

BATON ROUGE POLICE DEPARTMENT

General Order
No.208

Effective Date
03-01-1996

Revised Date
12-07-2017

Subject: Transporting Prisoners

Reviewed 12/7/17

POLICY

It is the policy of this department to insure the safety of both officer and arrestee whenever transporting a prisoner. In order to minimize the potential for injury, prisoners shall be restrained at all times during transport or transfer unless special circumstances exist making restraint impractical. Transporting officers(s) are required not to lose sight of prisoner(s) in their custody. This is not to degrade the prisoner, but rather to insure safety for all involved. Officers shall search the vehicle utilized for prisoner transport after each transport.

PROCEDURES

I. Restraints

- A. Handcuffs and leg irons shall be worn by prisoners while being transported; unless the prisoner has physical or mental challenges, i.e. (intoxicated, obesity, or injuries). If officers are unable to apply leg irons to their prisoners, that officer shall obtain approval from their supervisor before transporting. Whenever transporting prisoners handcuffs will be used and placed behind the back, unless the physical condition of the prisoner determines that handcuffs would be unnecessary or can only be used in front (elderly, injured prisoners or obesity) or an impossibility (an individual with broken arms, one arm, etc.). At no time will hog-tying be allowed. An appropriate device must be utilized to allow the subject to be transported in an upright seated position, not on his/her stomach or back. (Hog-tying – is where the subject is strapped/ cuffed at the lower legs, then that restraint system is connected to the hand restraints and they are pulled toward each other or the connecting strap doesn't allow forward movement of the legs.)
- B. All prisoners will be secured in seat belts.
- C. Prisoners will be transported in the rear seat only. This does not include transporting prisoners for routine investigatory purposes, such as driving a suspect to the crime scene for identification purposes. These functions will be at the officer's discretion.
 - 1. If one prisoner is to be transported, the prisoner will be placed on the passenger's side in the rear of the vehicle unless transported in a unit equipped with a screen.
 - 2. No more than three prisoners will be transported in a sedan.

II. Security Protocol at Detention Facilities

- A. When transporting prisoner(s) to detention facilities, officers are to secure their weapon(s) in the area provided at the facility.
- B. Officers are to follow the protocol of the receiving facility.

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III. Search Procedure

- A. All prisoners shall be handcuffed and then searched prior to transport. This is more than a mere frisk for weapons; it is a full search, incident to arrest. Any contraband found will result in additional charges.
- B. Whenever an officer transports a prisoner another officer has arrested and/or any time a prisoner comes into a transporting officer's custody, that prisoner will be searched again, prior to transport.

IV. Transport Vehicles

- A. Whenever possible, only police units that have had the rear window cranks and door handles removed and have been fitted with prisoner screens or prisoner compartments (paddy wagons) will be utilized to transport prisoners.
- B. Vehicles used to transport prisoners shall be examined at the beginning of each shift to ensure the vehicle is mechanically safe pursuant to General Order # 138, "*Vehicle Use and Maintenance*"; Section II.B..
- C. The prisoner compartment of all vehicles used to transport prisoners will be searched before and after transporting to ensure the vehicle is free of weapons and contraband before and after the prisoner comes in contact with the vehicle.
 - 1. This will not only ensure that the prisoner has left nothing in the vehicle, but, if items are found, link them in a timely manner to the prisoner.
 - 2. Even in situations where the transport vehicle has been under constant control following the pre-shift examination, officers should not assume that no opportunity has existed for the introduction of weapons, contraband, or other items.
- D. At no time will a prisoner be left unattended in a transport vehicle.
- E. Normally, officers should not stop while transporting a prisoner from the point of arrest to the booking/processing location, except under the following circumstances:
 - 1. The officer is assigned the task of prisoner transport and is stopping to pick up another prisoner.
 - 2. Or the risk to third parties is both clear and grave and the risk to the prisoner is minimal should the officer stop to render assistance.

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V. Prisoners of the Opposite Sex

- A. When an officer transports a prisoner of the opposite sex, great care should be exercised to guard against **any** appearance of impropriety. Although it is permissible and prudent for officers to frisk a prisoner of the opposite sex for weapons, when a search is conducted it should be done by an officer of the same sex.
- B. The transporting officer shall follow the most direct route to his destination.
- C. The transporting officer shall give the starting mileage of the transport vehicle at the beginning of the transport to their assigned communications officer. Communications will acknowledge with the time of day and make the appropriate entry in the CAD system.
- D. Immediately upon the end of the transport the transporting officer will give the ending mileage to the communications officer who again shall respond with the time of day and make the appropriate entry in the CAD system.
- E. If for any reason a stop is required, communications shall be notified immediately.

VI. General Transportations by Investigators

- A. The prisoner will be searched prior to transport as set forth in General Order 281.
- B. Handcuffs and leg irons shall be worn by prisoners while being transported; unless the prisoner has physical or mental challenges, i.e. (intoxicated, obesity, or injuries). If officers are unable to apply leg irons to their prisoners, that officer shall obtain approval from their supervisor before transporting.
- C. A unit equipped with a prisoners screen will be used, if available, on out of town transports and in cases where it is warranted, (i.e. – safety issues).
- D. When two prisoners are being transported in a vehicle that does not have a screen, two officers shall be seated in the front seat.
- E. The investigator will be required to visibly inspect bystanders on the outer perimeter of the building prior to moving the prisoners from the building to the investigator's unit.
- F. Any civilians present will be required to move from the secure area while the prisoners are being moved from one location to the other.

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G. The designated parking slots will only be used for the designed function, 24 hours a day and 7 days a week. This will insure the same policy is followed both at day and night and whether the media is present or not.

H. Based on the below listed guidelines the supervisor of the investigative unit will:

1. Contact the on -duty PIO and request that they contact the media concerning the arrest.
2. The investigator will transfer the prisoners, whether the media is on site or not. The above procedures will not be altered for purpose of the media

VII. Transporting Juveniles

- A. Juveniles shall be transported consistent with the procedure outlined in sections I, II, & III (above) with the following exception.
- B. Juveniles will not be transported or placed in holding areas with adult prisoners.

VIII. Transportation of Sick, Injured or Handicapped Prisoners

- A. Handicapped prisoners may be transported in a police unit (4 door sedan), if the nature of their disability permits. Those requiring intravenous fluids, etc. shall be transported via EMS.
- B. Prisoners who are ill will be transported by EMS.
- C. Prisoners who are injured will be transported by means consistent with the severity of their injuries.
 1. If they are ambulatory a police unit may be used.
 2. If they are not ambulatory, they shall be transported by EMS. The totality of the circumstances will determine if the accompanying officer rides in the ambulance or follows behind.
- D. It is discretionary as to whether or not sick, injured or handicapped prisoners are restrained and as to the manner in which they are restrained.
- E. Prisoners in need of immediate medical care and/or admitted to a medical facility that has no detention wing will require the assignment of a guard per current department procedures.
- F. During treatment or stay at the hospital:
 1. Caution should be exercised during times when the prisoner may not be restrained (surgery, treatments, etc.) as this poses a heightened risk for escape, suicide, and assault on hospital personnel or the transporting officer.

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2. Visitors to the prisoner are prohibited, including telephone contact with the prisoner.
 3. Officers should avoid fraternizing with the prisoner.
 4. Only under unusual circumstance will the prisoner be allowed out of the officer's sight.
 5. Before moving, the prisoner should be searched and restrained.
 6. Officers will need a medical release for the prisoner from the hospital, including any special medical instructions to be accepted into Parish Prison.
- G. Officer(s) transporting sick, injured, or handicapped prisoners will notify the receiving agency of any potential medical issues.

IX. Violent Prisoners

- A. Any prisoner who exhibits violence toward officers, who has to be physically subdued, who attempts flight or escape or who threatens any of the above is considered an at-risk transport.
1. Prisoners who have a history of mental illness, drug/alcohol abuse or who are intoxicated are of particular concern.
 2. When transporting a prisoner(s) considered to be a security hazard to court, the transporting officer will notify the appropriate court so that security precautions may be taken. The officer will advise a receiving agency of the security risk.
- B. Prisoners in this category shall be transported with the following special conditions:
1. Leg restraints shall be used.
 2. Prisoners shall be transported sitting up, never prone.
 3. Two officers shall transport the prisoner.
 - a. Prisoners may be transported via EMS. One officer will accompany the prisoner in the ambulance; the other will follow in a patrol unit.
 - b. If a patrol unit is used to transport, one officer shall monitor the prisoner's color, breathing and level of consciousness. If necessary, a flashlight shall be used.
 4. If at any time the prisoner loses a functional level of consciousness (voluntary movement or speech) paramedics shall be called or the prisoner shall be immediately transported to the closest emergency medical facility.

X. Transportation From/To Locations Outside of the Baton Rouge Metro Area

- A. For the purposes of this article, the Baton Rouge metro area is defined as the parish of East Baton Rouge and any adjoining parish.

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- B. Prisoner movements within the state of Louisiana will generally be effected by automobile.
1. Two officers shall accompany each prisoner.
 2. Prisoners will not be allowed to select eating places, routes of travel, rest stops or in any manner influence travel itinerary.
 3. Prisoners will not be permitted to possess or expend funds while in transit.
 4. Prisoners may be permitted to have cigarettes, after they have been inspected, and to smoke at the discretion of the transporting officers.
 5. Prisoners will not be permitted to converse with any one except other prisoners and custodial authorities while in transit.
 6. Prisoners will not be permitted to place telephone calls.
 7. Prisoners will not be permitted medication except that prescribed by a physician. Medication which must be administered by hypodermic syringe must be injected by medical personnel.
 8. Handcuff and leg iron keys will not be carried on the same ring as motor vehicle ignition keys or other general use keys.
 9. Vehicles will be searched prior to use for prisoner movements and after each trip.
 10. Vehicles shall be parked as close to rest room facilities as possible.
 - a. Police facilities shall be used if at all possible.
 - b. Rest areas on interstate highways shall be avoided and facilities should be selected at random after departing the highway.
 - c. A thorough search of all facilities for contraband, weapons or articles which may aid an escape will be conducted prior to allowing the prisoner to use the facilities.
 11. No persons, other than those serving in an official capacity shall be permitted in the transporting vehicle.
 12. Restraining devices shall not be removed, although on trips of long duration handcuffs may be placed in the front of the prisoner only if an approved handcuff belt restraint is utilized.
 - a. Any time a prisoner is placed in or removed from a vehicle, the restraining devices shall be checked to determine each device is secure.
 - b. Restraining devices will only be removed just prior to placing the prisoner in the receiving cell.
 13. Transporting prisoner(s) from one facility to another outside the state will be conducted by the Sheriff's Office Prisoner Transportation Section and or a Baton Rouge City Police Investigator. Officers transporting prisoners from one facility to another should follow protocol for securing firearms when in a lockup facility.

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14. Officers transporting from one facility to another will generally be required to sign for custody of the prisoner after presenting proper identification and authority of arrest.
 - a. Officers should confirm the identity of the prisoner they are picking up through booking records, photos, and if necessary fingerprints.
 - b. Officers should carry and deliver the documents for authority of arrest of the prisoner.
 - c. If not advised, officers should solicit information relative to the prisoner's escape or suicide potential and other personal traits of a security nature and include this information in the documentation the officers carry with them during transport.
15. Only a CIB Unit/District commander or superior officer shall authorize a prisoner movement outside of the Baton Rouge metro area.
 - a. If it is likely that more than one tank of fuel will be used in the prisoner movement, the Chief's Office will issue gasoline credit card(s). Instructions for the use of department credit cards will accompany the card(s).
 - b. At all times during the prisoner movement the officers will have in their possession all the necessary warrants, extradition agreements, prisoner identification, etc.
16. If, due to accident or breakdown, the vehicle becomes disabled, the senior transporting officer shall:
 - a. Contact the local sheriff's department or police agency authorized to house prisoners and request the prisoner be housed until another vehicle can be obtained to complete the movement.
 - b. Contact the authorizing commander and report the reason for the interruption. The authorizing commander will then arrange transportation and, if necessary lodging.
 - c. Other than what is immediately necessary to comply with local regulations regarding the clearing of disabled or wrecked vehicles from the roadway or obtaining secured facilities to house the prisoner, officers are specifically instructed not to enter into agreements on behalf of the Department or disburse funds for anything expecting reimbursement.
17. If a prisoner escapes during transportation officers are directed to immediately contact the police agency with jurisdiction, assist that agency with all reasonable requests and comply with all local procedures.
18. As soon as practical the senior officer shall make a verbal report to the commander who authorized the movement. He/she shall direct the Department's investigation of the incident from that point on. A written report shall be made upon returning to the officer's duty station.

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XI. Transportation From Out of State

- A. Persons wanted by BRPD and arrested out of state will require extradition if not waived by the prisoner (foreign extradition, not addressed here, is covered by applicable international treaty).
 - 1. The decision to proceed with extradition is at the discretion of the District Attorney. The investigating officer should contact the Appellate section of the D.A.'s office for consideration of an extradition.
 - 2. If approved the warrant(s), photo, fingerprints and identifying data of the person to be extradited are delivered to the Appellate section by the investigating officer for application of a Governor's Warrant.
- B. Once extradition has been approved or waived, the holding agency will notify the department. The investigating officer should then notify the EBR Parish Sheriff's Office Transportation Section which will make all arrangements for travel, lodging, ground transportation, meals and per diem.
- C. The investigating officer will generally accompany a member of the Sheriff's Transportation team to pick up the prisoner and will be under the direction of the Sheriff's Office escort.
- D. For informational purposes the following regulations that apply to transportation of prisoners by commercial aircraft are provided. However, all decisions during the transport regarding the prisoner are at the discretion of the Sheriff's Transportation Deputy.
 - 1. The air carrier will be notified of the identities of the passengers to be transported at least one (1) hour before the scheduled flight (this includes deadheading to the detaining jurisdiction). Officers will be required to display their police identification to the airline agent (the badge alone is insufficient).
 - 2. The air carrier will be notified if the prisoner is an escape risk or has a history of violent episodes.
 - 3. Officers will comply with all airport regulations regarding prisoner transportation. If an airport detention facility is available, the Sheriff's Transportation Deputy may opt for its use.
 - 4. A search of the prisoner will be conducted prior to leaving the airport detention facility. After the search the prisoner will not be left alone prior to boarding the airline.
 - 5. Officers shall make every effort to cooperate with airline ticketing and boarding agents and security personnel at the passenger screening points. Airline personnel may require the prisoner and accompanying officers to:
 - a. Board prior to other passengers and deplane after other passengers have departed.
 - b. Be seated in the rear-most section.

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- c. Be seated away from any lounge area and not next to or directly across from an exit.
 - d. Be seated in such a manner as to position at least one officer between the prisoner and the aisle.
 - 6. Before the prisoner is allowed to use the lavatory it shall be searched for contraband, weapons or any device which may aid an escape. The prisoner shall be escorted to and from the lavatory.
 - 7. While on board, officers shall remain anonymous insofar as their position as armed law enforcement officers. Extreme care will be taken not to unnecessarily display their firearms.
 - 8. Consumption of alcoholic beverages is forbidden during the transportation of prisoners. No prisoner shall be allowed to consume alcoholic beverages during the flight or any layovers.
- E. Upon return to East Baton Rouge Parish the investigating officer will book the prisoner into Parish Jail per standard procedure.

XII. Baton Rouge Metropolitan Airport Procedures

- A. Officers, not accompanying the Sheriff's Office Transportation Section, shall contact the Airport Police at least one hour before leaving the Metro Airport for the detaining jurisdiction. Officers may arrange to park their unit in the secured Airport Police lot.
- B. Officers shall notify the officer-in-charge of the following:
 - 1. They will be armed for the purposes of picking up a prisoner.
 - 2. The return flight number and estimated time of arrival.
 - 3. The identity of the prisoner and all officers assigned to accompany him.
 - 4. Any other information the Airport Police require to assist in the prisoner movement.
- C. The Airport Police may provide a unit to remove the prisoner from the plane and transport him and the accompanying officers to their unit.
- D. Officers will then book the prisoner in the Parish Prison, as per normal procedure.

XIII. Media Walks of Arrestee

- A. The following are guidelines in reference to investigators conducting media walks of arrestee. The guidelines are flexible at the discretion of the case investigator, Chief of Detectives, the Chief of Police or his designee.

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1. All murder arrest(s), except those that would be detrimental to the prosecution of the case.
 2. Bank and/or serial armed robbery arrest(s).
 3. High profile cases that can deter criminal activity committed by other offenders and arrest that would restore calm in the community.
 4. Arrest(s) from information obtained through a Crime Stoppers tip aired in a media release.
- B. Any other media walks must be approved by the Chief of Police or Chief of Detectives (or designees).