



# LOUDON POLICE DEPARTMENT LOUDON, TN



## Chapter 2

Subject: Prisoner Restraint, Search and Transportation	Effective Date: February 27,2006	Revised Date: March 26, 2020
Title: Prisoner Transportation	Pages: 8	Distribution: All Officers
Cross Reference:	Chief of Police Approval:	

### **Purpose**

The purpose of this directive is to provide guidelines for all members while performing the functions/activities of prisoner transportation.

This directive will consist of the following sections:

- I. Use of Restraints
- II. Searches
- III. Prisoner Transportation
- IV. Control and Security of Prisoners Inside Police Facilities

- I. Use of Restraints – The law imposes a duty of reasonable care to individuals over whom a police officer or Transportation Officer exercises custodial control.
  - A. Handcuffing
    1. All prisoners taken into custody and transported by members of the Loudon Police Department shall be handcuffed unless a medical or physical condition of the arrestee prohibits their use.
    2. Handcuffing techniques shall follow all guidelines taught by the Tennessee Law Enforcement Training Academy and City of Loudon Police Department FTO program.
      - a. Prisoners will be handcuffed behind their backs with palms facing out.
      - b. Should a physical or medical condition prohibit handcuffing behind the back, the prisoner may be handcuffed in the front in conjunction with a waist chain.
      - c. Handcuffs and leg irons must be capable of being doubled locked, and will be double locked when used.
    3. Efforts shall be made to maximize prisoner security and minimize prisoner discomfort.
    4. Prisoners should not be handcuffed using a wall or other similar object that may be used to the prisoner's advantage.
    5. All prisoners in the same transportation compartment shall be handcuffed in the same manner (cuffed in back or cuffed in front with waist chain)
  - B. Additional approved restraints such as flex cuffs, waist chain, leg irons and hobble may be used when necessary or deemed appropriate to ensure maximum risk reduction to the officer, the prisoner, and/or the general public.
  - C. Special attention should be given to how a handcuffed prisoner is positioned once restrained. Improper positioning, such as placing a prisoner in a face down position or any other position that hinders free movement of the chest and abdomen or restricts the airway can interfere with a restrained prisoner's breathing. Restrained prisoners, when placed in a prone position, should be placed on their side.
  - D. Special considerations concerning restraints - Police officers should recognize the differences between criminal activity and the effects of seizures or other

disabilities such as mental retardation, cerebral palsy, traumatic brain injury, mental illness, or deafness in determining whether an arrest should be made.

1. Physically disabled prisoners

a. Utilization of restraints on disabled prisoners shall include the following considerations:

- (1) Combativeness
- (2) Degree of mobility
- (3) Degree of disability
- (4) Discomfort of prisoner

2. Sick or injured prisoners

a. Utilization of restraints on sick or injured prisoners shall include the following considerations:

- (1) Combativeness
- (2) Severity of illness or injury
- (3) Possibility of aggravating illness or injury
- (4) Interference of restraints with medical treatment
- (5) Discomfort of prisoner.

3. Mentally disabled prisoners/individuals

a. Utilization of restraints on mentally disabled prisoners/individuals shall be based on the considerations for physically disabled prisoners/individuals and in addition the following considerations:

- (1) Threat of violence
- (2) Possibility of restraints increasing or decreasing the likelihood of violence

II. Searches

A. All prisoners taken into custody by members of the Loudon Police Department shall be controlled and searched in a thorough manner prior to transport to

protect the safety of others and provide for security of the prisoner.

**HANDCUFF PRIOR TO SEARCH**

- B. The scope of the search shall be to locate and confiscate all possible weapons, contraband and evidence.
- C. Personal items such as money, jewelry, wallets and other items that could not be used as a possible weapon, contraband or evidence, shall be inspected by the searching officer and then returned to the prisoner. If the suspect will be transported by the Transportation Vehicle, a specially designed truck or van, then the officer will give the prisoner's property to the Transportation Officer.
- E. Search positions and techniques shall follow all guidelines taught by the Tennessee Law Enforcement Training Academy and the City of Loudon FTO Program.
- F. Search of prisoners of opposite sex
  - 1. The necessity of conducting a search on a prisoner of the opposite sex must be considered. If a search is not conducted, the prisoner shall be cuffed and the next person having custody shall be made aware of the need for prisoner search.
  - 2. The scope of the search should be limited to what is necessary under the circumstances.
  - 3. When practical and officer safety is not jeopardized, safeguards shall include the following:
    - a. If an officer of the same sex is on the scene, or in close proximity, then the same sex officer should conduct the search or
    - b. Request an officer be present to witness the search. The name of the witnessing officer should be noted on the arrest report.
  - 4. No officer is expected to jeopardize their safety by refraining from a thorough search of a prisoner who is of the opposite sex. However, the potential for impropriety should be considered and all searches shall be conducted in a professional manner.
  - 5. Officers should utilize in-car cameras to capture prisoner searches when one is readily available, time permits such recording, and officers can safely position themselves within the camera's field of view. Officers should also make every reasonable attempt to record prisoner searches when forced to search a person of the opposite sex.

### III. Prisoner Transportation

A. Equipment - All vehicles utilized for prisoner transportation shall be equipped with the following features:

1. Protective divider separating the driver from the prisoner.
2. All doors and windows accessible to prisoners shall be made inoperable from the prisoner compartment of the vehicle.

B. Position of Transporting Officer/Prisoner in Vehicle

1. All prisoners shall be seated behind the protective divider
2. Prisoner shall be positioned in a manner that affords the driver the best visibility of prisoner.
3. The chosen position is at the discretion of the driver.
4. Transporting officers shall be seated in front of the protective divider and separate from the prisoner, except for situations described in Subsection G.4 of this Section.

C. Inspection of Transport Vehicles

1. All vehicles utilized for prisoner transportation shall be inspected prior to the beginning of each shift, and before and after each prisoner is transported for the presence of weapons, contraband, evidence, or lost property.
2. Prior to the beginning of each shift, the operator of any vehicle utilized for prisoner transportation shall inspect their vehicle to ensure the vehicle is free of damage or defect, and is prepared for overall safe operation.
3. Weekly inspections shall be conducted by patrol supervisors or designee on all vehicles utilized for prisoner transportation.

D. Medical Treatment of Prisoner

1. If a prisoner who is in the custody of the Loudon Police Department becomes ill or injured, it shall be the responsibility of the officer(s) to ensure medical assistance is provided.
2. The officer shall determine the need for summoning an ambulance to the scene or transporting the prisoner to the appropriate medical facility.

3. In the event a prisoner is refused by intake for medical reasons, the transporting officer should first consult with their immediate supervisor as to whether the prisoner can be transported to the nearest medical facility by the transporting officer or if an ambulance should respond for transport.
4. Upon arrival at the medical facility, the decision to stand guard with the prisoner shall include the following considerations:
  - a. Threat of escape
  - b. Seriousness of medical condition
  - c. Seriousness of offense
  - d. Threat to others
  - e. Availability of medical facility security

*NOTE: Any time an officer transports a prisoner to a medical facility, the security and control of the prisoner is still the responsibility of the transporting officer until relieved.*

5. If a prisoner is admitted to the hospital, the necessity of placing an officer to guard the prisoner shall be made by the member's immediate supervisor after considering the following:
  - a. Type and period of treatment based on the seriousness of the injury or illness.
  - b. Degree of risk to the prisoner, staff and society.
  - c. Isolation of the prisoner in a private room or area.
  - d. Determination of whether 24-hour coverage is needed and how it will be provided (regular patrol, supplemental patrol or overtime).
  - e. Continued use of restraints depending on consciousness, level of cooperation, and medical condition.
  - f. Meals will be supervised and plastic utensils will be used and the guard will account for the utensils upon completion of the meal.
  - g. No contacts will be made with the prisoner by visitors in person or by telephone unless approval is given by supervisor.

6. The supervisor will coordinate guard activities and coverage assuring the following:
  - a. Guard duty is to be noted on the daily worksheet as an out of service activity.
  - b. Guards are to be rotated as often as possible to avoid long shifts.
  - c. Guards are to be provided relief as necessary.
  - d. Guards are directed not to fraternize with the prisoner or visitors of the prisoner or medical staff.
  - e. All instructions concerning guard duties will be documented and reviewed by members and supervisors that will be responsible for the guard activities.
  - f. The supervisor will make periodic checks to assure that the members are conducting guard activities as directed.
  
7. Upon release of the prisoner the following shall be completed:
  - a. Record the prisoner's condition.
  - b. Any future treatment, care and medication is documented and signed by the attending physician.
  - c. A written medical release will be obtained.
  - d. The prisoner will be searched and restrained prior to transport.
  - e. The members will notify the supervisor when the prisoner is released and guard services are no longer required.
  - f. The supervisor will notify the member of what to do with the prisoner and if he is to be taken to the Loudon County Detention Center for formal charging (i.e., booking and processing).

#### E. Transport of Prisoners from Other Agencies

1. All prisoners transported for other agencies will be done in accordance with LPD policies and procedures.

2. Prisoners of other entities shall be transported with the approval of an on duty supervisor based on LPD transportation vehicle call volume and circumstances of the request.
3. When accepting prisoner(s) from other agencies, ensure that a completed arrest report accompanies the prisoner along with accurate contact information for the arresting officer (arresting officer name, unit ID, agency, dispatch number, cell number, etc.) in the event the prisoner(s) are refused at intake.
4. The arresting officer, or other member of that agency if the affiant is unavailable, is responsible for reassuming custody and control of the prisoner in the event they are refused at intake.