

	SECTION:	OPERATIONS	OPR-229
	CHAPTER:	FIELD PROCEDURES	
	DIRECTIVE:	PRISONER HANDLING (High Risk)	

229.01 SUMMARY

This directive describes the procedures for searching and transporting prisoners. The policy purpose of this directive is to ensure the safety of Officers, to reduce the opportunity for prisoners to escape, and to prevent the loss or destruction of evidence.

229.02 DEFINITIONS

BODY CAVITY SEARCH – Physical inspection by digital or instrument penetration of the arrested person’s genitals and anus in order to detect hidden weapons or contraband.

STRIP SEARCH – Visual inspection of the genitals, buttocks, anus, and breasts of the arrested person who must remove or arrange clothing as needed to permit this inspection.

229.03 SEARCHING PRISONERS – STANDARD SEARCH

MANDATORY SEARCH – Any time an arrested person comes into the custody of an Officer, the Officer will search the subject. When an arrested person is transferred from one Officer to another, the receiving Officer will search the subject, even if the transferring Officer states that the prisoner has been searched. This includes transporting a prisoner to and from court appearances, hospital visits, and interview sessions. This procedure also applies to detained juveniles.

229.04 SEARCHING PRISONERS – STRIP SEARCH

REASONABLE SUSPICION – An Officer may conduct a Strip Search only when the Officer has reasonable suspicion to believe that the subject is concealing on his person a weapon or contraband that a standard search has not located.

PRIOR WRITTEN AUTHORIZATION – Strip Search requires the prior written authorization of the Shift Commander (or the appropriate Division Deputy Chief if the Shift Commander and off-duty Commander are unavailable). The Commander or Deputy Chief documents in writing the reason for the Strip Search and the approval. (See **C.R.S. 16-3-405 (4)**)

FOR TRAFFIC OFFENSE OR PETTY OFFENSE – A strip search is conducted only when the Officer has reasonable suspicion to believe that the subject is concealing a weapon or a controlled substance.

STRIP SEARCH (con't)

HOW AND WHERE CONDUCTED – A strip search will be performed by an Officer of the same gender under sanitary conditions in an appropriate facility where the search cannot be observed by persons other than the Officer conducting the search.

RELEVANT LAW – The Department conducts Strip Searches in accordance with **C.R.S. 16-3-405**.

229.05 SEARCHING PRISONERS – BODY CAVITY SEARCH

SEARCH WARRANT – Body Cavity Search requires a search warrant, except in emergency or exigent circumstances.

WARRANTLESS SEARCH – In an emergency, an Officer can initiate a warrant- less body cavity search only if the Officer:

- Has probable cause to arrest, AND
- Has an articulable reasonable suspicion (that is, more than mere suspicion but less than probable cause) that relevant evidence will be found, AND
- Believes that evidence will be lost or destroyed during a delay to obtain a warrant, AND
- Follows this directive's procedures for conducting the body cavity search.
- **WRITTEN AUTHORIZATION** – Body cavity search requires the prior written authorization of the Shift Commander (or the appropriate Division Deputy Chief if the Shift Commander and/or off-duty Commander are unavailable). The Shift Commander or Division Deputy Chief will prepare a written report documenting the reason for the search, the location of the search, and the name of the person conducting the search. (See **CRS 16-3-405 (5)**)

HOW AND WHERE CONDUCTED – A body cavity search is performed by a licensed physician or nurse in the presence of an Officer of the same gender under sanitary conditions in an appropriate facility where the body cavity search cannot be observed by persons other than the Officer.

RELEVANT LAW – The Department conducts body cavity searches in accordance with **C.R.S. 16-3-405**.

**229.06 TRANSPORTING –
HANDCUFFS OR
RESTRAINTS****IN NORMAL CIRCUMSTANCES:**

- **SITTING POSITION IN REAR SEAT, WITH SEAT BELT SECURED** – Transport the prisoner in a sitting position, unless a prone position is medically necessary. Transport the prisoner in the rear seat of the vehicle with seat belt secured.
- **HANDCUFFS** – Transport prisoner with handcuffs secured behind the back.
- **NEVER HANDCUFF TO MOVING VEHICLE** – At no time will anyone be handcuffed to any portion of the inside of a vehicle in motion.
- **LEG RESTRAINTS** – Deploy only when necessary and in accordance with Department approved/sanctioned training and procedures pertaining to positional asphyxia.
- **VIOLENT PRISONER RESTRAINT** – Violent Prisoner Restraints will be stored in patrol vehicles to be deployed only when necessary and in accordance with Department approved/sanctioned training and procedure.
- **BE PREPARED TO REMOVE HANDCUFFS OR RESTRAINTS** – The Officer should always be prepared to remove handcuffs or other restraining device if necessary for medical treatment of the arrested person, but should not remove restraints that could compromise safety.

IN SPECIAL SITUATIONS:

- **MULTIPLE ARRESTED PERSONS** – Handcuff separately and transport no more than two arrested persons in one vehicle.
- **ILL OR INJURED BUT COMPLIANT ARRESTED PERSON** – If the Officer knows that a compliant arrested person has an illness or injury a restraint would aggravate, or if the restraint would limit the ability of medical personnel to treat the person, do not apply the restraint.
- **MENTALLY HANDICAPPED ARRESTED PERSON** – May use Department approved restraining devices that restrain securely without causing injury. May use handcuffs in emergency situations. Notify a Patrol Supervisor when arresting or transporting a seriously injured, ill or handicapped person.

**TRANSPORTING –
HANDCUFFS OR
RESTRAINTS (con't)**

- **HANDICAPPED, SICK, OR INJURED PRISONERS** – Reasonably restrain to prevent injury and escape from custody. Notify a Patrol Supervisor when arresting or transporting a seriously injured, ill or handicapped person. All inquiries regarding payment of medical expenses for sick or injured prisoners should be referred to the City's Risk Manager. Employees shall refrain from making any comments that obligate the City to pay medical expenses.
- **EMERGENCY COMMITMENTS** – Reasonably restrain protective custody or temporary mental hold subjects.

**229.07 TRANSPORTING
PRISONERS –
IDENTIFICATION
AND
DOCUMENTATION**

IDENTIFICATION – Before accepting custody of a prisoner from a detention facility, the Officer will review any photo or other evidence proving the identity of the prisoner. Identity may be established through:

- Asking the prisoner for name and date of birth and verifying the information with available documentation.
- Case or detention reports.
- The prisoner's physical description.
- Detention photos or other photographs.
- Right index fingerprint from the custody report.
- Other documentation that confirms identity including, but not limited to, charges, warrants, proper commitment papers, medical records, and property.

DOCUMENTATION DURING TRANSPORT

- **To court** – the Officer carries documentation that includes the prisoner's name, the facility name, the prisoner number, and the court destination or presiding judge, if applicable.
- Commitment papers and medical records – If applicable, the Officer carries the prisoner's commitment papers and medical records.
- **Interstate** – the Officer has a properly executed governor's warrant or a properly executed waiver.
- Documents required by this directive – accompanies the prisoner and is given to the receiving facility.

229.08 TRANSPORTING PRISONERS – PRISONER COMMUNICATION

The prisoner is permitted to communicate with the transporting Officer during transport, if necessary. The prisoner may not, however, communicate with anyone else (for example, attorney, bail bondsman, family member) during transport.

229.09 TRANSPORTING PRISONERS – SPECIAL CASES

SERIOUSLY INJURED OR ILL ARRESTED PERSON – If the Officer reasonably believes the arrested person is seriously injured or ill, the Officer will seek medical attention prior to transporting the subject to jail. Any prescribed medication may accompany the subject but the Officer will secure the medication during transport. Notify a Patrol Supervisor when arresting or transporting a seriously injured, ill, or handicapped person. All inquiries regarding payment of medical expenses for sick or injured prisoners should be referred to the City's Risk Manager. Employees shall refrain from making any comments that obligate the City to pay medical expenses.

PRISONERS OF THE OPPOSITE GENDER – Notify the Communications Center of the location of contact and the starting mileage prior to beginning transport. Notify the Communications Center of the ending mileage immediately upon arrival at the destination.

FEMALE PRISONERS TRANSPORTED IN OR OUT OF MESA COUNTY – One female Officer should be present. If no female Officer is reasonably available, two male Officers may transport. In that case, the transporting Officers will notify (via radio or telephone) the Communications Center of the beginning and ending mileage. The Communications Center will record the transportation in the CAD incident file.

MORE THAN 100 MILES ONE WAY – The Officer will inspect the vehicle prior to departure and ensure that funds for food, fuel, and lodging are available, if needed. If, during an extended prisoner transport, the Officer determines that a prisoner will require a meal prior to arrival at a detention facility, the Officer will choose a location for the meal at random.

TO FUNERAL OR TO VISIT CRITICALLY ILL FAMILY MEMBER OR OTHER PERSONAL SITUATIONS – The Officer transporting a prisoner in these situations should be particularly alert to the extraordinary opportunities these situations create for escape, unauthorized personal contact, or injury to the Officer or others. At least two Officers will escort the prisoner, who is secured by handcuffs, at a minimum. Other restraints may be used with prior Supervisor authorization.

TRANSPORTING PRISONERS – SPECIAL CASES (con’t)

TO A MEDICAL FACILITY – The Officer will personally observe the person at all times. If the person is admitted into the medical facility, an on-duty Patrol Supervisor will arrange for an Officer to guard the person.

229.10 TRANSPORTING PRISONERS – VEHICLE ISSUES

TRANSPORT VEHICLE WITHOUT PROTECTIVE SCREEN – The Officer has the option, based on safety concerns, to secure the prisoner in the right front passenger seat or right rear passenger seat. If possible, another Officer should be seated behind the driver during transport.

INTERIOR REAR DOOR HANDLES AND WINDOW CRANKS – The Patrol Commander, or designee, is responsible for making sure that the interior rear door handles and window cranks are removed from each newly acquired vehicle.

VEHICLE SEARCHES – The transporting Officer will search each vehicle used for transport prior to and after transport.

229.11 TRANSPORTING PRISONERS – ARRIVING AT HOLDING FACILITY

COMPLY WITH FACILITY POLICIES – When entering a secure area of a detention facility with an arrested person or prisoner, comply with the facility’s specific policies and procedures.

FACILITY REPORTS – Complete and/or supply the appropriate reports about the arrested person to detention facility personnel.

SPECIAL RISKS OR CIRCUMSTANCES – Report to detention facility personnel any known special risks or circumstances (for example, suicide or escape risk, communicable diseases).

229.12 TRANSPORTING PRISONERS – RESPONDING TO ANOTHER INCIDENT

An Officer should not respond to another incident while transporting a prisoner unless not responding would endanger another person, AND only with Supervisor authorization.

Do not expose the prisoner to unnecessary hazard or risk. The Supervisor will immediately notify the Communications Center so that another Officer can respond to relieve the transporting Officer or an appropriate agency can be notified.

229.13 HANDLING PRISONERS – SECURITY

UNDER OBSERVATION AT ALL TIMES – From the point of arrest to the time of detention processing or release to the custody of another Officer, a person in custody will remain under constant observation.

OFFICER RESPONSIBILITY FOR SAFETY – While a prisoner is in the Officer's custody and control, the Officer is responsible for that prisoner's safety and also must act so that no one is endangered by the prisoner.

SIGNIFICANT SECURITY RISK – If the Officer considers a prisoner to be a significant security risk, the Officer will notify and inform the presiding judge if the Officer recommends the use of restraining devices in the courtroom or the assignment of additional personnel.

229.14 PRISONER ESCAPE

NOTIFY LOCAL JURISDICTION – If a prisoner escapes during transport, notify the local jurisdiction where the escape occurred via the Communications Center and request assistance. Provide a prisoner description, direction of travel and means, whether the prisoner has a weapon or possible weapon, any accomplices, family, friends, or other contacts, and the reason the prisoner was held.

SUPERVISOR ACTIONS – If an escape occurs in the City, a Patrol Supervisor will respond to the scene and the on-duty Shift Commander will be notified.

REPORTING – Prior to the end of the shift, the transporting Officer will prepare and submit to the Officer's Supervisor a written report of the incident.

