



# KENOSHA POLICE DEPARTMENT

## POLICY AND PROCEDURE

### 71.1 Transporting Persons in Custody

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#### I. PURPOSE

To establish departmental procedures that will provide for the safety and security of the person in custody, the transporting officer and the public.

#### II. POLICY

It is the policy of the Kenosha Police Department to take all necessary precautions while transporting prisoners or persons in custody, to protect their lives and safety, ensure their continued custody as well as ensure the safety of officers and the public.

#### III. PROCEDURE

##### A. Searching Prisoners and Vehicles

1. All arrested persons will be thoroughly searched by the transporting officer(s) prior to being placed in the transport vehicle.
2. While a same-sex search is ideal, that is not always possible or practical. Ensuring the safety of both officer and the public outweighs gender concerns in an arrest. An officer of either sex may search a subject of either sex.
3. Department vehicles being used for transport will be thoroughly searched by the responsible officer at the start and conclusion of each tour of duty, as well as prior to, and after, each transport.
4. Both the search of the prisoner and the vehicle will be documented in the police report.

##### B. Handcuffing Prisoners

1. All persons arrested and transported in a Department vehicle, regardless of the charges, will be handcuffed. The person should be handcuffed with his or her hands behind the back. Only if there is a clear medical or physical reason not to do so should you consider making an exception. However, you still must ensure that the subject is properly controlled.
2. Prisoners will not be handcuffed to any part of the vehicle.
3. When practical, handcuffs will be double locked.
4. The use of handcuffs will be documented in accordance to the Department's Use of Force policy.

## 71.1 Transporting Persons in Custody

### C. Transportation

1. Department vehicles equipped with protective shield devices will be utilized for transport of persons in custody.
2. Only in unusual circumstances will a vehicle not equipped with a protective shield device be utilized for the transporting of persons in custody.
3. Under ordinary circumstances, no more than one prisoner and never more than two prisoners will be transported in a single vehicle.
4. Prisoners, who for police purposes should be separated to prevent their talking to one another, will be transported in separate vehicles.
5. Juvenile offenders will be transported in accordance with the below listed procedures:
  - a. Separate from adults and according to sex (as applicable).
6. Prisoner seating in the vehicle:
  - a. Prisoner(s) should be placed in the rear seat.
7. Prisoners will be secured in the seat, in an upright position, and whenever possible the prisoner should be secured with a safety belt.
8. Officers transporting persons in custody shall not become involved in other police incidents, chases, traffic stops, etc. during the transport process.
9. Except for normal operation of the police vehicle, officers should attempt to maintain sight of persons under their control.
10. Requests by persons to communicate with family, attorneys, etc., while being transported will be denied until the destination is reached.

### D. Transport of Sick or Injured Prisoners

1. Under normal circumstances an officer should not be transporting a sick or injured person.
  - a. If however a prisoner being transported to the police department or Kenosha County Pretrial facility complains of being sick or injured after being placed into a police vehicle and requests medical treatment, it will be up to the officer's discretion and the person's medical condition to continue transporting the prisoner in the police vehicle to a hospital or to call for a Paramedic Unit.
  - b. If a prisoner complains of being sick or injured after being brought to the police station and requests medical treatment, they should immediately be transported to the hospital. If the injury or illness is serious, an ambulance should be summoned.
  - c. If a prisoner complains of being sick or injured prior to being accepted by the Kenosha County Pretrial facility it shall be our responsibility to arrange for the transport of the prisoner to a hospital for treatment.
  - d. If a prisoner demonstrates a high degree of physical impairment due to alcohol, drugs or other reasons and will not be accepted into the Kenosha County Pretrial facility, it will be our responsibility to arrange for the transport of the prisoner to a hospital for treatment.

## 71.1 Transporting Persons in Custody

- e. With rare exception, such as medical reasons, custodial prisoners should be handcuffed when transported to a medical facility or outside the Public Safety Building.
- f. If the prisoner presents a risk of harm to the paramedics or if the prisoner presents an escape risk at least one officer should ride in the paramedic unit.

### E. Hospital Security.

1. While at the hospital the officer will watch a prisoner at all times or at a minimum stand guard by the treatment/hospital room door to prevent escape.
2. When the attending physician requests to keep the prisoner at the hospital for treatment, for an extended time, the officer will immediately notify the Shift Commander.
  - a. The Shift Commander will decide whether to continue guarding the prisoner while the prisoner remains at the hospital.
3. Generally, restraining devices such as handcuffs, leg restraints or waist chains should be utilized while at the hospital unless their use interferes with treatment or recovery.

### F. Extended Transportation

1. If it becomes necessary to transport a prisoner for an extended period of time officers will:
  - a. Allow prisoners reasonable opportunities to use toilet facilities without compromising security.

### G. Escapes

If a prisoner being transported escapes, the transporting officer will immediately notify a supervisor and the Dispatch Center and begin an immediate search of the area for the person.

1. The Shift Command Officer will determine if any further actions, i.e. asking for assistance from other jurisdictions, establishing a command center to aid in the search, etc.
2. After the return of the prisoner or after exhausting all efforts to return the prisoner, the transporting officer will submit a written report detailing the circumstances surrounding the escape.

### H. Arrival At Destination:

1. Upon arrival at the Kenosha County Pretrial Detention facility, the officer will:
  - a. Secure their firearm in the designated area;
  - b. Complete a Kenosha County Arrest – Take Custody Report form.
  - c. The transporting officer will not remove any restraining devices from the prisoner until directed to do so by detention facility personnel, or until the prisoner has been placed in a holding cell.
  - d. Advise detention personnel of any information dealing with the prisoner's health condition, escape or suicide potential or other security concerns, and document these concerns.
2. When a detainee is taken to the Police Station or other location for questioning or other investigative efforts, the detainee will be kept under constant supervision and control. At no time will the detainee be left alone or handcuffed to an object.

## VI. SPECIAL CIRCUMSTANCES

## 71.1 Transporting Persons in Custody

- A. Transportation of non-ambulatory or physically disabled prisoner(s) or those requiring wheelchairs, crutches, or prosthetic appliances may require an alternate manner of transport.
- B. Mentally Disturbed Persons:
  1. Depending upon the person's medical condition or if it appears that the person may injure themselves, mentally disturbed persons may need to be transported by a paramedic unit.
  2. The use of handcuffs will be placed on a mentally disturbed person to preclude injury to themselves or others.
  3. In situations where a mentally disturbed person will be transported a significant distance, a transport belt and leg restraints shall be used.
- C. Transportation of Prisoners from a Detention Facility
  1. Generally, Kenosha Police officers do not transport prisoners intrastate, i.e., extradition, etc. This is usually done by the Kenosha County Sheriff's Office.
  2. Officer may be sent to pick up a prisoner from another jurisdiction within Wisconsin. In these situations the following procedures will be followed:
    - a. The officer must verify that the prisoner he is receiving is the correct one to be transported.
    - b. The officer will ensure that all proper documentation is received. This documentation includes but is not limited to:
      - Prisoner's commitment papers, if any;
      - Prisoner's personal property, if any;
      - Court orders regarding the prisoner, if any;
  3. The officer will ask detention facility personnel of the prisoner's escape or suicide potential or other personal traits of a security nature. This information will be recorded and accompany the prisoner while being transported and will be turned over to the detention personnel upon arrival at the Kenosha County Pretrial facility.