



SOUTH MIAMI POLICE DEPARTMENT

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CFA STANDARD: 21 SUBJECT: Prisoner Transportation – TRANSPORT OPERATIONS	NEW (X) RESCINDS (X) AMENDS () OTHER ()	By Order Of:  Rene Landa, CHIEF OF POLICE	

CFA STANDARD: 21.01M, 21.02M, 21.03, 21.04M, 21.05M, 21.06M, 21.07M, 21.08M

SECTIONS:

- 30.1.1 Pre-Transport Prisoner Search**
- 30.1.2 Searching Transport Vehicles**
- 30.1.3 Procedures, Transporting by Vehicle**
- 30.1.4 Maintaining Visual Contact**
- 30.1.5 Prisoner Communication**
- 30.1.6 Procedures, Transport Destination**
- 30.1.7 Procedures, Escape**
- 30.1.8 Notification of Security Hazard**

RESCINDS: All existing orders in conflict.

PURPOSE: To establish guidelines for the transportation of prisoners in the care, custody and control of the City Police Department. These guidelines will ensure that the adequate safety and security of prisoners, officers, and the public are provided by the department.

SCOPE: All departmental personnel.

POLICY: It is the policy of the City of South Miami Police Department to transport prisoners in a safe, secure and efficient manner. Arrestees will be transported directly to a jail facility or the police station for further processing as soon as possible after arrest. At no time will a transporting officer grant any request from the arrestee to stop at any location for any reason. The primary responsibility for transporting officer(s) will always be the protective custody and safety of their prisoner(s), transporting officer(s), and the public.

PROCEDURE:

30.1.1 Pre-Transport Prisoner Search

- A. The transporting officer is legally responsible for the safety and custody of the prisoner being transported. It is the policy of this department that all prisoners will be thoroughly searched for weapons and contraband by the arresting officer prior to being placed in a police vehicle for transport. [CFA21.02M]

Additionally, before accepting custody of a prisoner from another officer, the prisoner will be searched. Prisoners will be searched each time they come into an officer's custody; including to or from the police station, the hospital, any detention facility, or any other location.

1. An officer of the same gender as the prisoner will conduct the search unless exigent circumstances exist (i.e. officer safety, staffing, etc.);
 2. Body cavity and/or strip searches are governed by Florida State Statute 901.211 and G.O. 1.2.8.
- B. Any pocket knives or other such instruments found to be in a prisoner's possession will be documented on a property receipt for *Safe Keeping*, and placed in the Police Department Property/Evidence Section. The prisoner will be advised that they will have to respond to the Police Department to claim their property. Under no circumstances will any such items be taken to a detention facility with the prisoner's personal property.

30.1.2 Searching Transport Vehicles

- A. An inspection will be conducted of the interior of all vehicles at the beginning and end of each shift by the officer assigned to the vehicle. The procedure is necessary to ensure that no weapons or contraband are present in the vehicle prior to a prisoner(s) being placed into the vehicle. This is to apply to any vehicle driven by the officer, regardless of if it is a permanently assigned vehicle or a pool car.
- B. Departmental vehicles shall be secured when not occupied. **Any vehicle used to transport a prisoner shall be searched prior to and after a prisoner has been transported.** [CFA 21.03M] The search shall be made with the assumption that an opportunity was present for the introduction of contraband, weapons, or other items. Items found immediately after transport should be linked to the prisoner and proper charges placed.
- C. Additionally, all pool vehicles will be inspected at the beginning of each shift to ensure that the vehicle is equipped with all appropriate equipment, e.g., first aid

supplies, spare tire, fire extinguisher, and safety flares. (See General Order 18.1, Section 18.3.3, A and B). The overall condition of the vehicle will be examined, including the proper inflation of tires, lights, fuel and fluid levels, function of the audio and visual emergency equipment, and engine operation. Discovery of contraband or weapons or observed damage to vehicles or equipment will be brought to the attention of the on-duty shift sergeant before going on patrol.

1. The shift commander will ensure that the officer, who discovered the contraband item(s), files the appropriate offense or incident report and impounds the contraband into the Property and Evidence Section.
2. The shift commander will forward a copy of the report through the chain of command to the Operations Bureau Captain for review.

30.1.3 Procedures, Transporting by Vehicle

- A. All prisoners will be placed in the rear seat of a patrol vehicle; seat belt fastened and, if there is only one prisoner, positioned in the right rear behind the front passenger seat for best visibility.
 1. Seat belts **will** be used on all prisoners or others transported. **The only exception will be those individuals who, medically or physically, require alternate security restraints.**
 2. If the officer is transporting a person of the opposite sex or a juvenile, he/she will notify the MDPD dispatcher of that fact and provide the destination and vehicle odometer readings at the beginning and end of the trip. [CFA21.01M(a)]
- B. A maximum of two (2) prisoners will be transported in a single patrol vehicle at one time. More prisoners may be transported in the prisoner van, until the van is filled to capacity.
- C. If the prisoners are combative, separate them and use proper restraints.. Combative prisoners should not be transported in the same vehicle.
- D. Make sure all restraints are properly secured. All prisoners will be handcuffed (or flex-cuffed) behind their back, palms facing out, unless the prisoner has an injury or condition that does not permit their arms to move behind their back. In such instances, the prisoner will be handcuffed with their arms in front. Handcuffs will be **double locked** to prevent injury and escape. Flex-cuffs should be affixed to the point that they cannot be removed, but still allow proper circulation in the arrestee's wrists. [CFA21.04M]
- E. Prisoners will not be transported in any departmental vehicle not equipped with a safety barrier (cage) unless the following conditions are met:

1. An additional officer is seated in the back seat with the offender.
 2. The prisoner is handcuffed with hands behind the prisoner.
 3. The handcuffs are double-locked.
 4. The prisoner is seat-belted.
 5. The officer is seated so that the firearm is on the opposite side from the prisoner.
- F. If more than one officer is transporting a prisoner in a marked patrol vehicle with a safety barrier, both officers will sit in the front seat, unless otherwise directed by a supervisor.
- G. Male and female prisoners will not be placed into or transported together in the same patrol vehicle, unless both prisoners are alleged or believed to be involved in the same offense or transaction, and transport together will not adversely affect any investigation in which they are involved. Exceptions must be approved by the on-duty supervisor.
- H. Juvenile prisoners will not be placed into or transported in any police vehicle which, at the same time contains an adult under arrest, unless the adult is alleged or believed to be involved in the same offense or transaction as the juvenile, and transport together will not adversely affect any investigation in which they are involved, as set forth in Florida State Statutes, Chapter 39.044 (3). [CFA21.01M(c)]
- I. Rear windows shall be kept rolled up when a prisoner is inside.
- J. Violent prisoners will be transported in the prisoner van to minimize the possibility of damage to the patrol cars, and for officer safety. [CFA21.01M(d)]
- K. Injured prisoners will be treated on the arrest scene by Miami-Dade Fire Rescue personnel prior to transport. Once medically cleared, the transport officer will transport the arrestee to the appropriate detention facility for processing. If the arrestee requires further medical treatment or stabilizing at an emergency room, the transporting officer will accompany him to that facility and notify a supervisor. [CFA21.01M(b)]

30.1.4 Maintaining Visual Contact

During normal transport, once a prisoner is placed in a department vehicle, the transporting officer will not leave the prisoner unattended or lose sight of the prisoner until they have reached their destination. On some occasions the officer may have to transport the prisoner to the hospital prior to transport to a detention facility.

- A. If, while at the hospital or on an extended transport, the prisoner requires use of the restroom, the officer will accompany the prisoner to the restroom, keeping the prisoner in his/her sight at all times. The officer will not leave the arrestee

unattended if he is taken to other units in the hospital for tests or treatment.
[CFA21.07M]

- B. The exception to the above is when an officer is transporting a prisoner of the opposite sex; i.e. a female officer will request a male officer to escort a male prisoner to the restroom. If an officer of the same sex is not available to escort a prisoner to the restroom, the officer will advise the prisoner that he/she is prohibited from leaving a prisoner unattended.

If the prisoner still requests to use the restroom, and the officer believes that it is a valid and immediate necessity, the officer will check the area that will be accessible to the prisoner to ensure there are no possible escape routes, or items which could be used as a weapon. The officer of the opposite sex of the prisoner will not accompany the prisoner into the restroom if it appears to be a safe and secure area. After the prisoner completes use of the restroom, a check of the toilet and area will be made to ensure no contraband has been left nor anything disturbed.

To avoid this circumstance, a prisoner of the opposite sex should be advised to use the facilities in the South Miami Police Department holding facility before the transport.

- C. If the prisoner is out of an officer's sight for a period of time, the prisoner will be searched again prior to transport.
- D. If the transporting officer is not the arresting officer, he/she will search the prisoner when assuming custody and control before transport.
- E. Primary duty of the transporting officer:
1. The primary duty of the transporting officer is the safe delivery to the appropriate location of a prisoner in his/her care. It is the duty of the transporting officer to protect the prisoner from suffering from unnecessary injury.
 2. An officer will not handle another police incident while transporting a prisoner(s), unless the officer determines that there is a risk of serious harm to third parties involved, and the risk to the prisoner is minimal. [CFA21.05]
 3. Should the officer determine that a need to stop exists, the officer will notify the Communications Center of the nature and location of the incident. If the stop is in another jurisdiction, local authorities will be immediately notified of the following:
 - a. The identity of the officer;
 - b. The officer's status (prisoner transportation, etc.); and
 - c. The nature and location of the incident.
 4. The transporting officer will consider stopping only when arriving first on the scene, and will remain only until other emergency assistance has arrived,

or until the situation is stabilized. The officer will **not** stop, stand, or park the vehicle in the roadway in such a manner as to expose the prisoner(s) to risk of injury by being struck by another vehicle.

5. The transporting officer will not become involved in a pursuit, roadblock, or other situation which might create a risk of harm to the prisoner.

30.1.5 Prisoner Communication

While transporting prisoner(s) to a hospital, detention facility, or other location, the officer will **not** allow the prisoner(s) to have contact with other persons, including the prisoner's attorney. The officer's lack of control of the physical surroundings during transport precludes the prisoner's interaction with anyone, including via telephone. This restriction also applies to contact between the news media and the prisoner. Prisoners will not be allowed to make phone calls immediately prior to transport as well. The prisoner will have the opportunity to use the phone at the Miami Dade County booking facilities.

30.1.6 Procedures, Transport Destination

All prisoners, 18 years of age or older, shall be booked at a Miami-Dade County Jail receiving facility. An exception to this policy is when the officer releases the prisoner under the promise to appear section of the Complaint/Arrest Affidavit form. Juvenile prisoners will be transported to the Juvenile Assessment Center (JAC). Juvenile prisoners, who are brought to the station for processing prior to transporting to the JAC, will have their information entered in the Juvenile Log book by the arresting/transporting officer upon arrival at the station.

If the prisoner is violent prior to arrival at the police station, he/she shall be taken directly to a Miami-Dade County Jail Facility. If a juvenile prisoner is violent prior to arrival at the police station, he should be transported directly to the Juvenile Assessment Center (JAC), after contacting the on duty shift supervisor.

Upon arrival at the destination with a prisoner, the officer will advise arrival to the Communications Center and provide the vehicle's odometer reading (mileage) to the dispatcher (if transporting a person of the opposite sex or a juvenile prisoner). The following procedures will also be adhered to:

- A. Secure all weapons in the locked box provided at the jail facility, if the officer is going to enter facility. If the destination does not provide boxes or lockers for securing a weapon(s), the officer will lock his/her firearm, magazines, asp, and any other weapon into the trunk of the transport vehicle or otherwise leave in a secluded secure place, out of line of sight, inside the locked vehicle prior to removing the prisoner(s). [CFA21.08M(a)]

- B. Monitor prisoner in the processing area of the receiving facility (county jail, mental health reception center, county warrants bureau, or other location) keeping handcuffs or other restraining device on prisoner until he/she is placed in a secured cell or until the receiving officer removes or requests to remove them. [CFA21.08M(b)]
- C. Deliver all legal documents and required paperwork to the receiving officer at the facility accepting custody of the prisoner. [CFA21.08M(c)]
- D. Documents include: the Complaint/Arrest Affidavit, Uniform Traffic Citation(s) attached (if applicable for the charge), and prisoner's personal property, if any. [CFA21.08M(d)]
 - 1. It shall be the responsibility of the arresting officer to ensure that all arrest reports are approved by their supervisor, turned into the jail, and copies forwarded to the records section.
- E. Advise the receiving agency personnel of any potential medical or security hazards. [CFA21.08M(e)]

30.1.7 Procedures, Escape

- A. In the event a prisoner escapes from custody during transport, either in the City of South Miami or any other jurisdiction, the following action shall be taken by the transporting officer:
 - 1. Notify the MDPD Dispatcher of the escape, the officer's location, and the last known direction of travel of the escapee. Communications personnel will relay this information to the Miami-Dade County Communications Center and/or any other jurisdiction where the escape occurred; [CFA21.06M(a)]
 - 2. Provide description of escapee, and arrest charges;
 - 3. Request a supervisor and assistance of other law enforcement personnel to attempt to apprehend the escapee. A supervisor will respond to all escape scenes. [CFA21.06M(a)]
- B. The following reports will be completed by personnel involved in a prisoner escape incident during transport prior to the end of his/her shift: [CFA21.06M(b)]
 - 1. Offense report(s);
 - 2. Offense supplementary report(s);
 - 3. Departmental memorandum (to be completed by a supervisor). This Escape Review memorandum will be completed by the Shift Supervisor and

submitted to the Chief of Police, via chain-of-command. It will contain all the facts surrounding the incident and a synopsis of the event.

4. Police Officer Injury Report, if applicable (to be completed by a supervisor);
5. Use of Force Report or other written documents, if applicable.

C. Additional action will include: [CFA21.06M(c)]

1. Relay information on escapee to all on-duty officers;
2. Request additional officers to assist in the search for the escapee, perimeter, etc., unless the escape occurs outside the City. In that event, the Communications Center should be requested to notify the agency in whose jurisdiction the escape occurred, and request assistance;
3. Notify the on-duty supervisor;
4. If an escapee is captured by an officer, he/she should immediately be handcuffed and searched for weapons and contraband before being transported. The prisoner may then be transported to the original destination or county jail in the jurisdiction where the capture occurred, whichever is appropriate;
 - a. The arresting officer will write additional information, regarding the escape and capture, on the original offense report or on a supplemental report if the original report has already been approved.
 - b. The arresting officer will also add the appropriate escape charges and any other applicable charges, resulting from the escape attempt, on the arrest affidavit.
5. The supervisor on duty during the escape or recapture of a prisoner will direct the necessary personnel to assist in searching for the escapee. If the escape occurs outside the City, the shift supervisor will assign personnel to respond **AND** request assistance from the agency with primary jurisdiction over the area in which the escape occurred.
6. If a prisoner is injured during an escape, escape attempt, or capture after escape, an officer will transport the prisoner to the appropriate medical facility, unless the prisoner's injuries require transport by a rescue unit. In that event, an officer will be assigned to accompany the prisoner in the rescue unit to prevent further escape attempts.

30.1.8 Notification of Security Hazard

Any time a member of this department arrests an individual whom he/she believes represents a security risk, the officer will note in big bold letters at the top of the Arrest Affidavit: "**ESCAPE RISK**", "**SECURITY RISK**", or "**THREATENED SUICIDE**", etc., giving reason(s) why the prisoner is considered a risk in the narrative section. This ensures that the court and the booking facility will become aware of the security risk upon receipt of the Arrest Affidavit. The officer will also

notify the receiving officer of the security risk verbally, upon arrival to the facility, so appropriate measures can be taken.