



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **SEARCH/TRANSPORT OF
DETAINEES**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedures Manual

REFERENCE: WI State Statute: 968.256

NUMBER: 7.01

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RESCINDS

AMENDS

WILEAG 5TH EDITION

STANDARDS: 7.1.1, 7.1.2, 7.1.3,
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7.1.9

PURPOSE: The purpose of this Policy & Procedure is to provide guidelines for the transportation of detainees in custody of the Portage Police Department.

This Policy & Procedure consists of the following numbered sections:

- I. DEFINITION
- II. SEARCH OF DETAINEES
- III. TRANSPORT OF DETAINEES
- IV. USE OF RESTRAINING DEVICES
- V. SPECIAL TRANSPORT SITUATIONS
- VI. ESCAPE OF DETAINEES

I. DEFINITIONS

- A. **PHYSICALLY DISABLED PERSON:** means a person who requires an assistive device for mobility, including, but not limited to, a wheelchair, brace, crutch or artificial limb.
- B. **NECK RESTRAINT:** an action taken by the use of any force or device to the neck area to restrain a person, including but not limited to:

1. Choke Hold – A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.
2. Vascular Neck Restraint – A technique that can be used to incapacitate individuals by restricting the flow of blood to their brain.

II. SEARCH OF DETAINEES

- A. Prior to transport, all persons in custody shall be searched for weapons, evidence, contraband or tools of escape. The transporting officer shall search the detainee in custody unless a search was conducted in the officer's presence.
- B. Strip searches and/or body cavity searches shall be conducted only in accordance with Policy & Procedure 1.11: Strip Searches.
- C. A search of a physically disabled person shall be conducted in a careful manner. If a search of a physically disabled person requires the removal of an assistive device or involves a person lacking sensation in some portion of his or her body, the search shall be conducted with extreme care by a person who has had training in handling physically disabled persons. (WI State Statute: 968.256).

III. TRANSPORT OF DETAINEES

- A. At the beginning and end of each tour of duty, each officer shall inspect their vehicle as follows:
 1. If possible rear seat window control should be deactivated.
 2. The interior of the vehicle shall be searched to insure no weapons or contraband have been left or hidden within the vehicle.
- B. Officers shall search their vehicle prior to and after transporting detainees.
- C. Detainees shall be transported in the following manner:
 1. Where the vehicle has a security screen, the detainee shall be seated in the rear seat of the vehicle behind the security screen.
 2. When a detainee is being transported without a security screen, the detainee shall not be seated in the rear seat directly behind the driver.
 3. When two or more detainees are transported in a vehicle without a security screen, two officers shall be in the transport vehicle seated in the front seat with one officer monitoring the detainees.
- D. During the period of transport, the detainee shall not be allowed to communicate with anyone other than the officer(s).
- E. When officers deliver detainees to the Columbia County Jail or a Mental Health Facility, or other detention facility the officers shall:

1. Adhere to any requirements placed by the receiving authority or facility.
2. Secure their firearms and other restricted equipment in the weapons lockers or vehicle.
3. Deliver the detainee and appropriate documentation to the receiving person.
4. Obtain the signature of the receiving person, where appropriate.
5. Remove or see to the removal of the Portage Police Department restraining devices just prior to placing the detainee in the cell or locked facility.
6. Advise receiving agency personnel of any potential medical or security hazards.

IV. USE OF RESTRAINING DEVICES

- A. The following are the authorized restraint devices that may be used during detainee handling:
 1. Handcuffs
 2. Flex cuffs
 3. Nylon leg restraint
 4. Leg Shackles
 5. Leather Medical Restraints
 6. Nylon waist restraint or belly chain
 7. Spit Mask/Hood
- B. Generally, detainees requiring transport shall be handcuffed to protect the detainee, the officer, other citizens, property, and to prevent escape. All detainees destined for the Columbia County Jail shall be handcuffed, except for instances where the officer can articulate that handcuffing was not possible.
- C. Officers shall take into consideration the following information when deciding whether or not to handcuff a detainee:
 1. Age
 2. Physical Size
 3. Disability
 4. Attitude of the Detainee
 5. Seriousness of the Offense

- D. Whenever handcuffs are used, they shall be applied tightly enough to ensure the subject arrested cannot slip their hand out. The handcuffs shall not be so tight as to cause injury to the wrists. When secured, handcuffs are to be snug (approximately one pinky finger between cuff and wrist).
- E. Whenever handcuffs are used, they shall be safety-locked.
- F. Detainees shall be handcuffed with their hands behind their back unless they are unable to be safely handcuffed in that position. Under those circumstances, the detainees may be handcuffed with their hands in front with the use of a waist restraint or belly chain. Another option maybe using two sets of cuffs linked together behind the back. Officers need to ensure all 4 cuffs are safety locked.
- G. Flex cuffs may be used to supplement or replace handcuffs when necessary. Flex cuffs may also be used when multiple detainees are in custody.
- H. The nylon leg restraint may be used by an officer to protect the detainee, the officer, other citizens, property, and to prevent escape when necessary.
- I. Detainees shall have their seatbelt secured during transport unless the detainee is too big, continually unfastens it, or is resisting to such an extent that attempting to secure the seatbelt would be unsafe for the detainee or officer.
- J. When it is necessary for an officer to physically restrain a detainee during transport to protect the detainee or property, an officer(s) should ride in the rear seat of the vehicle after securing their firearm, baton, and pepper spray in the trunk of the vehicle.
- K. Detainees normally should not be placed in a prone position while being transported. A last resort exception, due to the uncooperativeness or violence of a detainee, is when hands and feet are restrained separately, and the detainee has been placed on their side for transport. In this situation the additional officer noted in J. above shall monitor the detainee's visible, verbal, and/or apparent medical needs, including breathing until arriving at the detention location and if needed, render first aid.
- L. The use of neck restraints by personnel of the Portage Police Department is prohibited unless the situation requires the use of deadly force that would be justified.
- M. Officers may not restrain a detainee by connecting the hands and feet.
- N. The use of restraint devices shall be documented in the corresponding police report.

V. SPECIAL TRANSPORT SITUATIONS

- A. If an officer believes that a detainee is an unusual security risk that information shall be communicated to the appropriate facility, agency, or court which they are taken to, so they may make decisions about additional security measures.

- B. When an officer transports a detainee or person of the opposite sex, the officer shall:
1. Advise the dispatcher of the transport.
 2. The officer will ensure the squad camera at a minimum is activated and ideally also the officer's body camera.
- C. When transporting handicapped detainees, the officer will exercise due care respective of the handicap and ensure the transporting vehicle is appropriate for detainees with wheelchair, crutches, or prosthetic devices. The officer may decide that an ambulance is better suited for transport in these cases. It should not be assumed that restraining devices are unnecessary for a disabled detainee.
- Mentally disabled detainees may pose a significant threat to themselves and/or the transporting officer. Discretion should be used when deciding whether or not to use restraining devices during transport. The selected device should restrain the detainee securely without causing injury. If practical, two officers should be used when transporting mentally disabled persons to allow constant visual contact with the detainee.
- D. When transporting sick or injured persons who require medical attention, the officer should summon an ambulance to do the transport, except when the extent of the illness or injury is so minor that the transport by ambulance would not be warranted.
1. If an officer has any doubt as to the medical condition of the detainee, an ambulance should be summoned.
 2. The officer shall monitor the detainee by riding in the ambulance or by following the ambulance in their assigned department vehicle.
- E. Detainees who are taken for immediate treatment should be closely monitored. If restraints should be removed for treatment, caution should be exercised while the detainee is unrestrained. Only under unusual circumstances will the detainee be allowed out of the transporting officer's sight.
- F. When released from treatment, the detainee's condition should be carefully recorded. All instruction for future treatment and medication should be obtained in writing and signed by the attending physician.
- G. Before moving from the hospital, the detainee should be searched and restrained.
- H. Also refer to Policy & Procedure 5.01: Use of Force for further information on detainees remaining at medical care facilities or hospitals.
- I. At no time will detainees be handcuffed together.
- J. Detainees will not be handcuffed to objects unless the object was specifically designed for that purpose.

K. In the event of a large-scale riot, the following should be considered:

1. Transportation: Detainees shall be transported in accordance with department policy. Generally, transportation of detainees can be handled by patrol vehicles; however a private bus company may be requested for transportation, if necessary.
2. Arrest/Confinement Procedures: Normal arrest, booking, bonding, and jail procedures will be used, except when mass arrests are made. In the event of mass arrests, the following provisions may be considered:
 - a) Persons arrested are to be removed from the disturbance area as rapidly as possible. A prearranged location will be selected where the booking procedure will be initiated.
 - b) Care must be taken to properly identify the arrestee.
 - c) Arrestees must be searched for weapons, contraband, and identification.
 - d) Security of arrestees must be maintained. Flex cuffs may be placed on the arrestee in lieu of regular handcuffs.

L. Officers will not transport detainees for special situations such as funerals, reading of wills, visiting critically ill relatives, commingling of opposite sex detainees, or other unique circumstances. Officers will inform the detainee that they must make their request of the Columbia County Sheriff's Office after they are transported to the Jail.

VI. ESCAPE OF DETAINEES

A. Following the escape of a detainee while being transported, the transporting officer shall:

1. Notify the dispatch and shift supervisor as soon as possible. If the escape occurs outside the jurisdiction of the Portage Police Department, notification shall be made to the law enforcement agency having jurisdiction where the escape occurred using point to point radio channel or calling 911.
2. Provide the location of escape, description, and direction of travel for assisting officers.
3. The transporting officer shall prepare a report detailing the circumstances of the escape and all related information.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

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