

COLCHESTER POLICE DEPARTMENT

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| | | SUBJECT: TRANSPORTATION AND HOLDING OF PERSONS IN CUSTODY | |
| EFFECTIVE DATE: February 8, 2016 | | NUMBER: General Order # 19 | |
| REFERENCE: | | SPECIAL INSTRUCTIONS: | |
| REEVALUATION: AS NEEDED | APPROVED: <i>J Monusak #190</i> | NO. PAGES: 5 | |

POLICY: It is the policy of this agency to treat all detainees in a humane manner and with due regard for their physical safety and protection consistent with sound principles of prisoner security. Officers shall take the precautions necessary while transporting prisoners to protect the lives and safety of officers, the public, and the person in custody. It further is the policy of the Colchester Police Department to provide a secure **temporary** holding facility for detainees held for interrogation, arrest processing, transfer to another facility/agency, or release, and to maintain these facilities in a clean and safe manner.

CONTENTS:

- I. Definitions
- II. Procedures

I. DEFINITIONS:

Detainee: Any person in the custody of this department, regardless of adjudication status.

Juvenile Detainee: Any detainee under the age of 18.

Holding Facility: A short-term confinement area for persons in the custody of this department or awaiting a decision to release or transfer to another secure facility.

II. PROCEDURES:

A. Transportation

1. Vehicle Inspection

- a. At the beginning and end of each tour of duty, an officer assigned to a vehicle that may be used for prisoner transport shall inspect that vehicle for readiness as follows:
- b. The vehicle safety barrier shall be securely in place and undamaged.
- c. All windows shall be intact and outer door latches in proper working order.

- d. Rear-seat door handles and window controls shall be deactivated.
 - e. The interior shall be thoroughly searched to ensure that no weapons or contraband have been left behind or hidden.
 2. Prior to placing a prisoner in the vehicle for transport, the transporting officer shall inspect the interior for weapons or contraband. The vehicle shall be searched again after the prisoner has been delivered to the detention facility or other destination.
 3. Juveniles shall not be transported in the same vehicle with adult prisoners.
 4. Except in exigent circumstances, female and male detainees shall not be transported together.
 5. It is preferred that all detainees be transported separately.
 6. Prior to initiating the transport, the officer shall provide communications with the following information when possible:
 - a. Arrest location;
 - b. Number of prisoners;
 - c. Destination of transport; and
 - d. Time and mileage readings before and after transport.
 7. The officer should use care when assisting a prisoner into and out of the vehicle.
 8. Prisoners shall be transported in a manner that allows for constant visual observation. Where available, rear-facing in-car video systems should be activated and remain in use at all times until the prisoner is removed from the vehicle.
 9. Except in exigent circumstances, detainees should not be transported in a vehicle without protective barriers.
 10. Any wheelchairs, crutches, and medication should be transported with, but not in the possession of, the detainee. Prosthetic devices should be searched prior to transportation, but should remain with the detainee.
 11. Except in emergency situations, detainees shall not be left alone during transport.

B. Restraints

1. All restraint equipment will be inspected at the beginning of each tour of duty to ensure it is operational and free from defects.
2. Officers shall handcuff (double-locked) detainees in keeping with department training.
3. The officer may handcuff the detainees with his or her hands in front, or use other appropriate and approved restraining device(s) where the prisoner:
 - a. is in an obvious state of pregnancy,
 - b. has a physical handicap,
 - c. displays behaviors consistent with mental illness or an intellectual/developmental disability, or
 - d. has injuries that could be aggravated by standard handcuffing procedures.

4. Except in exigent circumstances and then only with permission of the OIC, detainees should not be handcuffed to any part of the vehicle during transport.
5. Additional approved restraint devices, such as leg restraints, may be used to secure a prisoner who violently resists arrest or who acts in a manner that indicates he or she poses a threat to him/herself, any officer, or to the public.
6. Special precautions shall be employed when transporting high-risk prisoners. In particular, waist chains should be used in addition to handcuffs.
7. All detainees shall be secured in the vehicle by proper use of a seat belt.
8. Officers are prohibited from transporting prisoners who are restrained in a prone position.

C. Searches

1. Prior to transport, all detainees arrested pursuant to Rule 3 of the Vermont Rules of Criminal Procedure shall be thoroughly searched incident to that arrest for any weapons or contraband. Persons detained or taken into custody for reasons other than an arrest as defined above should have a pat down search for weapons or hard objects completed by an officer.
2. A protective search should be conducted by an officer of the same sex as the prisoner. Where this is not practical, officers shall strictly adhere to their training regarding such searches.
3. The transporting officer should search the prisoner regardless of searches that may or may not have been conducted by arresting officers.

D. Holding Facility

1. Administration
 - a. The officer in charge of the shift shall be responsible for the holding facility to ensure that security, sanitation, maintenance, and safety of staff, detainees and property are maintained at all times. All problems with the holding facility shall be reported to the Support Lieutenant.
 - b. Inspections - The holding facility shall be maintained at all times in a clean and sanitary condition. The Support Lieutenant or his or her designee shall conduct periodic and unscheduled inspections of the holding facility sufficient to ensure continued adherence to agency operating policy and procedures.
2. Booking Procedures
 - a. Upon arrival with a detainee, the transporting officer will enter the secure sally port with the police vehicle and the detainee will remain secured in the vehicle until the overhead door is in the down position.
 - b. Officer(s) shall secure their sidearm, CEW, chemical agent (OC) and any edged weapon they may carry into the secure weapon lockers outside the holding area entrance. A baton may remain with the officer.

- c. The detainee may then be brought out of the vehicle and into the holding area. The door from the sally port should be secure prior to the detainee being released from handcuffs.
 - d. If necessary, a more thorough search of the detainee may now take place prior to entry into a cell. Shoe laces (or shoes with the laces), belts and any items that may be remaining with the detainee after leaving the CPD holding area is to be placed in the appropriate holding bin located outside the cell. If more than one detainee is secured in a single cell, property segregation should occur.
 - e. Communication personnel should monitor the video feed from the holding area and ensure the volume of the audio feed is in a position to allow a disturbance or other need to be noticed. Fifteen minute checks should be made to the monitor and noted in the dispatch log.
 - f. Except in exigent circumstances, no weapons other than batons should be brought into the secure holding area from any direction.
 - g. Officers wishing to enter the holding area should be cognizant of detainees being unrestrained in the holding area.
 - h. Juvenile detainees shall be held separately by sight and sound from any adult detainee. The Juvenile Data Sheet is to be completed in compliance with General Order # 33.
 - i. Male and female detainees shall not be held in the same detention cell.
3. The holding facility is not equipped to treat detainees requiring medical attention. Therefore:
- a. No detainee shall be booked into the holding facility or otherwise held by this department who has injuries or illnesses that require immediate medical attention. This includes obvious injuries or illness, as well as situations in which detainees:
 1. suffer from extreme alcohol incapacitation or possible drug overdose;
 2. exhibit symptoms consistent with severe mental disorder;
 3. have indicated intentions of committing suicide or shown signs of being a suicide risk, or;
 4. exhibit symptoms or report conditions of possible contagious disease.
 - b. Minor injuries that do not require transport to a medical care facility may be treated by trained EMS personnel at the holding facility.
 - c. If the severity of medical conditions is unclear or if a detainee requests medical attention, he or she shall be transported as soon as possible to this agency's designated emergency care provider. Security of

- detainees shall be provided during transport and while at a medical care facility.
- d. Continued detention of a detainee at a medical care facility is permitted only with the approval of a physician or qualified medical care professional. Once the detainee has been discharged, he or she will be transported back to the holding facility.
 - e. Officers shall communicate any and all information relating to detainee injuries or illnesses not requiring immediate medical attention to the lodging facility (Vermont Department of Corrections) and shall note this information in a report.
4. Generally, persons in custody should not be fed, except when a medical situation or humane treatment dictates otherwise. Anytime a person in custody is allowed to eat or drink anything, the responsible officer shall first inquire whether the detainee has any known allergies or health conditions. The detainee's response and any items of food or beverage provided should be documented in the incident.
5. Detainee Escape
- a. Detainee escapes shall be reported immediately to the officer in charge and the department's communications center. This includes instances in which a detainee is mistakenly released. If the on-duty OIC is not a Sergeant or higher in rank, the on-call OIC shall be immediately notified.
 - b. The identity, description, and suspected offenses of any escapee shall be relayed to all duty personnel and to adjoining departments as quickly as possible.
 - c. The officer in charge shall coordinate intelligence gathering, public notification and search procedures among agency personnel, other law enforcement authorities, and the media, as deemed appropriate, based on the escapee's prior criminal record, access to weapons, etc.
 - d. A complete review of the circumstances surrounding the escape shall be conducted in accordance with G.O # 2 and a full report shall be provided to the Support Services Lieutenant and the Chief of Police.

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