
	Operational General Order	14.01 Prisoner Transport	PAGE 1 OF 7
	SUBJECT		EFFECTIVE DATE
	Virginia Beach Police Department General Order Chapter 14 - Detainee and Prisoners		08/27/2018
			ORIGINATOR/REVIEW
DISTRIBUTION		Uniform Division	
ALL		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, 70.3.3, 70.4.1, 70.4.2, 70.5.1	
BY THE AUTHORITY OF THE CHIEF OF POLICE:			

Purpose

This policy establishes procedures for maintaining custody and transporting prisoners/detainees in a manner that maximizes the safety and security of the prisoner/detainee and transporting officer(s).

Policy

Pursuant to a physical arrest, the arresting officer(s) assumes certain well-established prisoner/detainee responsibilities. Transporting prisoners is inherently dangerous and all officers must take proactive steps to maximize safety and security to prevent the escape of prisoners, injuries or death to any person and limit the department’s liability regarding the prisoner’s welfare.

All Virginia Beach Police Officers who are to transport any subject(s) in custody will adhere to the procedures set forth in this policy.

Handcuffing Prisoners (CALEA 70.2.1)

All persons arrested on serious felony charge or any crimes against the person, such as assault, threatening bodily harm, etc., shall be handcuffed in accordance with training protocols. However, when the arresting officer(s) has reason to believe that handcuffing an individual might cause additional harm to a pre-existing injury, efforts should be made to restrain and/or transport the arrestee by other means (For example: handcuffing to the front, nylon restraints, use of prisoner van, assistance of one or more officers, etc.) The safety of the officers and others is of primary importance when making these decisions.

The security precautions taken for all other prisoners shall be at the discretion of the transporting officer with due consideration given to the safety of both the officer and prisoner, as well as the prevention of damage to City property. It is not the policy of this department to handcuff all arrested persons. Although officers may handcuff juveniles, under the same circumstances as adults, special consideration should be given to the totality of the circumstances.

Devices such as a straitjacket, leather body straps, and leather wrist/ankle restraints, and leg irons may be obtained through a supervisor, Emergency Medical Services or local hospital emergency rooms. The type of restraining devices used on mentally disturbed or violent prisoners should be accomplished and reported in accordance with General Order 5.01 (Use of Force.)

Some restraint procedures such as “hog-tying” or “hobble-tying,” (which restrains prisoners by connecting the tied together ankles to the hand cuffed wrists) have been found to cause death or serious physical injury. Practices of this nature may cause “positional asphyxia” and are prohibited.

Transporting Prisoners (CALEA 70.1.1, 70.1.2, 70.1.3, 70.1.6, 70.1.8, 70.4.1, 70.4.2, 70.5.1)

The primary duty of the transporting officer is the safe delivery of the prisoner in his care. **Whenever a person, detainee, or prisoner is placed in the rear of a police transport vehicle, an officer will be assigned to standby at that vehicle to keep watch. This is to ensure that no one escapes from the vehicle, that medical treatment can be provided due to illness or injury, or to protect the person, detainee, or prisoner from any threat posed to that person.**

Prisoner custody is solely the responsibility of the arresting officer(s). The officer(s) shall not delegate unsecured custody of a prisoner to civilian employees or magistrates. Arresting officer(s) may delegate custody to other sworn, on-duty personnel. However, a clear, concise communication must transpire between the two officers and the prisoner should be informed accordingly. Vehicles used primarily for transporting detainees must have the driver separated from the detainee by a safety barrier.

Prior to transporting a prisoner/detainee, the officer shall ensure the following:

- Personally search the prisoner/detainee for weapons;
- All property belonging to the prisoner is properly safeguarded.
- When transporting a prisoner from one facility to another (for example, from the 2nd Precinct Lock up to Central booking), Officers shall positively identify all prisoners that are to be transported and shall properly identify each prisoner to the receiving sheriff's deputy. The positive identification will consist of a comparison of the detainee presenting themselves for release and the digital image taken at the time of processing or a government issued identification card. All documentation should be transported with the prisoner, which should include commitment papers, the Precinct Detention Record Form PD-79-3, and the prisoner's personal property.
- Information relating to the prisoner's risk of escape, suicide, other security threats, or medical concerns shall be recorded and included in the Precinct Detention Record Form PD-79-3 that accompanies the prisoner during transport.
- When an officer reaches the desired facility (for example, Central Process or a Temporary Detention Facility) the officer will:
 - All prisoners and their property will be searched after transport and prior to entry into any facility such as hospitals, police buildings and detention facilities.
 - Secure his/her firearm for safekeeping
 - Remove restraining devices prior to placing the prisoner in a cell (if applicable)
 - Deliver documents (warrants, committal to jail cards and precinct detention records) to the receiving officer
 - Advise receiving agency personnel of any potential medical or security hazards.
 - Document (and retrieve documentation of) the transfer of the prisoner and property to the Virginia Beach City Jail from a department holding facility.
- When transporting persons in custody, the officer should always attempt to use a shield-equipped unit (marked sedan), or the prisoner van (if more than two persons must be transported) that separates the driver from the prisoner(s). All prisoners who exhibit violent behavior or mental instability shall be transported with shield-equipped vehicles or a precinct van. Mentally disturbed prisoners may require special restraints in addition to being placed in shield-equipped units. Specially constructed restraining devices may be made available by contacting the immediate supervisor, and shall be properly and safely employed in accordance with the manufacturer's instructions or recommendations. In cases where a standard police sedan is impractical, the use of a precinct van may be employed.

Prior to placing the arrested persons in the transport unit, the officer shall ensure that:

- The area behind the shield and/or area in which the prisoner is to be placed while being transported have been thoroughly searched for weapons and contraband. This search will be done by the officer as part of his pre-patrol inspection of the vehicle prior to the beginning of his shift. Another search of the area will be conducted by the officer prior to placing a prisoner in the vehicle and again after the prisoner is removed from the vehicle;
- Rear windows of the police sedan are shut and rendered inoperable by removing the window crank handle or for those vehicles equipped with power windows, ensure that the window lock switch is in the locked or inoperable position;
- Door handles on the inside prisoner area have been removed or rendered inoperable, or in those vehicles equipped with power locks, ensure that the door switch is in the locked position;
- Shields between the officer(s) and prisoner(s) are shut and securely locked, on vehicles so equipped
- All prisoners shall be seated and securely seat belted prior to transporting, regardless of whether the vehicle is/is not equipped with a shield. According to whether or not the vehicle is equipped with a protective shield and whether there are one or two officers in the unit at the time, prisoners shall be seated as follows

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[REDACTED]

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[REDACTED]

- Once the arrestee is properly secured in the rear of the vehicle, all vehicle doors shall be locked to prevent subjects outside the vehicle from opening the car doors enabling the person in custody to escape.
- Officers assigned to transport a subject shall adhere to the following procedures to prevent claims intended to impeach the officer's integrity:
 - Sign out that you have a prisoner/detainee in custody with E911 Emergency Communications Division via the KDT (if the vehicle is so equipped) and via voice communication. Comments should indicate the officer's destination.
 - Take the most direct route as times of departure and arrival are noted in the E911 Emergency Communications Division computer.
 - Prior to transporting a member of the opposite sex, the officer shall notify his supervisor, if problems are anticipated. The officer may furnish E911 Emergency Communications Division with the odometer readings at the beginning and end of the trip. The KDT shall be used to transmit the odometer reading to the unit's dispatch position or to add the reading to the case comments, if the unit is so equipped.

No child, under the age of eighteen, may be transported with adults that are suspected or charged with criminal acts.

Transport (CALEA 70.1.4, 70.1.5, 70.1.7)

Officers will not interrupt a detainee transport for reasons other than officer safety (such as mitigating a threat caused by a combative detainee), detainee welfare (such as assisting a detainee that becomes ill or unresponsive) or to answer a call for service that involves an immediate threat to life. In any case where a transport has been interrupted, E911 will be notified immediately and the shift supervisor will be briefed as soon as practicable. Once the officer begins the transport procedure, E911 Emergency Communications Division shall be advised. All prisoner transports shall be made by the most direct available route to the final destination.

During transport, communication (via cell phone etc) between arrestees and others (including legal counsel) shall not be permitted unless deemed necessary by the transporting officer.

Under no circumstances shall the prisoner(s) be permitted to use tobacco while in a police vehicle.

Escape of a Prisoner

If an escape occurs, the following procedures will be adhered to:

Within the City of Virginia Beach

- Immediately notify the E911 Emergency Communications Division to broadcast a BOL and request assignment of units to converge on the area of escape;
- Notify supervisor of the escape;
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Completing an IBR report and any other paperwork required by the supervisor;
- Obtain arrest warrants for escape.
- If the escapee is not apprehended, the search shall be terminated by the highest-ranking available police supervisor only after all practical means of apprehension have been exhausted. The supervisor will also be responsible for notifying E911 Emergency Communications Division when the search has been terminated or if the escapee has been apprehended.

In another jurisdiction

- Immediately notify the law enforcement agency in the jurisdiction where the escape took place of the incident, request the assistance of units from that jurisdiction, and request the broadcast of a BOL;
- Notify E911 Emergency Communications Division for the broadcast of a BOL;
- Assist with investigation by offering information to aid in the escapee's recapture.
- Assist in preparing the necessary reports and obtaining warrants in the jurisdiction of escape; and
- Complete any paperwork required by the transporting officer's supervisor.

Sick or Injured Arrested Persons (CALEA 70.3.1)

Persons who are sick or injured at the time of the arrest shall be provided medical treatment as required. Officers taking sick or injured persons in to custody shall:

- Summon assistance from Emergency Medical Services
- Administer First Aid as required until relieved by EMS personnel;
- Defer to the recommendations of EMS personnel as to the need for further treatment;
- Carefully search the prisoner prior to transport;
- Notify a supervisor of the need to transport the prisoner, and the necessity for assistance in guarding the prisoner;
- If a person is injured or complains of an injury that occurred while in custody or as a result of a police department member's action, the first line supervisor will document the complaints or injury that prompted the need for medical care. The first line supervisor will ensure the responses to those needs shall be entered into RiskMaster X and that all associated hardcopy paperwork is sent to Risk Management. Place the event number in the upper right corner of each page for all hardcopy paperwork about the event sent to Risk Management.

Officer should be aware of the health risks to some prisoners arrested in certain circumstances. For those prisoners who are suspected of being in the midst of cocaine psychosis or excited delirium or are being obese and having engaged in a physical struggle with arresting officers, the arresting officer(s) must:

- Immediately sit the person upright once they have controlled him;
- Relieve the subject of heavy weight meant to keep him controlled so as to allow him to breathe freely;
- Get him out of the controlled position as soon as possible;
- Continuously monitor the subject throughout the custody period including during the post-struggle period and during transport to include verbal responses to the officer's questions; and
- Provide for immediate medical attention.

Handling Prisoners who are Transported to a Medical Facility (CALEA 70.3.2)

Prisoners who are taken to a hospital or medical facility for treatment will be restrained at the discretion of the transporting officer. Officers should carefully balance the need to restrain the prisoners against the safety of those who are providing treatment. Officers should remain with the prisoner at all times while the prisoner receives treatment, or take every reasonable precaution to prevent escape and or prevent violent behavior toward EMS or medical personnel. Officers shall remain with the prisoner until the necessary course of treatment is complete, and the prisoner is released from medical care.

In the event that the necessary medical care will extend beyond an emergency room visit, the officer shall consult with a supervisor to determine the need for posting a guard, arranging for the release of the prisoner on a summons or warrant, or making provisions for a bond hearing and transfer to the custody of the Virginia Beach Sheriff's Office.

The posting of Guards shall be arranged and monitored by a supervisor, and shall be established in accordance with the following guidelines:

- 24 Hour Coverage shall be provided;
- Officer shall be assigned to stand guard for periods not to exceed one shift;
- Adequate relief will be provided to allow for meals and rest as required;

- Officers shall be alert to escape attempts;
- Officers shall avoid fraternizing with prisoners;
- Visitors to the room will be restricted to Law Enforcement Officers or others at the approval of the investigating officer. Those entering the room, other than hospital and law enforcement personnel, shall be searched for weapons and contraband before entering the room.
- Telephone contact with or by the prisoner is prohibited;
- Allow no more than one (1) person to visit with or interview the prisoner at one time, unless it is a necessary function of official business.
- Officers will maintain a log of persons entering the room other than hospital / medical staff.
- Upon release, carefully record the prisoner's condition. All instructions for future treatment and medication should be obtained in writing and signed by the attending physician.
- Before moving, the prisoner should be searched and restrained at the discretion of the officer.

Handicapped Prisoner (CALEA 70.3.1)

When possible, handicapped persons shall be transported in the shield equipped units. They shall be placed and secured in the back of the shield equipped unit in a position that is as comfortable and convenient as possible. Aids such as wheel chairs, crutches, canes or other devices shall be placed either in the trunk or in the front seat with the transporting officer.

It should not be assumed that a handicapped subject will not require restraining devices. The use of these devices shall be left to the discretion of the officer. However, an officer should not hesitate to use these devices should the individual attempt to escape or become combative. Handcuffs and other devices should be applied securely without causing injury.

Officers shall be aware that while injured, sick, or handicapped prisoners require special considerations, they may still present dangers to officers or other personnel. Officers shall make every effort to thoroughly search all persons arrested. Special attention should be paid to handicapped aids, such as canes, crutches, heavy bandages, casts, or slings which may conceal a weapon or be used as one.

In those situations where special accommodations will be needed for transport, the arresting officer needs to consult with a supervisor to acquire the needed equipment to safely transport the prisoner.

Special Situations (CALEA 70.3.3)

There may be situations where it will become necessary to transport a prisoner for investigative or other circumstances. One typical example is the removal of a prisoner from the City Jail for interview or investigative "Field Trips." In the case when a prisoner needs to be removed, a supervisor will determine the need and evaluate the risk of any potential escape of the prisoner. In the case where a prisoner is to be transported for such a situation, the prisoner will be handcuffed and leg irons will be used. At the time of the transport, there are to be at least two officers/detectives with the prisoner. Additional police resources should be employed at the discretion of the supervisor.

Extraditions

During an extradition, special precautions must be taken while transporting the prisoner to prevent escape.

When traveling by commercial airlines:

- The airline should be notified at least one hour prior to departure and all procedures complied with as stated in Title 49 Code of Federal Regulations (CFR), [section 1544.221](#) ("Flying while armed").

- The Officer in charge of the extradition shall contact the facility the day prior to departure and confirm that the inmate is ready for transport;
- Forward a Memorandum from the officer in charge to the Commanding Officer via the Chain of Command which outlines the events that pertains to the extradition;
- Ensure the following letters are completed on department head stationary: Traveling Armed Itinerary and the Officers Armed Letter;
- The Aircraft Operator must be informed whether the inmate is “Low Risk” or “High Risk”;
- All “High Risk” inmates will be transported by TASER qualified SWAT Officers or Warrant Squad Detectives;
- Persons in custody should remain handcuffed while in the terminal;
- The officer(s) and individual in custody should be the first persons on the aircraft;
- When a detainee is handcuffed, the installation, use, and removal of the handcuffs shall be as inconspicuous as possible;
- [REDACTED]
- [REDACTED]
- Ensure that lavatory facilities are utilized only after the plane is in the air and all other passengers are settled;
- Notify an attendant in advance if a meal is required for the prisoner. Meals will be supervised by the officer(s) to ensure that no weapons (i.e. metal silverware) may be obtained and to ensure the safety of the flight attendant;
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

When traveling in an automobile:

- The person in custody shall be secured in the vehicle as described above;
- [REDACTED] accompany the individual to use rest room facilities;
- While en route with the prisoner, selection of restaurants for meals shall be made randomly in order to prevent the planning of an escape by conspirators.