. In which case two (2) officers shall be required to transport.
  - 2. The toilet facility is searched for contraband and any dangerous weapons prior to the prisoners' usage. One officer performs the search while the other maintains observation of the prisoner.
  - 3. The toilet facility should only have one entrance/exit which can be monitored by the transporting officers.
- B. No stops shall be made, during normal transportation situations, from the point of arrest to the booking/processing location.
- C. No officer shall stop to respond to the need for law enforcement services while transporting a prisoner, unless the risk to a third party is both CLEAR and GRAVE with minimal risk to the prisoner. In such cases, the officer shall take every precaution to ensure the safety and security of the subject being transported.

#### 71.1.5 Communicating During Transport

A prisoner is prohibited from communicating with anyone other than the transporting officer during transportation.

#### 71.1.6 Actions at Destination

Upon arrival at any holding facility with a prisoner the transporting officer shall:

- A. Secure his/her firearm.
- B. Remove restraining devices just prior to placing the prisoner in a cell or turning the prisoner over to another officer/agency.
- C. Deliver any necessary documentation regarding the prisoner (commitment papers, warrant, etc.) to the receiving officer/agency.

- D. If an officer transports a prisoner from one facility to another, upon his arrival, he/she shall follow the protocols of each individual facility with regard to signing prisoners in and out. In incidents that require a Hattiesburg Police Custody Report to be generated the transporting officer shall obtain the name and signature of the receiving officer.
- E. Transporting officers shall advise the receiving facility of known circumstances which may be a factor in handling and control of the prisoner. If the receiving facility gathers intake information, such as a check list or booking sheet, the transporting officer shall request that this information be noted in addition to normal prisoner information. In an effort to protect the Department and/or the officer the request for special consideration shall be noted on the custody report or in a narrative to be attached to the original paper work or case file. Circumstances that merit special consideration are:
  - 1. Officer Safety factors
  - 2. Medical conditions (Physical or mental)
  - 3. Segregation issues (Two people fighting each other should not be confined together)
  - 4. Observation issues (medication or other overdoses, suicide threats, etc.)  
\*As a rule of thumb or guideline; if it is worth mentioning to the booking officer it should be noted.

#### 71.1.7 Escape From Custody

- A. In the event of an escape from custody of a prisoner being transported by the Hattiesburg Police Department within the city limits, the following guidelines apply:
  - 1. Notify the Communications Center at which time an on duty telecommunication shall request broadcast pertinent information to all units and notify the affected patrol supervisor.
  - 2. Make every attempt to apprehend the prisoner and continue to give pertinent information to the Communications Center for dissemination to the other units.
  - 3. Complete a full report outlining the details of the escape and follow-up action to be taken.
- B. If the escape occurs outside the City of Hattiesburg the officer shall:
  - 1. Notify the law enforcement agency within the jurisdiction in which the escape occurred.
  - 2. Make an immediate attempt to apprehend the prisoner.

3. Notify the Hattiesburg Police Department Communication Center at which time the on duty telecommunicator shall notify the Operations Bureau Commander.
4. Complete a full report outlining the details and follow-up action to be taken.

#### 71.1.8 Security Risk Prisoners

While all prisoners are considered and handled as a security risk; some, because of mental illness, criminal history or status within the criminal community require additional consideration. When a prisoner being transported to court is deemed as a security hazard, the presiding Justice and/or bailiff shall be notified prior to the court proceeding so that special security measures such as the use of restraining devices may be considered by the court.

### 71.2 RESTRAINING DEVICES

#### 71.2.1 Prisoner Restraint Devices

##### A. Handcuffing

1. The prisoner shall be handcuffed prior to being searched.
2. All persons that have been placed under arrest and taken into custody shall be handcuffed until arrival within the booking area or until transfer of custody takes place, unless otherwise listed as an exception in this section. No exception to the handcuffing requirement may be made in any case, except as provided for in section 71.3 special Transport Situations.
3. All officers shall ensure that when an individual is handcuffed, that the handcuffs are double locked. In the event that the prisoner 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.
4. Handcuffs shall be placed so that the prisoner's arms are secured behind his/her back. This requirement would not be necessary on long transports where the proper shackling devices are used or in circumstances where the prisoner is pregnant, disabled, or ill. (depending on the nature of the illness)
5. In no case shall a prisoner be secured to any portion of the police vehicle or any other fixed or moveable object not specifically designed for that purpose.
6. Juveniles placed under arrest shall be handcuffed when transported as mandated for adults.

##### B. Body chains will be attached around the waist with hands cuffed at each hip.

- C. Leg chains shall be placed around the ankles.
- D. Straight Jackets may be used to safely transport the mentally ill or those that pose a danger to themselves or others if placed in traditional restraints. Application of a straight jacket should only be performed by medical personnel or others properly trained in its use. This does not limit the officer from assisting in applying a straight jacket.
- E. Hobble straps purchased by the Department may be used to secure prisoners that pose a transportation hazard due to their physical aggressiveness. These straps are used to secure the prisoners legs to prevent officer injury or equipment damage. Other devices that render a prisoner in the position commonly known as "Hog Tied" shall not be used.

### 71.3 SPECIAL TRANSPORT SITUATIONS

#### 71.3.1 Transportation of Prisoners of the Opposite Sex

- A. Whenever an officer transports a prisoner of the opposite sex, the officer shall call in the vehicle mileage at the beginning and at the end of the trip. The telecommunicator shall respond with the time of departure and the time of arrival. All information considering mileage and times shall be recorded in the AS 400 computer system under the comments section.
- B. In an extended transport outside the City of Hattiesburg, a person of the same sex as the prisoner will be assigned to accompany the prisoner. Transportation out of normal radius of radio contact where Communicators can log time and mileage is considered "extended" for practical purposes. Transportation outside of this perimeter can be made, if necessary, by two (2) officers with a prisoner of the opposite sex provided that the distance is of such length that a stop would not normally occur.

#### 71.3.2 Transportation of the Sick, Injured and Disabled

- A. Transportation of Handicapped Prisoners
  - 1. While transporting handicapped prisoners, the transporting officer shall ensure that it is performed in a safe manner, depending upon the specific needs of the prisoner.
  - 2. If the handicapped prisoner cannot be transported safely in a police vehicle, an ambulance or other appropriate vehicle may be called to the scene, at which time the transporting officer shall maintain custody of the prisoner.
  - 3. While transporting a handicapped person, the officer shall take into consideration the specific handicap of the prisoner and determine the need of a restraining device. Adults placed under arrest will be handcuffed unless the

arresting officer determines that the circumstances do not warrant such action. It should not be assumed that restraining devices are not required on handicapped prisoners.

B. Transportation of the Sick or Injured

In the event that an officer becomes aware of any prisoner who is sick or injured (either incidental to arrest or during incarceration or transport) then the following procedures shall apply if that person requests or appears to need medical attention.

1. The officer shall immediately notify their patrol supervisor of all injuries to a prisoner and any request or possible need for medical attention.
2. Forrest General Hospital is considered the hospital of choice for city prisoners. If the officer is transporting the prisoner, and if circumstances permit, then the officer shall transport the prisoner to Forrest General Hospital. The nearest medical facility should be chosen in an extended transport or if a true medical emergency arises. Control shall be maintained of the prisoner as outlined in section 71.3.3 of this chapter.
3. If it is not practical to transport the subject directly to the nearest medical facility, then the officer shall transport the prisoner to the nearest secure facility (police station, jail, etc.) and shall arrange medical attention / ambulance transportation for the prisoner.
4. If the sick or injured prisoner is incarcerated and requires medical attention, circumstances shall dictate whether transportation will be made by the police vehicle or ambulance. In any case, the assigned officer shall make provisions for the security of the prisoner and the officer's immediate supervisor shall be immediately advised.
5. While transporting injured prisoners, the transporting officer shall determine the nature of the injury or sickness and determine whether or not restraining devices are appropriate. In cases where a restraining device would aggravate an injury or sickness and the prisoner is considered a security risk; two (2) officers will be assigned to transport the prisoner.

71.3.3 Transporting Prisoners to Medical Facilities

- A. In the event that an officer is required to transport a prisoner to a medical facility for treatment, the transporting officer shall maintain custody of the prisoner during treatment.
- B. If the prisoner is admitted to the hospital, the transporting officer shall maintain custody until further security arrangements are made.

- C. The following conditions must also be considered:
1. The degree of risk of suicide, escape or assault.
  2. The prisoner should be isolated with visitors and telephone contacts prohibited.
  3. The prisoner shall be secured on a 24 hour basis.
  4. The prisoner shall be restrained until medically deemed impractical.
  5. The officer assigned to guard the prisoner shall be relieved periodically.

#### 71.3.4 Special Situations

The Hattiesburg Police Department does not provide for prisoner transportation in a special situation such as attending a funeral, or the reading of a will.

### 71.4 TRANSPORT EQUIPMENT

#### 71.4.1 Transport Vehicle Equipment

- A. Whenever possible, officers shall transport prisoners in vehicles with safety barriers. Safety barriers serve as protection for both the front and rear occupants.
- B. Vehicles used primarily for transporting prisoners shall be equipped with a safety barrier between the front and rear compartment. This barrier may be plexi-glass, a metal divider or a combination of the two.
- C. Prisoners shall be handcuffed in the same manner as they would if no barrier was present.
- D. Rear windows and door handles accessible to the prisoner shall be deactivated.

### 71.5 DOCUMENTATION

#### 71.5.1 Identification, Information, Documentation

- A. Identification
  1. Each prisoner being transported from a detention facility must be positively identified as the person to be moved.
  2. The officer releasing a prisoner for transport or an officer picking up a prisoner in another jurisdiction is responsible to see that positive identification takes place through the following methods as appropriate:



- a. The authorizing document (warrant, teletype, commitment papers, etc.) checked against jail booking information and descriptions.
- b. Actual physical descriptors of the prisoner compared to the descriptors from the documentation.
- c. Verbally confirm the prisoner's name, date of birth, social security number, DL number, or other information with the prisoner.

## B. Information

As a society we are entering the information age with more data available than ever before at the touch of a button. This gives the officer a tool with which to perform his job to a higher standard than law enforcement officers of even less than a generation ago. An officer should acquire as much information as possible (within reason) in preparing to transport a prisoner. The following are examples of information considerations prior to transportation:

1. Destination
2. Sex of prisoner
3. Name of prisoner
4. Crimes of prisoner (present and past)
5. Warrant number
6. Court Orders
7. Medical condition (physical and mental)
8. Escape risk?
9. Purpose of transport
10. Officer safety issues

## C. Documentation for Transport

1. In normal daily arrest and transport situations this documentation information is provided to the holding facility by the arresting officer. This information may consist of charges filed by the officer or warrant numbers issued by the court and is listed on the officer's custody report. Officers shall follow the booking procedures of the holding facility for misdemeanor and felony prisoners.

2. Documentation for transport of prisoners for normal city court appearances shall be in the form of the "court list" produced from the city court docket.
3. Any prisoner transferred to the responsibility of the county jailor their facility, after arraignment, must be accompanied by commitment papers issued by the court, along with any medical records and personal property of the prisoner.
4. In the event that the prisoner is being transported from another state, appropriately executed governor's warrant or waiver must accompany the prisoner.
5. Juveniles may only be transported to a detention facility through arrangement with the Youth Court. Officers may transport to the county youth detention center on verbal orders from the Forrest County Youth Court. Transportation to other detention facilities with the state system requires commitment paperwork or court orders from the Youth Court.