



Alexandria Police Department

Directive 10.27



PRISONER TRANSPORT

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10.27.01 PURPOSE/POLICY

The purpose of this Directive is to establish procedures and guidelines whereby prisoners, mental patients, or persons in the custody of the police and private security guards will be transported.

It is the policy of the Alexandria Police Department that all prisoners, mental patients, or persons in the custody of the police and private security guards will be transported in a manner that provides maximum security and safety of the prisoner, the public, and the transporting officer.

10.27.02 DEFINITIONS

Flex-Cuff – a plastic strip that can be fastened as a restraint around a person's wrists or ankles.

Handcuffs – restraint devices designed to secure a person's wrists close together.

Hobble – a one-inch wide webbed belting designed to be used in various situations to secure the legs and ankles of an individual.

Leg-Iron/Shackle – a kind of physical restraint used on the feet or ankles.

Positional Asphyxia – a condition which may be caused or exacerbated by stress owing to the position of the body, with the stress influencing or inhibiting respiration.

Prisoners - for purposes of this Directive, the term “prisoners” shall mean any person being transported while in police custody. This includes juveniles who are taken into custody or are being transported to another location for truancy (see Virginia Code Section 22.1-266) or any other status offense such as being a runaway, child in need of services, etc. (see Virginia Code Section 16.1-246), regardless of whether the child has been placed in custody for some other criminal offense.

Private Areas- the parts of the human body consisting of the genitals, buttocks, and female breasts.

Spit Sock – personal protective equipment consisting of a mesh netting that fits over the head of an arrested person to prevent the transfer of saliva from one person to another.

Violent Prisoner Restraint System – a supplemental restraint system used to secure a prisoner in a manner that prevents the prisoner from causing injury to themselves, other officers, or damage to police vehicles.

10.27.03 RULES/RESPONSIBILITIES

Transporting officer(s) will:

- A. Possess a valid driver’s license,
- B. Abide by the posted speed limit and traffic laws,
- C. Be responsible for the proper search of each prisoner, and
- D. Ensure positive identification of the person being transported.

10.27.04 TRANSPORTING NON-ARRESTEES

A. Transporting Non-Arrestees

1. The term “non-arrestee” includes any person who is not in police custody or being transported as a prisoner as outlined in the definition above. Examples

include, but are not limited to victims, witnesses, and individuals being transported for any other reason who are not in custody. Alexandria City employees and ride-along participants are excluded from this definition.

2. Officers must advise all non-arrestees being transported in Department owned or leased vehicles that they are not under arrest, and they will be transported only with their consent. Non-arrested persons being transported in Department owned or leased vehicles may not be handcuffed or otherwise restrained. Officers shall not request any non-arrestee for consent to be handcuffed or otherwise restrained and shall not handcuff or otherwise restrain any non- arrestee.
3. Officers should always follow proper safety practices when transporting any person under any circumstance. Transporting officers have the discretion to request that, prior to a non-custodial transport, the person being transported consents to a search of their person and parcels to ensure they do not possess any weapons, evidence or contraband. If the person to be transported refuses to consent to such a search, the officer may refuse to transport the person.
4. Officers have the discretion of whether to transport non-arrestees in either the rear or front seat.

10.27.05 POSITIONAL ASPHYXIA**[70.2.1]**

- A.** Positional asphyxia (see definition at **10.27.02**) may cause the death of persons in police custody if safeguards are not observed. Officers should ensure careful monitoring of suspects, especially under the following circumstances, which may be associated with in-custody deaths due to positional asphyxia:
1. Obesity of the suspect,
 2. Intoxication caused by drugs or alcohol,
 3. Violent or bizarre behavior,
 4. Violent struggle requiring restraint in excess of normal handcuffing (i.e. hobbles, violent prisoner restraint system, Flex-Cuffs, Spit Sock, etc.), and
 5. Unresponsive suspect during or immediately after a struggle.
- B.** To minimize the risk of positional asphyxia, officers will carefully observe the following safeguards:
1. Monitor in-custody suspects for gurgling, gasping, or unresponsiveness and summon medical assistance if any of these symptoms are present.

2. Avoid leaving suspects positioned so they are lying face down while unattended or during transport.
3. If handcuffs alone are insufficient to reasonably control the prisoner, use of the hobbles should be attempted if they are available. It should be noted that there should be little or no asphyxiation issues with the use of the hobbles, since the feet are tethered to the door frame. Only trained, sworn personnel are authorized to use hobbles.
4. In the event hobbles are insufficient to reasonably control the movement of the prisoner, a violent prisoner restraint system should be attempted if available. It should be noted that there is little or no asphyxiation issues associated with the use of this restraint system when applied properly as the system is designed only to control the movement of the prisoner's upper body. The violent prisoner restraint system should be used in conjunction with a hobble and the transport vehicle's seat belt. Only trained, sworn personnel are authorized to use the violent prisoner restraint system.

C. If a prisoner is restrained in addition to normal handcuffing, officers will:

1. Monitor the prisoner carefully.
2. Remove the additional restraints as soon as it can be done safely.
3. Include the following information in the Offense/Incident Report (APD-7), and Supplement Form (APD-007H):
 - a. Actions taken by the person(s) restrained, including documentation of the level of resistance encountered,
 - b. A description of the restraint that was used and its consequences,
 - c. How long the prisoner was restrained,
 - d. How long the prisoner was prone (lying face down), if applicable,
 - e. How long transportation of the prisoner lasted,
 - f. Identification of any witnesses, and
 - g. Any other pertinent details.

D. *In the event that a hobble, spit sock, or violent prisoner restraint is used on a subject in police custody, a supervisor must be notified. The supervisor authorizing the use of these additional restraint(s) MUST complete a BlueTeam entry as "Other Restraints." The purpose of this entry is solely for data collection and is not classified as a use of force.*

10.27.06 PROCEDURES**A. Vehicle Preparation**

1. Officers will check their vehicle at the beginning of each tour of duty to ensure that the vehicle is safe and equipped in accordance with the Vehicle Inspection Report (APD-255). **[70.1.2]**
2. Transporting officers will check the prisoner compartment of all transport vehicles for weapons, or any unsafe conditions that might lessen security, and cleanliness prior to every transport (or daily use), and immediately following completion of the transport. **[70.1.2]**
3. Transporting officers will have the proper forms or credit cards for procurement of gasoline if traveling outside the Washington Metropolitan Area.

B. Prisoner Search

1. Each prisoner will be searched by, or in the presence of, the transporting officer(s) prior to being transported. **[70.1.1]**
2. An officer of the same apparent gender as the prisoner will conduct searches when readily available. If an officer of the same gender is unavailable, a second officer, if not already present, will be called to the scene to witness the search. If a second officer is unavailable for an extended period, or an emergency exists, a sergeant or commander may waive the second-officer requirement.
3. When an officer must search a prisoner of the opposite gender, he or she will utilize the back of the hand around private areas (genitals, breast, and buttocks), whenever possible. The search will be of the entire body, except body cavities, including clothing and inside pockets.
4. Smoking by prisoners in transport is not permitted. Tobacco products or matches will not be allowed in the custody of the prisoner.

C. Handcuffing Prisoners**[70.2.1]**

1. Except in certain circumstances, i.e., handicap, sickness, females during late stages of pregnancy, injury or when restricted by FAA regulations in accordance with Title 49 CFR 1544.219 and 1544.221, all prisoners will be handcuffed at all times during transportation in the following manner:
 - a. Hands behind back,
 - b. Palms out, whenever practical, and
 - c. Cuff double-locked.

2. The prisoner will not be handcuffed to any part of the vehicle such as the doorpost, wire mesh cage, etc.
3. Special care is to be taken at the conclusion of the transport when removing handcuffs from prisoners. This is the point that many escape attempts are made. Restraining devices will be removed only when directed to do so by the receiving facility or when the officer is sure that the detainee is properly controlled and secure. **[70.1.6.b]**
4. In the event the transport is going to be for a prolonged length of time (more than one hour); special care should be taken to make sure the prisoner is as comfortable as possible. Make sure the cuffs are not too tight, place them in the front, attaching them to a security belt that buckles in the back, and make sure the seat belt is not too tight.

D. Placing Prisoners In Vehicle

[70.4.1]

1. When transporting a prisoner, the standard City cruiser equipped with a steel wire or Plexiglas barrier will be used. The prisoner will be seated in the back seat of the vehicle, and on the right side where the officer can observe and communicate with the prisoner at all times. Prisoners are not to be left unattended in the vehicle. The opening in the Plexiglas barrier should be kept closed to ensure the security of the prisoner and safety of the officer.
2. When no barrier-equipped cruiser is available, two officers are required to make the transport. The prisoner will be seated in the rear seat on the passenger side and secured with a seat belt. The second officer will be seated in the rear seat behind the driver where he or she can observe the arrested person at all times. This two-officer requirement may be waived by a sergeant or commander, if an emergency situation exists. **[70.1.3]**
3. With the approval of a supervisor, if an officer is transporting a prisoner in a non-caged vehicle and no additional officer is available to assist with the transport, the prisoner should be placed in the front seat.
4. Only one prisoner may be transported in the City cruiser at a time, unless explicitly authorized by a sergeant or commander, in the event of an emergency.

E. Transporting Members Of The Opposite Gender

1. When transporting members of the opposite gender within the jurisdiction, the transporting officer will notify the dispatcher over the air of; the odometer reading on the vehicle, the location from which the transport is being initiated, and the destination. The officer will also notify the dispatcher, over the air, upon arrival at the destination and provide the odometer reading of the vehicle. This procedure applies to both prisoner and non-arrestee transports.

2. When transporting members of the opposite gender outside the jurisdiction, the officer(s) will maintain a log recording the time of departure, time of arrival and mileage of the vehicle at the start and at the end of the trip. This log will also contain any and all stops made along the way, noting the time stopped, the reason, and the time the trip was resumed. This procedure applies to both prisoner and non-arrestee transports.
3. All persons being transported will be treated in a professional, courteous, but firm manner.

F. Radio Procedures

Prior to embarking on a local transport, the transporting officer will advise the Department of Emergency and Customer Communications (DECC) via radio that the transport is beginning, the starting point, and the destination. Radio notification will be made upon arrival when the transport is local.

G. Emergency Stops

[70.1.4]

1. The transporting officer will not stop for any reason (except emergencies or hazardous conditions) or conduct any type of personal business when transporting prisoners. Prisoners will never be left unattended while being transported.
2. Only when a risk to third parties is both clear and grave and the risk to the prisoner is minimal should the officer stop to render assistance to anyone.

H. Medical Transports (Physical or Mental)

[70.3.1; 70.3.2]

1. If a prisoner becomes sick or is injured, incidental to an arrest, the arresting officer should seek medical attention at that time. [70.1.4]
2. If the prisoner's injuries require immediate attention, an ambulance will be called and the officer will accompany the prisoner to the hospital.
3. If the prisoner's injuries or illness are minor, the prisoner will be transported to the booking area where the detention center medical staff will evaluate the condition of the prisoner. If the detention center medical staff employee requests, the arresting officer will transport the prisoner to the hospital for treatment. (See Section 10.27.06I for hospital transports).
4. When transporting sick or injured persons, the officer will take into account the nature of the sickness or injury when applying restraining devices.
5. The attitude of the prisoner must also be taken into account. At no time should the restraining device impede medical personnel from administering emergency care to the prisoner. Where possible, in non-combative situations, officers should

avoid the use of restraining devices that may aggravate a pre-existing injury. In combative situations, the officer's safety is paramount and the appropriate restraining devices will be used. [70.2.1]

6. Physically and mentally handicapped prisoner's present conditions for their transportation that dictate special care and attention. When transporting handicapped prisoners, it is the responsibility of the transporting officer to determine the ability of the prisoner to inflict injury to themselves, or the officer, and to use the appropriate restraining devices. If no adequate police vehicles or restraining devices are available, the officer's supervisor will be contacted, and the supervisor will determine the mode of transportation to be used. Any additional equipment or medicine needed for the prisoner's health will also be transported with the prisoner. [70.2.1]
7. Under no circumstances will any officer use a straitjacket or similar device to restrain any prisoner or person being held on a mental detention order.

I. Hospitals

[70.3.2]

1. As a general rule, the Police Department will only be involved with prisoners at the hospital if an arrestee becomes ill or injured after an on-view arrest, or after the service of a warrant, and prior to them going before a magistrate or the judge. After that, they become the responsibility of the Office of the Sheriff. When dealing with persons who have a mental illness, officers will follow the procedures in PD 11.13-Mental Health Cases.
2. Officers will remain with the prisoner at all times unless a court order mandates otherwise. (Behind a drawn curtain and within hearing distance is considered "present.")
3. If a prisoner is ever out of the sight or out of control of the transporting officer, additional searches are required.
4. Handcuffs will remain on the prisoner at all times with the following exception: During a physical examination by a physician, handcuffs may be removed, *provided the hospital uses some other type of restraint. Officers should not assist medical personnel in using these types of restraint.* Some restraining device will always remain secured to the prisoner. [70.2.1]
5. *An officer should only assist in restraining a prisoner for medical treatment if there has been an order issued, i.e. ECO, TDO, DUI search warrant, etc. The officer will then document the type of physical restraint used by the officer and length of the restraint that they administered in their report.*
6. Prior to the Office of the Sheriff assuming responsibility of the prisoner, the officer is responsible for ensuring the prisoner remains secured with a restraining device. Officers will use handcuffs to secure the prisoner unless the removal of

the handcuffs is required for a physical examination by a *physician. Prior to the removal of handcuffs, officers will secure the prisoner with a restraining device provided by the hospital. Handcuffs should be placed back on the prisoner as soon as practical. Prior to the removal of handcuffs, officers will secure the prisoner with a restraining device provided by the hospital. Handcuffs should be placed back on the prisoner as soon as practical. To ensure that some restraining device* always remains on the prisoner, *the handcuffs will not be removed prior to applying the restraints provided by medical staff at the hospital.*

J. Airline Travel Regulations

1. Code of Federal Regulations Title 49, 1544.219 and 1544.221 details the transport of prisoners under the escort of an armed law enforcement officer. Officers must be authorized to travel armed, must demonstrate a “need” to be armed, check-in at the ticket counter at least 1 hour prior to flight departure, produce approved credentials with badge of authority and notify the aircrew of their presence on the aircraft for EACH flight segment. Officers shall complete the Federal Air Marshal Service’s LEOs Flying Armed training prior to travel. It should be noted that a particular airline might have a more restrictive policy.

The following procedures should be employed when escorting prisoners by air:

- a. All non-federal law enforcement officers must make notification to TSA via NLETS (ORI VAFAM0199) via a properly formatted message prior to travel. A unique alphanumeric identification number will be issued from the Transportation Security Operations Center (TSOC) for each segment of the flight itinerary and is required for access to the sterile area of the airport. This should be done at least 24 hours before the scheduled departure. On the day of the travel, officers will identify his/herself at the airline ticket counter. The officer will fill out the armed traveler paperwork provided by the airline. Officers will then proceed to the Armed LEO Screening Checkpoint, where the officer will present the unique alphanumeric identifier. This is to be done for each segment of the flight(s).
- b. Prior contact may be made with individual airlines to ascertain restraint policy while boarding and deplaning prisoners. The officer will ensure that the prisoner is to be restrained from full use of his or her hands and must ensure that leg irons are not used. When practicable, the prisoner will board the aircraft prior to other passengers and deplane after other passengers. Prisoners and escorts will be boarded according to airline policy in compliance with Federal Aviation Regulations. Officers are permitted to travel with a Taser. OC spray may not be carried in the cabin of a commercial aircraft. **[70.2.1]**

- c. Officers will exercise discretion in using restraining devices in airport terminals. Airport police facilities should be used when available. Restraining devices will be concealed as much as possible to avoid alarming passengers, airport visitors and employees of the air industry. **[70.2.1]**

K. Non-Local Transports

1. Verification should be obtained that the person to be transported is still at the facility from which the transport is to originate.
2. Meals for prisoners should be served inside the vehicle and no prisoner should handle any utensils that could be used as weapons. Very hot or ice-filled beverages should be avoided. Meals may be prepared by the correctional center in advance.
3. When transporting a prisoner a distance that a meal is required, the selection of the place where a meal is to be taken will be done randomly. The prisoner will not be made aware, prior to stopping, of the location of the stop.
4. In all transportation cases, the transporting officer(s) will attempt to obtain from the releasing agency any and all records, which would include, but not be limited to, photographs and fingerprint cards to ensure proper identification of the prisoner. **[70.5.1a, b]**
5. They should also have any information about the prisoner that would indicate a medical history, suicide potential, unusual illnesses, past criminal involvement or escape risk. All this information is to accompany the officers during the transport. **The receiving agency personnel are to be advised of any information known concerning potential medical or security risks. [70.5.1b, c; 70.1.6d]**
6. Any information obtained from the releasing agency will be turned over to the receiving agency upon completion of such transport. **All paperwork, (detainers, Governors Warrant, etc.) from the other jurisdiction will be given to the booking deputies; copies will be made for the case files. [70.1.6c]**
7. If a signature from the receiving officer is needed, it should be obtained at this time.
8. Documentation will be completed as required by the jail or institution confirming the transfer of custody. **[70.1.6.e]**

L. Use of Toilet Facilities

1. Restroom stops are discouraged. Such stops should only be made at a prescribed public safety building, such as a police station or other detention facility. Location of these facilities should be researched for a particular route in advance of any transport.

2. The transporting officer will not lose sight of the prisoner unless under controlled circumstances.
3. During a local transport, a prisoner will not normally be allowed to use toilet facilities prior to the arrival at the final destination. However, the officer may use discretion in allowing the use of a toilet facility as long as full custody and control are maintained over the prisoner and no laws are broken (i.e., urinating in public).
[70.1.4]
4. During a long-distance transfer, the prisoner should, when necessary, be allowed to use toilet facilities. These facilities should be checked by the transporting officer prior to use by the prisoner for possible security or safety hazards.

M. Disabled Vehicle During Transport

In the event that officers are conducting a long-distance transport, i.e., to/from a mental health facility or another detention center, and the vehicle that they are driving becomes inoperable, the officers are to do the following:

1. If immediate assistance is required, contact the State Police or the local law enforcement agency through 9-1-1 or interoperable radio system(s) and notify them of the situation confronting the officers;
2. Immediately contact the on-duty watch commander, and notify them of their exact location and the vehicle problem;
3. The officers shall remain with the person being transported at all times;
4. The on-duty watch commander will make contact with the local or state agency responding to assist the officers and request whatever assistance may be necessary. It may be necessary for the officers to take the person being transported to the local agency while their vehicle is being serviced, or to wait for another APD vehicle to be sent to the location. The on-duty Watch Commander shall arrange for another vehicle to be brought to the stranded officers if their vehicle cannot be repaired quickly. The legal status and safety of the prisoner/transportee shall be weighed significantly in determining the appropriate response.
5. The fleet manager will be notified and, if necessary, make arrangements for the recovery of the disabled vehicle to the City.

N. Escape Of Prisoner

[70.1.7.a]

1. In the event of the escape of a prisoner during a local transport, officers will:
 - a. Notify the dispatcher immediately in order that a lookout can be broadcast,
 - b. Notify their immediate supervisor as soon as reasonably possible,

- c. Initiate the appropriate Offense/Incident Report (APD-7) and obtain a warrant charging "escape" when needed, and
 - d. Notify other jurisdictions by Teletype as necessary. **[70.1.7.b]**
2. If the escape occurs outside the City of Alexandria, in addition to the above, the officer will notify the appropriate authorities in the jurisdiction of the escape and comply with that jurisdiction's procedures in reference to the search for and recovery of the prisoner. **[70.1.7.c]**

O. Security Risk Prisoners

In transporting high security risk prisoners, the officer will inform the booking officer so that the judge of the court can be notified of the security hazard. The judge may request the use of restraining devices in court or request additional security officers. **[70.1.8]**

P. Communication By Prisoners

During the actual transportation of the prisoner, he or she will, under normal circumstances, be restricted from communication with other prisoners, civilians and attorneys for security reasons. In case of emergency, the officer will use discretion, taking into account the safety and security of the prisoner. **[70.1.5]**

Q. Security Of Firearms

At all times transporting officers will provide proper security for their weapons. Weapons will be kept out of access of prisoners. Upon arrival at the correctional facility, weapons will be secured for safekeeping before entering the booking area. **[70.1.6.a]**

R. Transporting Private Security Guard/Conservators Of The Peace/Special Police Prisoners

1. Arrest powers are given to a registered employee of a private security business (Section 9.1-146 Code of Virginia) but it is limited to the premises that the security officer is contracted to protect.
2. Authority to release on a summons for Conservators of the Peace/Special Police is governed by Virginia State Code 19.2-74(b).
3. Under normal circumstances, it is incumbent on the police to transport prisoners for security guards to the magistrate when they lack the means to do so. (See paragraph 5 below.)
4. Security guards have the authority to release adult misdemeanants on a summons, when the offense was committed in their presence (see Directive 10.24 Misdemeanant Release).

- a. When responding to a scene where a private security guard/Conservator of the Peace/Special Police has made an arrest and the arrested person is to be released on a summons, the officer will, upon request, supply a Virginia Uniform Summons (VUS) to be completed by the private security guard/Conservator of the Peace/Special Police. The officer will assist in completion of the form as needed. The officer's copy will be given to the arresting officer; the defendant's copy will be given to the arrested person. The responding officer will forward the remaining copies to Information Services after approval by a supervisor.
 - b. Having the authority to arrest, registered security guards/Conservators of the Peace/Special Police must bring those who are not eligible for release on a summons, before a magistrate forthwith. Merely transporting the arrested person and security guard/Conservators of the Peace/Special Police to the magistrate should not make the police officer the "arresting officer."
5. Because transporting officers may have to use force, they should be reasonably satisfied that there is probable cause for the arrest and the arrest is within the authority of the security guard prior to transporting the prisoner (i.e., the arrest occurred within the boundaries of the premises to be protected). Unless the officer is so satisfied, the transport should be refused.

By Authority Of:

Don Hayes
Acting Chief of Police