


MELROSE POLICE DEPARTMENT		Department Manual: Policy No. 3.02
Subject: DETAINEE TRANSPORT		
<ul style="list-style-type: none"> MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.1.3, 41.2.2 (d), 41.3.3, 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.2.1, 70.3.1, 70.3.2, 70.4.1, 70.4.2, 70.5.1, 72.4.1 		GENERAL ORDER 19-006
<p>Issued: 06/25/2003 Revised: Date: 10/17/2011, 11/23/2019 Effective Date 11/23/2019</p>	<p>Issuing Authority <i>Michael L. Lyle</i> Michael L. Lyle Chief of Police</p>	

I. GENERAL CONSIDERATIONS AND GUIDELINES

The proper transporting and handling of prisoners is essential to ensure the safety of officers and prisoners. A person who faces the loss of freedom may become desperate and dangerous. Prisoners may be ready to attack and flee at any time the opportunity presents itself. Escape is not only embarrassing but may create a serious danger to the community or to other police officers before the prisoner is recaptured. On the other hand, the improper treatment of a prisoner may result in charges of mistreatment and brutality. At all times, an officer should expect the unexpected. Officers should not be lulled by the apparent cooperation of the prisoner. Every reasonable precaution should be taken to be prepared to handle sudden dangerous activity. The purpose of the procedures outlined below is to assist an officer in avoiding such problems.

The transportation of prisoners by law enforcement officers is a frequent requirement. Prisoners are transported under many circumstances such as: transport by the arresting officer immediately after the arrest; transfer to or from other agencies or holding facilities; movement of prisoners from our holding facility to a medical facility; and transfer to court. The adherence to proper

procedures for handling and transporting prisoners is essential to ensure both the rights of the prisoner and the safety of the transporting officer(s), the prisoners, and the general public. Adherence to proper procedures will also minimize the possibilities of injury, escape, or accusations of mistreatment.

II. POLICY

It is the policy of The Melrose Police Department that:

- A. Arresting officers, in handling and transporting prisoners, will use only such force as is reasonable and necessary to control the prisoner and to ensure the safety of the officers.
- B. Arresting and transporting officers shall take reasonable measures to ensure the preservation of the rights and safety of prisoners and to prevent their escape.

III. TRANSPORT VEHICLE

- A. All vehicles normally used for transporting prisoners shall be checked for operational suitability prior to each shift.¹
- B. All Melrose Police Department vehicles normally used to transport prisoners shall have a safety barrier installed.²
- C. All vehicles normally used for transporting prisoners shall be modified to minimize opportunities for the prisoner to exit from the rear compartment of the vehicle without the aid of the transporting officer. This will include removal of the interior latch mechanism.³
- D. Prior to the beginning of the shift and after anyone has been in the vehicle other than a police officer, the vehicle should be searched to ensure that there are no articles present that can be used as a weapon. This will also ensure that items (e.g. contraband, evidence, etc.) subsequently found can more easily be attributed to the prisoner. Any items found shall be documented according to the policy on property and evidence.⁴
- E. At the completion of all prisoner transports, the officers assigned to the vehicle will conduct a search of the area within the vehicle where the prisoner was located for evidence and/or contraband that may have been discarded by the prisoner.⁵

¹ 71.1.2

² 71.4.1

³ 71.4.2

⁴ 71.1.2

⁵ 71.1.2

IV. SEARCHING PRISONERS

- A. Officers who will be transporting a prisoner shall perform a thorough search of the prisoner prior to transporting⁶ unless the officer can document that the safety of the officer, the prisoner, or the general public would be in danger if the prisoner was searched at the scene.⁷
- B. Whenever an officer takes custody of a prisoner there should never be an assumption that the prisoner has already been searched. The transporting officer shall conduct a thorough search of the prisoner.
- C. Prisoners will be thoroughly searched at the scene of the arrest unless it is unsafe to do so by:
 - 1. An officer of the same sex, or
 - 2. An officer of the opposite sex, only if there is reasonable suspicion to believe the prisoner possesses an item which could cause harm. The officer should conduct this search in the presence of a reasonable adult witness to minimize any accusation of misconduct.
 - 3. Juvenile prisoners shall be processed in the same manner as adult prisoners with regard to searches; however every consideration shall be given to the age and sensitivity of the juvenile prisoner.

V. USE OF PRISONER RESTRAINING DEVICES

- A. ALL PRISONERS SHALL BE HANDCUFFED prior to being placed into the transport vehicle, except when transporting juveniles, elderly, handicapped, injured, or sick prisoners, where the use of restraining devices is at the discretion of the transporting officers.⁸
- B. Prisoners will be handcuffed with their hands behind their backs, palms facing outward unless there are exigent circumstances (such as injury etc.) Handcuffs should be double locked. Handcuffs should be placed above the wrists, securely, but not tight enough so that it appears to affect circulation. If possible during the arrest and handcuffing of the prisoner, handcuffs should not be placed over sleeves or clothing.⁹

⁶ 71.1.1

⁷ 72.5.1 (A)

⁸ 71.2.1

⁹ 71.2.1

C. Multiple prisoner arrest

Whenever several similar suspects (adult males, juvenile males, etc.) have been arrested they have to be transported they are to be transported in a safe and secure manner. If the number of persons arrested exceeds the number of pairs of handcuffs available, flex cuffs may be used or the prisoners can be handcuffed together by handcuffing the right wrist of suspect #1 to the right wrist of suspect #2 etc.¹⁰ Where there are four or more suspects they should be handcuffed in groups of two or three.

C. At no time will a prisoner be handcuffed to any part of the transport vehicle during transport.

VI. TRANSPORT PROCEDURES

A. An officer should not attempt to transport more persons than can be safely controlled.

B. Whenever possible, females and juvenile prisoners will be transported separately from each other and from adult male prisoners. (SEE JUVENILE ARREST PROCEEDURES POLICY (3.01) (SECTION I, GO 18-003). When utilizing a prisoner transport van that has more than one caged compartment for the transport of prisoners, females and juveniles will not be put in a compartment with adult male prisoners.

C. Escorting prisoners to transport vehicles is a time of potential danger to the officers and the prisoner. To help reduce the danger, officers should keep the prisoner isolated from other persons in the area when going to the transport vehicle and during the transport.

D. Immediately upon commencing the transport, the officer should communicate the following to the dispatcher:

1. The number and sex of arrestee, and whether the arrestee is a juvenile.
2. The reason for the arrest.
3. The present location of the police unit.
4. The destination.

E. Communication with the prisoner during transport

1. Because an arrestee in a police vehicle is in custody, no questioning shall be initiated by officers unless the arrestee has been fully advised of the Miranda Warnings and has knowingly and intelligently waived those rights.

¹⁰ 71.2.1

2. Unless a situation exists that makes a verbal exchange necessary, transporting officers should not allow prisoners to communicate with other persons while being transported. If a citizen requests to speak with a prisoner, the officer should advise him/her of the destination of the prisoner. ¹¹
3. No visitation by a citizen with a prisoner is allowed unless there are extenuating circumstances, and only with the permission of the ranking officer on duty.

F. Prisoner Transport

1. Under normal circumstances, officers will transport prisoners in the following manner, listed in order of preference:

- a. Caged two officer cruiser;
- b. Caged, one officer cruiser;
- c. Uncaged vehicle.

NOTE: An uncaged vehicle will be used if there is no caged cruiser available.

2. Prisoner transport with two officers, caged vehicle.
 - a. The prisoner will be seated in the rear seat caged area. Both officers will be seated in the front seat.¹² When a prisoner transport van is utilized the prisoner will be positioned in either one of the rear compartments first. Once the two rear compartments are at the capacity that provides for the safe transport of prisoners, prisoners can then be secured within the compartment directly behind the officers.
 - b. The officer in the passenger position will maintain visual contact with the prisoner.
 - c. Safety belts with a shoulder harness should be used if available.

¹¹ 71.1.5

¹² 71.1.3

3. Single Officer Transport, Caged Vehicle¹³

If the arresting officer cannot be provided with a backup officer, he/she will transport alone. Presently the standard operating procedure of the Melrose Police Department is to assign one officer to a cruiser. Unless exigent circumstances exist, a Melrose Police cruiser will not be left behind at an arrest site in order to have a backup officer in the transport cruiser. Under normal circumstances the prisoner will be transported by one officer. That officer should:

- a. Handcuff the prisoner with his hands behind his/her back, palms facing outward;
- b. The prisoner will be seated in the rear seat caged area; and ¹⁴
- c. Safety belts with shoulder harness should be used if available.
- d. When a prisoner transport van is utilized the prisoner(s) will be positioned in either one of the rear compartments first. Once the two rear compartments are at the capacity that provides for the safe transport of prisoners, prisoners can then be secured within the compartment directly behind the officers.

4. Uncaged vehicle

When transporting a prisoner in an unmarked vehicle or a cruiser without a cage:

- a. Two officers or detectives will be required,
- b. Only one prisoner at a time should be transported;
- c. The prisoner should be placed in the front seat, passenger side;
- d. Safety belts with shoulder harness should be used if available.

NOTE: This type of transport should only be made in situations where the offense is minor in nature and the prisoner is cooperative.

5. Transport route

When a prisoner is in custody, he/she should be transported directly to the station, using the quickest route known from the scene of the arrest to the booking facility. However, traffic regulations should be observed, unless an emergency exists. However, when utilizing a prisoner transport van the transporting officer(s) may travel to another location for the purpose of retrieving additional arrestees that must be transported.

¹³ 71.1.3

¹⁴ 71.1.3

6. Emergency hospital care¹⁵

If emergency medical care is necessary, officers shall arrange transportation by ambulance. The shift Commander will be made aware of the emergency situation. One officer should accompany the prisoner in the ambulance. During the treatment, exam and admission the prisoner will remain in our custody and in the presence of the officer, in restraints (unless emergency circumstances prevent it) until released from the treating facility and/or released from our custody (such as bail or to another law enforcement agency). The monitoring of meals and inspection of utensils is necessary to deter an item being used as a weapon or as a means of escape.

If a prisoner in custody requests to go the hospital in a non-emergency situation, the shift commander will have the Melrose Fire Department notified and a request will be made to have them respond to evaluate the prisoner. The medical team from the Melrose Fire Department will decide whether the prisoner will be transported to a medical facility.

G. Control of Prisoners while transporting

1. Visual Contact

- a. During the transport of a prisoner, the transporting or backup officer should maintain visual contact as much as possible.
- b. In a situation where visual contact at all times is not possible, officers should ensure that he/she has as much control of the situation as possible.
- c. If transporting officers must provide food for prisoners, the vendor will be selected at random or from a list where the Department has an account.

H. Prisoner Transfer to Another Agency

1. When transporting a prisoner to or from another agency/court or detention facility, the officer shall:
 - a. Secure firearms according to that facilities protocol, if required
 - b. Remove restraining devices in the designated area

¹⁵ 71.3.2

- c. Deliver a copy of the booking sheet, and receive the necessary documentation, paperwork, and information, and obtain the signature of the discharging officer of the booking and written documentation detailing the detainee transaction
- d. When transporting male detainees to the Middlesex Sheriffs Detention facility in Billerica MA, the Melrose Police Department will adhere to all requirements outlined in the Memorandum Agreement between the agencies.
- e. Guidelines for transfer to the Middlesex House of Corrections (MSO), the Melrose Police Department will transfer detainees Friday or Saturday, and Sunday if a holiday weekend.
- f. Additional requirements for transfer: No bail, High bail, Default warrant
- g. If an individual is to be released on a personal recognizant (\$40.00), he should not be transferred to the Sheriff's Department facility. If the supervisor feels it in the best interest of officer safety to transfer the detainee, the supervisor should document the parameters or conditions in the OIC Note Field in IMC.
- h. If the shift is at a minimum patrol staffing level, and the next incoming shift is at minimum as well, then if the OIC deems it necessary and in the best interest of public safety, he would be required to hire a minimum 4 hour overtime to facilitate the transfer. Additionally, the OIC must explain in the "**OIC Note Field**" in IMC the reason for the overtime hire.

If a prisoner is a security hazard/suicide risk or has a medical condition, it is imperative that the receiving agency/court should be aware of the unusual circumstances and should be advised in writing.

I. Police Activity

The primary duty of the transporting officers is the safe delivery of prisoners in their care to the proper destination. While transporting a prisoner, the transporting officers will stop to provide police services only in the following circumstances and only if this activity can be accomplished without serious risk of injury to the prisoner or escape of the prisoner.

1. Where immediate response is required to prevent severe bodily injury or death to an individual;¹⁶

¹⁶ 71.1.4

2. Where serious injury has occurred requiring immediate attention;
3. Where a serious violent crime is in progress and/or a criminal is fleeing and immediate apprehension is required to ensure public safety.¹⁷

J. Suicidal/Violent/Escapist Prisoners

If a prisoner to be transported to court or another facility has been or is extremely violent or is an escape risk, the officer-in-charge will make this fact known to the receiving agency prior to the prisoner arriving at the facility so that the receiving agency can be prepared to accept him/her.¹⁸ If the prisoner is, was in the past, or felt to be a suicide risk, the receiving agency will be advised in writing of the exact nature of the threat or attempt and the appropriate CJIS entry will be made in accordance with Mass. General Law.

K. Arrival at Station

1. When officers transporting a prisoner arrive at the police facility, they should communicate this to the dispatcher who will open the appropriate sally port door and lower it once the cruiser has safely entered.
2. Upon arrival at the police facility, transporting officers shall secure their weapons in the appropriate containers if they are to be part of the booking process.
3. Prior to the handcuffs being removed, a full and thorough search of the prisoner will be conducted. Once this search has been completed, the handcuffs can be removed and the booking process completed.
4. Female prisoners should be searched upon arrival at the station by a female officer. If no female officer is available, a matron or a female officer from another police department should be called to search the female prisoner. If a matron or female officer from another department is not available to search the female prisoner. The female prisoner will be patted down and searched in the least invasive manner with another officer present. This is to ensure the safety of the officers present and the prisoner.
5. Booking will be accomplished according to departmental procedures.

¹⁷ 71.1.4

¹⁸ 71.1.6 (E)

L. Prisoner Escapes

1. If a prisoner escapes during arrest, transportation, or booking, the officers should notify dispatch as soon as possible giving as much information as possible including the following:¹⁹
 - a. Prisoners name, if known
 - b. Description, including clothing;
 - c. Area where escape occurred;
 - d. Direction of flight;
 - e. Probable destination, if known and;
 - f. Any other pertinent information.²⁰
2. The officers will begin an area search and attempt to regain custody.
3. The dispatcher will immediately notify the officer-in-charge of the prisoner escape and he/she will deploy additional officers as necessary.²¹
4. The officer responsible for the prisoner who escaped shall, before the end of the shift, submit a written report detailing the events leading to the escape.²²
5. This report will be reviewed by the Officer-in-Charge and supplemented if necessary.

VII. TRANSPORTATION AFTER BOOKING

¹⁹ 72.4.10

²⁰ 71.1.7 (C)

²¹ 71.1.7 (A)

²² 71.1.7 (B)

- A. When a prisoner is to be transported from the Melrose Police Department to another facility or to court the officers involved should comply with the following:
1. Verify the identity of the prisoner to be transported from the Melrose Police Department through the officer-in-charge or designee, as well as utilizing information recorded in reports and picture identification if available.²³
 2. Verify the destination of the prisoner transport;
 3. Ensure that all necessary paperwork accompany the prisoner to the other facility or court. This paperwork includes but is not limited to; any specific forms required by the receiving agency, warrants, complaints, incident/arrest reports, and documentation regarding any medical, mental, suicidal or unusual security risk information about the prisoner.²⁴
 4. Transfer the prisoner's property to the facility or court.
- B. Upon arrival at the facility or court, the officers should:
1. Advise the dispatcher of their location;
 2. Escort the prisoner into the facility with all necessary papers and personal property;²⁵
 3. Secure firearms in accordance with procedures of the receiving agency.²⁶
 4. Maintain control of the prisoner until relieved by the receiving agency.
 5. Remove restraining devices only when directed to do so by the receiving agency;²⁷
 6. Advise the receiving agency verbally and in writing of any potential escape, medical, mental, suicidal or unusual security risk.²⁸ This written notification may either be a form required by the receiving agency or the MELROSE POLICE DEPARTMENT PRISONER BOOKING SHEET. A copy of the BOOKING SHEET shall be signed by the receiving agency's personnel. The BOOKING SHEET shall then be placed in records as part of the arrest report.

²³ 71.5.1 (A)

²⁴ 71.5.1 (B/C)

²⁵ 71.1.6 (C)

²⁶ 71.1.6 (A)

²⁷ 71.1.6 (B)

²⁸ 71.1.8

- C. When transporting a prisoner from another facility to the Melrose Police Department, the transporting officers will:
1. Upon arrival at the holding agency, notify the Melrose dispatcher.
 2. Secure their firearms in accordance with the procedures of that agency;
 3. Verify the identity of the prisoner to be transported to the Melrose Police Department through the officer-in-charge or designee of the releasing agency, as well as utilizing information recorded in reports and picture identification if available.
 4. Ensure that all necessary paperwork accompany the prisoner from the other facility to the Melrose Police Department. This paperwork includes but is not limited to; any specific forms required by the releasing agency, warrants, complaints, incident/arrest reports, and documentation regarding any escape, medical, mental, suicidal or unusual security risk information.²⁹
 5. Prepare the prisoner for transport according to proper procedures;
 6. Notify the dispatcher when they are beginning their return transport; and
 7. Transport the prisoner directly to their assigned destination.

VIII. SPECIAL TRANSPORTATION SITUATIONS

- A. Transporting Prisoners by an officer of the opposite sex

When transporting a prisoner of one sex by an officer of the opposite sex, officers will use the following procedures;

1. The transporting officers will call in the mileage and location of their vehicle. The dispatcher will make an entry on the call.
2. The transporting officers will proceed directly to their destination using the shortest practical route;
3. Upon arrival at the destination of the transport, the transporting officers will call in the ending mileage on their vehicle. This information will also be logged by the dispatcher.

²⁹ 71.5.1 (B/C)

B. Sick, Injured, or Disabled prisoners

1. Handcuffing of sick, injured, or handicapped prisoners
 - a. Officers should apply handcuffs to such prisoners only if there is a threat of attack or injury.³⁰
 - b. The decision whether or not to cuff should be based on the officers observations.
2. Transportation to our facility of sick, injured or disabled detainees
 - a. Prior to the transportation of sick, injured or disabled detainees in a police cruiser the officer shall evaluate the person to determine the detainee's condition. If, in the opinion of the officer, a cruiser transporting will adversely affect the physical health or safety of the detainee, an ambulance will be requested to complete the transport. If this occurs, an officer will accompany the detainee in the ambulance.³¹

³⁰ 71.2.1

³¹ 71.3.1