

# Georgia Department of Public Safety

## Policy Manual

SUBJECT <b>CUSTODIAL TRANSPORTS</b>	POLICY NUMBER <b>11.07</b>
DISTRIBUTION <b>ALL SWORN MEMBERS</b>	REVISED DATE <b>6/29/2018</b>
	POLICY REVIEWED <b>6/29/2018</b>

### 11.07.1 Purpose

Sworn members of Georgia State Patrol (GSP) shall properly search, restrain, and transport arrestees in a manner that ensures the safety, security, and welfare of the member(s), the general public, and the arrestee(s).

### 11.07.2 Definitions

- A. Arrestee - A subject who is confined, under restraint, or placed under arrest.
- B. Juvenile Arrestee - A subject, less than seventeen years of age, who is confined, under restraint, or placed under arrest.
- C. Correctional Facility - A facility that incarcerates arrestees who have already been sentenced.
- D. Booking Facility - A facility that incarcerates arrestees who have been charged and not sentenced, sentenced and awaiting pickup by the State Department of Corrections or those sentenced to less than one year.
- E. Booking - The procedure required to enter a charge against an arrested person at a jail or booking facility.

### 11.07.3 Searching Of Arrestees

- A. After handcuffing, all arrestees shall be thoroughly searched for evidence, contraband, possible tools of escape, which could include cell phones and other electronic devices, and weapons or articles that could be used as weapons. Members must guard against the possibility of contact with contaminated needles or other sharp objects.
- B. Personal property other than those outlined in Section A above shall remain with the arrestee or shall be handled according to booking facility procedures.
- C. Search requirements – Searches of an arrestee’s person shall be conducted by a member or officer of the same gender as the arrestee except in exigent circumstances to include:
  - 1. Situations in which probable cause exists to search the arrestee for weapons, or

2. Situations in which members or officers of the same gender are not readily available to conduct the search. Searches of the arrestee's person should be conducted in front of the in car video camera.

#### **11.07.4 Transport Of Arrestees**

- A. Arrestees should be transported in caged vehicles or in arrestee transport wagons, if available.
- B. A search of the transport vehicle should be conducted at the beginning of a member's shift, and prior to and after transporting arrestees in order to preclude arrestees from gaining access to weapons or tools of escape and to identify contraband or weapons that may have been hidden by arrestees. A search should also be conducted at the end of each work shift as well.
- C. Members shall personally search arrestees for weapons and tools of escape or articles that could be used as such prior to transport. This requirement applies to all arrestees even if received from another law enforcement officer.
- D. Arrestees shall remain handcuffed at all times while they are being transported unless otherwise specified by this directive.
- E. Placement of an arrestee in a transport vehicle shall depend upon the number of arrestees to be transported and the number of escort members to be used. Arrestees shall always be seated under observation so that the opportunity for escape or attack on the transporting member is minimized.
- F. Arrestees transported in a vehicle with a security cage shall be seated in the rear seat. Arrestees transported in vehicles without a security cage shall be seated in the right rear seat or in the front passenger seat. If placed in the front passenger seat a seatbelt shall be used. Arrestees placed in the rear seat may be seat belted as long as the member's safety would not be compromised.
- G. Transporting members should maintain a visual observation of arrestees throughout the transport operation.
- H. Arrestees shall not be left unattended during a transport operation.
- I. Transporting members shall not make unnecessary stops while transporting arrestees unless there is a clear and present danger of injury to a third party. Members shall not, in any case, expose the arrestee to substantial danger or increase the risk of escape.
- J. Arrestees shall not be physically secured to the interior of a member's vehicle while in transit.
- K. Arrestees shall remain handcuffed until delivered inside the booking facility or place of confinement.
- L. The security of the arrestee is the responsibility of the transporting member until such time as the arrestee is accepted into the custody of a correctional institute or booking facility.
- M. The in-car video camera and audio equipment shall remain activated during the transport of an arrestee until arrival at a jail facility.

## 11.07.5 Special Transportation Requirements

- A. Transporting Juvenile Arrestees or Arrestees of the Opposite Gender
  - 1. Members shall use discretion when transporting male and female arrestees at the same time.
  - 2. If possible a juvenile arrestee should not be transported in the same vehicle as an adult arrestee.
- B. The following information shall be provided when transporting arrestees:
  - 1. Current location and destination of transport;
  - 2. Gender and race of the arrestee, and
  - 3. Vehicle odometer reading before and after transport.
- C. Arrestees Communication Requests - An arrestee shall not be allowed to communicate with anyone other than with or through law enforcement personnel during any transport operation once transport has begun. Should an arrestee request to talk to an attorney, they shall be advised that they may request their attorney after arriving at the detention facility.
- D. Arrestees Who Require Special Care - When arrestees require special care and attention to accommodate physical or mental disabilities during the transport process, the transporting member or a supervisor shall:
  - 1. Arrange for any required special equipment or special vehicle needed to effect the transport in a safe and secure manner. Special vehicles such as an ambulance or a transfer van shall be used when safe transportation cannot be accomplished in a patrol vehicle.
  - 2. Based upon their discretion, determine what physical restraints are necessary to secure a disabled arrestee, given the nature of the disability and the restraints available.
  - 3. Make a determination regarding the use of restraints on a sick or injured arrestee if they do not believe the arrestee to be an escape risk or that the arrestee does not pose a threat of harm to their person or others.
- E. Arrestees Who Pose a Special Threat

When custody of a security threat arrestee is transferred to another law enforcement officer, booking/correctional facility, or court, the member shall inform the receiving personnel of the nature of the special threat and request that an appropriate notation be placed in the arrestee's record.
- F. Arrestees Requiring Medical Attention
  - 1. The transporting of arrestees with contagious diseases poses a significant threat to members and requires special precautions. The greatest danger to members is in the handling of arrestees who have broken skin where there is the possibility of exposure to blood or other bodily fluids. Members should consider the blood and bodily fluids from any individual as infectious.

2. Protective gloves shall be worn when handling persons who are injured or where there is the presence of blood or other bodily fluids. Any direct contact with blood or other potentially infectious bodily fluids should be treated as a possible exposure.
3. If an arrestee requires medical attention prior to acceptance by a receiving/booking facility it shall be the responsibility of the arresting member to transport the arrestee to a medical facility for treatment before transferring custody of the arrestee to the receiving/booking facility.
4. If an arrestee requires immediate medical attention, it is within the discretion of the member to transport the arrestee to a medical facility via emergency vehicle.
5. Members shall remain with the arrestee while they are treated and keep the arrestee in view whenever possible. Members shall inform treating personnel of any threat posed by the arrestee, and shall consult with hospital security to determine an appropriate level of security.
6. Members should use discretion when determining whether to leave arrestees unattended at a medical facility.

#### **11.07.6 Arrestee Booking Procedures**

- A. All members shall adhere to the weapons policy of the correctional or booking facility. Weapons shall be secured in a vehicle or other locked receptacle under the control of the member or the correctional/booking facility.
- B. All members shall adhere to the established procedures for the facility to which the arrestee is being released and shall complete the forms required by the local agency in addition to those forms/procedures required by DPS.

#### **11.07.7 Receiving Arrestees From Detention Facilities**

- A. Any arrestee being transported from a detention facility should be positively identified as the person who is to be moved. If necessary, booking records, photographs, and numbers assigned to the arrestee shall be verified and the arrestee confirmed as the person described in the records.
- B. Members required to transport an arrestee from one detention facility to another shall require a copy of the arrestee's jail record which shall accompany the arrestee to the receiving facility. Members shall ensure that any documentation relating to the arrestee's escape or suicide potential or other personal traits of a security nature is included in the information that accompanies the arrestee.
- C. Arrestees shall remain restrained until they are released to the receiving detention facility.
- D. The member shall obtain the signature of the receiving officer on the Prisoner Transport/Receipt Form (DPS-117). Any accompanying documentation from the previous detention facility shall be provided to the receiving officer.

#### **11.07.8 Arrestee Escapes**

If an arrestee escapes from GSP custody, the member shall immediately:

- A. Secure any arrestees remaining in the transport vehicle;
- B. Contact their Post Commander/Unit Supervisor and other appropriate law enforcement agencies to request assistance in initiating a search and simultaneously provide them with the following information relating to the escape:
  - 1. Physical description of escapee;
  - 2. Description of the escapee's clothing, and
  - 3. Last known direction of travel.
- C. Complete an incident report concerning the circumstances surrounding the escape and actions taken.

### **11.07.9 Situations Not Covered By This Policy**

Any member who must transport an arrestee who requires special handling not covered by this policy shall consult their immediate supervisor for guidance and to arrange for needed resources.