

## NIAGARA FALLS POLICE DEPARTMENT GENERAL ORDER

EFFECTIVE DATE: 09/23/2013	SUBJECT:  <b>PRISONER TRANSPORT</b>	Number 301.10 (NYSLEAP O-64-1)
RESCINDS: 05/01/2003		Number of pages 8

I. Purpose:

- A. The purpose of this policy is to provide direction as to the proper transportation of persons in NFPD custody.

II. Policy:

- A. It is the responsibility of all Department personnel involved in the transportation of persons in custody to:
1. Ensure the safety of arrested persons;
  2. Ensure the safety of other law enforcement personnel;
  3. Ensure the safety of the general public;
  4. Employ proper safeguards to limit opportunity for escape.

III. Procedure:

A. General:

1. With only limited exceptions, all prisoners will be transported in secured cage or plexiglass enclosure equipped marked patrol vehicles or prisoner wagon.
2. In no case shall a juvenile, known or believed to be under the age of sixteen (16 years) be transported with adult prisoners.
3. Male and female prisoners will be transported separately or in separate compartments.

B. Restraints:

1. All arrested persons will be handcuffed and handcuffs will be double locked whenever possible.
2. A prisoner will be handcuffed with both hands behind their back unless this is medically or physically unsuitable.
3. Officers may choose to handcuff hands in front if the prisoner has a disability or other physical condition that would further aggravate his/her physical condition.
4. Officers may use discretion in handcuffing young juveniles but shall use authorized restraints necessary to control unruly or potentially violent juveniles of any age.
5. Prisoners shall not be handcuffed to any part of the vehicle during transport.
6. Transported prisoners shall be further secured by use of a seatbelt when possible.
7. Following arrest, prisoners shall be transported without delay to the city jail. The transporting officer(s) shall not exceed legal speed limits or other traffic control devices. Upon arrival at the city jail, the prisoner shall be escorted into the building by the transporting officer and, when necessary, other police personnel.

C. Police Vehicle Security:

1. At the beginning and end of each tour of duty, all vehicles regularly used for prisoner transport shall be inspected as follows:
  - a. The safety screen or plexiglass shall be securely in place and undamaged.
  - b. All windows shall be intact, and outer door latches in proper working order.
  - c. Rear seat door handles and window controls shall be deactivated.
  - d. The interior shall be thoroughly searched to ensure that no weapons or contraband have been left behind or hidden within the vehicle.
  - e. The vehicle interior shall also be searched following the transport of any prisoner.

- f. Any weapon, dangerous article or contraband will be secured for safekeeping or evidence in accordance with NFPD Property and Evidence Control procedures. Criminal charges shall be filed when appropriate.

D. Searching Prisoners:

1. All persons taken into custody will be thoroughly searched for weapons, evidence, means of escape and/or contraband prior to being transported.
  - a. The initial search will be conducted by the arresting officer.
  - b. The transporting officer shall search the prisoner regardless of searches that may or may not have been conducted by arresting officers.
  - c. The search and any property found will be processed in accordance with established Departmental procedures.
2. Whenever possible, female prisoners will not be searched by male officers nor male prisoners searched by female officers. Exceptions are:
  - a. There is reason to believe that the prisoner possesses something capable of injuring him/her self, the officer or others.
  - b. There is reason to believe that the prisoner has evidence or contraband hidden about their person and that such evidence is in imminent danger of being disposed of or destroyed.
  - c. Due to the time and location of the arrest and/or search, it is impractical or, in some cases, impossible to get an officer of the same gender to respond as soon as possible.

E. Transport of Prisoners:

1. Prior to transport, the officer shall provide dispatch with the arrest location and mileage readings for all prisoners whenever possible.
2. Seating of prisoners should conform to the following:
  - a. When the vehicle has a security screen or plexiglass but only one transporting officer, the prisoner shall be placed in the back seat on the right-hand side of the vehicle to allow for

constant visual observation. When the officer is transporting more than one prisoner the prisoners will always be located in the rear seat. Under no circumstances will a prisoner be transported in the front seat of a NFPD vehicle.

- b. Although transporting a prisoner in a vehicle without a security screen should be avoided, there are times when exceptional circumstances exist. In any event, no prisoner shall be transported in a one-officer vehicle not equipped with a security screen or plexiglass. In a two-officer vehicle without a security screen, the prisoner shall be placed in the right rear seat. The second officer shall sit in the left rear seat behind the driver.
  3. Detectives should have a marked police vehicle transport their prisoners whenever possible. If extenuating conditions exist and detectives must transport, all other sections of this policy shall be followed. A detective will not transport a prisoner alone under any circumstances.
  4. Leg restraints may be used when an officer believes the prisoner has potential for violent behavior.
  5. The physical well-being of prisoners shall be monitored during transit. Particular attention shall be directed to persons reported or suspected of being under the influence of drugs and/or alcohol or who have a history or propensity for violence.
  6. Symptoms or reports of physical or mental illness (such as threats of suicide or psychotic behavior) shall be reported to the booking officer and included on the arrest report.
  7. Prisoners shall not be left unattended during transport.
  8. Officers shall not engage in enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another. In non-life threatening yet serious situations, officers should call for back-up assistance and may remain on-hand until such assistance has arrived.
- F. Arrival at Police Headquarters (City Jail):
1. The transporting officer upon arriving at the city jail will:
    - a. Bring the prisoner(s) directly into the building via the sally port.

- b. While the prisoner is still secured in the vehicle, secure his/her gun in the designated locker.
    - c. Escort the prisoner into the booking area. The booking officer shall either begin the booking process immediately, or the prisoner(s) shall be secured in the holding cell.
    - d. Once the booking procedure is complete and the officer is leaving the booking area, he/she shall retrieve their duty weapon from the locker.
  2. A telephone call will be provided to the prisoner during the booking process. The booking officer will determine when the call will be made.
  3. Restraining devices (handcuffs) shall be removed from the prisoner when there is more than one officer present. If the prisoner is prone to violence, the desk lieutenant will be notified and shall decide when to remove the restraints.
  4. Prisoners brought in by the Criminal Investigation Division or Narcotics and Intelligence Division may take the prisoner to their respective office for additional investigation, if necessary.
  5. Juveniles shall be brought directly to the Youth Aid Division, if open.
    - a. When no Youth Aid detectives are available, juveniles will be accommodated in an area of the building away from normal police activity. Under no circumstances will a juvenile be brought into the booking area of the police department or be needlessly exposed to other uniform officers.
- G. Arrival at Other Detention Facilities:
  1. Officer shall secure weapon(s) at the designated place.
  2. Officer shall remove restraining devices only when directed to do so by the receiving facility.
  3. Officer shall submit the proper paperwork to the proper person at the receiving facility and, in situations that require it, the officer will ensure that proper signatures are obtained on paperwork to be returned to the NFPD.
  4. Officer(s) shall follow all other standard operating procedures of other agencies.

## H. Prisoner Restraint Seats:

1. When placing a prisoner in the rear of patrol vehicles equipped with plastic seats, the prisoners should be safety belted when possible. The patrol vehicles that are equipped with plastic seats are also equipped with special seat belts for the prisoners. This is to help stop the prisoner from sliding off the seat and into the cage, in case of evasive driving maneuvers, as well as to better secure the prisoner for officer safety.
2. When belting a prisoner, the officer should be accompanied by another officer. The prisoner should be seated in the rear of the patrol vehicle pursuant to other sections of this policy. With one hand the officer should hold the prisoner in position by placing his/her hand on the prisoner's chest area, to keep the prisoner away from the officer for officer safety. With his other hand, the officer should take the seat belt, and reach across the prisoner to secure the male part of the belt to the female buckle. The prisoner is now ready for transportation. To remove the prisoner, reverse the procedure. It is recommended that all prisoners be handcuffed behind their back.

## I. Special Transportation Problems:

1. Transported prisoners by officer of different gender:
  - a. When transporting a prisoner of a different gender, the transporting officer will at minimum, give the dispatcher his/her starting mileage, take the most direct route, and give the dispatcher ending mileage when he/she arrives at the destination. In return, the dispatcher will give the transporting officer the time that he/she called out transport and arrival.
2. Handicapped Prisoners:
  - a. When transporting a handicapped prisoner, the transporting officer will request assistance when needed in order that the transport may be completed in a manner that is most convenient, comfortable and safe for both the prisoner and the officer.
  - b. The transporting officer will ensure that whatever special equipment or medicine is necessary for the prisoner to have is taken along as well.

- c. The transporting officer, when having a handicapped person in custody, must use common sense. When the handicap is such that no danger of escape or injury to the prisoner or officer exists, then the restraining devices may be inappropriate. A two-officer unit will always be used in this situation.
  3. Injured or Sick Prisoners:
    - a. Prisoners who are ill or injured and in need of medical treatment will be transported to Niagara Falls Memorial Medical Center or closest emergency room prior to being transported to booking. The transporting officer will notify the dispatcher to inform the Desk Lieutenant of this situation.
    - b. The arresting officer or other available officer shall accompany the prisoner to the hospital.
    - c. If the prisoner must be admitted to the hospital then an appearance ticket will be issued if appropriate to the charge. In the event an appearance ticket cannot be issued, then the arresting officer will inform the desk lieutenant of the situation and guard the prisoner until otherwise advised.
    - d. If the prisoner is violent, he/she will remain restrained during all medical and mental health evaluations. If a medical supervisor or treating physician requires the removal of restraints, the officer will do so only after advising the requesting person of the potential for injuries to them and the officer at the scene will make attempt to secure backup to assist in case of a problem.
- J. Prisoner Escape:
  1. In the event a prisoner escapes while being transported, the transporting officer will use the following procedures:
  2. Notify the dispatcher immediately of the occurrence and other pertinent information, such as physical description, direction of travel, location, etc.
  3. Immediately request assistance from the jurisdiction the officer is in at the time of the escape. The transporting officer will offer his services in order to recapture the escapes as soon as possible.
  4. The desk lieutenant will notify the Shift Commander or designee immediately. If the prisoner is not caught or the situation requires an

extensive manhunt involving other agencies, the Deputy Superintendent shall be notified.

- a. The transporting officer will file a report with the Shift Commander as soon as he/she returns to the department explaining the circumstances of the escape.
- b. Any additional charges due to this escape will be filed.

K. Reports:

1. All reports and other related documents to be completed in conjunction with the arrest and transportation of a defendant shall be completed prior to the police officer returning to service unless an emergency situation requires his response. In any event, said documents must be completed prior to terminating his/her tour of duty.