

7.06
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

Date Issued: December 1, 1998
Subject: Prisoner Transports
To: All Officers

Revision Date: September 30, 2008
Reference: CACP STD.180.1-5

I. POLICY:

The transport of prisoners to and from a police facility, while an everyday occurrence, is not a task devoid of danger. Department officers transporting prisoners are legally responsible for the safety and custody of the prisoner being transported. Officers will not only insure that the prisoner does not escape, but is treated with the respect and dignity entitled to all individuals. The purpose of this policy is to insure the safety of the officer and the prisoner and provide equitable treatment of all prisoners transported by this department.

II. PROCEDURE

A. Vehicle Inspections

1. Prior to the beginning of each shift officers will inspect their vehicles to make sure it is free of any unauthorized weapons or contraband.
2. If practical, the interior should be searched just prior to placing a prisoner in the patrol vehicle.
3. Upon arrival at the Detention Facility and after the prisoner has been turned over to the detention staff, the vehicle will be re-inspected for any items the prisoner may have disposed of there during the transport.

B. Searches of Prisoners

1. Every person taken into custody shall be searched thoroughly and systematically by the arresting officer for his/her protection and to prevent the loss or destruction of evidence.
2. All searches shall be conducted in a professional and courteous manner, and in accordance with CRS 16-3-405 Strip Searches-when authorized or prohibited.
3. Searches of prisoners of the opposite sex shall be conducted as follows:
 - a. Whenever an officer of the same sex as the prisoner is present at the time of arrest, he/she shall conduct the search prior to transporting.

b. If an officer of the same sex as the prisoner is not present, then the search shall be conducted as thoroughly as is judged appropriate by the arresting officer.

C. Strip Searches

1. It is sometimes necessary for officers to initiate a very thorough body search of a prisoner, depending on the circumstances of the crime, the prior record of the prisoner, and the degree of probable cause.

2. A strip search entails the removal of all clothing from a prisoner so that a visual inspection can be made of all areas of the prisoner's body where evidence or contraband could be concealed.

3. NO STRIP SEARCHES SHALL BE CONDUCTED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM A SUPERVISOR OF CORPORAL RANK OR HIGHER.

a. Said authorization shall include a statement of the reasons for the strip search.

4. If the prisoner has been arrested for a misdemeanor, petty offense or traffic violation, a strip search is not permissible prior to arraignment, unless:

a. There is reasonable belief that the subject is carrying a concealed weapon or controlled substance, or

b. The prisoner is a parolee or offender currently serving a sentence in a correctional facility, or

c. The prisoner has been arrested for driving under the influence of drugs.

5. Procedure

a. All strip searches must be conducted by a sworn officer of the same sex as the prisoner.

b. Whenever possible, two officers of the same sex as the prisoner shall be present during the search. In the absence of a second officer, a non-sworn police employee of the same sex as the prisoner shall be utilized as a witness to the search.

c. All strip searches must be conducted in a secure and private area. Care shall be taken to ensure that the search is not open to view by any person other than those conducting the search.

d. Every effort should be made to minimize the discomfort and embarrassment of a prisoner during a strip search. However, the officer's

primary concern must be the efficient, effective, and safe completion of the search.

e. Physical intrusion into the prisoner's body cavities such as the anus or vagina is prohibited, unless the conditions below have been met. If foreign items are visible, or if there is probable cause to believe that such items exist inside body cavities, the following procedures shall be followed:

(1) The officer shall consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. The decision to seek a search warrant shall recognize that a body cavity search is highly invasive of personal privacy and is reasonable only when the alleged offense is of a serious nature, and/or contraband contained in a body cavity poses a threat to the safety of officers or others, and/or evidence of the crime may be located in a body cavity.

(2) If probable cause exists for a body cavity search, an Affidavit for Search Warrant shall be prepared which clearly defines the nature of the alleged offense and the basis for the officer's probable cause.

(3) The prisoner will be closely and continuously monitored by law enforcement from time of arrest until the warrant is served to prevent loss of evidence. The prisoner should be placed in a dry cell.

(4) Once the search warrant is issued by the court, the prisoner shall be transported to a hospital so that a physician or a Sexual Assault Examiner (SAE) can examine all body cavities and remove the contraband or evidence. It is preferred to have a SAE member conduct the examination.

NO SEARCH OF ANY BODY CAVITY OTHER THAN THE MOUTH SHALL BE CONDUCTED WITHOUT THE WRITTEN PERMISSION OF A SUPERVISOR OF SERGEANT RANK OR HIGHER AUTHORIZING A BODY CAVITY SEARCH.

D. Transport Procedure

1. All prisoners shall be transported in a manner that adequately provides for the safety and security of the prisoner, the officer, and the general public.

a. Consideration must be given to the medical and physical condition of the prisoner and the possibility of positional asphyxia.

2. Whenever possible, an officer should not transport more prisoners than the designed seating allows, so that prisoners can be properly observed and controlled.
3. Prisoners of the opposite sex should not be transported in the same vehicle at the same time.
 - a. Exceptions to this procedure may be made at the discretion of the transporting officer in extenuating circumstances, such as family relationship of the prisoners or situations where two prisoners of the opposite sex must be moved as quickly as possible.
4. The primary duty of the transporting officer is the safe delivery of the prisoner in his/her custody. Involvement in incidents, which occur during the transport process, may divert the officer's attention and place the prisoner in jeopardy or create an opportunity for escape. Therefore, the officer should stop to render assistance only when the potential danger to the prisoner and risk of escape are minimal.
5. Prisoners will be restrained in accordance with [General Order 7.03](#), Handcuffing & Restraints.
6. Flexicuffs and other restraints, aside from handcuffs, will be used pursuant to [Order 7.03](#) and may be used on those prisoners who are violently resisting arrest or those prisoners considered by the officer to be a serious escape risk.
7. When possible, safety belts will be placed on prisoners placed in a patrol vehicle. The use of the safety belt helps further restrain the movement of the prisoner and reduces the chances of injury in the event of an accident during transport.
8. If prisoners are left alone in a patrol car, the security screen and windows will be closed and locked. If the department vehicle does not have a security screen, the officer will be required to turn off the ignition and remove the keys.
9. All prisoners transported in a patrol vehicle must, whenever possible, be placed in a seated, upright position.
10. Special attention should be paid when transporting prisoners to the hospital, mental health or other outside facilities. These transports offer prisoners opportunities for unauthorized personal contact, escape or infliction of injury on himself or others.

E. In Transit

Immediately upon commencing the transport, the officer shall give the following information to the dispatcher:

1. That the officer is engaged in a prisoner transport,
2. Number of prisoners,
3. Sex of prisoners,
4. Whether prisoner is adult or juvenile,
5. Destination,
6. Officers transporting prisoners of the opposite sex or juveniles will give their beginning mileage, and upon arrival at the intended destination, their ending mileage to the Dispatch Center.

F. Safe operation of the patrol vehicle is a prime responsibility of the officer.

1. Officers shall proceed directly to the detention center, or other intended destination, without unnecessary delay.
2. Officers shall obey all traffic laws and maintain a safe and reasonable speed.
3. Officers shall not engage in other police activities (vehicle stops, high speed chases, etc.) while transporting prisoners. The only exception would be any emergency the officer encounters while enroute wherein immediate action taken by the officer could prevent death or serious injury.
4. If the officer observes a problem, this information should be communicated to the Dispatch Center for others to handle.
5. The prisoner shall be taken as soon as possible to the detention center and booked into the facility in accordance with current Detention Facility procedures.

Authorized By:



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