

Cobb County Police Department

Policy 5.13

PRISONER TRANSPORTS

Effective Date: February 1, 2015	
Rescinds: Policy 5.13 (December 15, 2013)	
Related Orders: Code of Conduct; Policy 5.14 “Hospitalized Prisoner Guard Duty”; Policy 2.06 “Exposure to Infectious Disease”	
Issued By: Chief J.R. Houser	Page 1 of 6
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to structure the transportation of persons who are in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

I. POLICY

Transporting officers will comply with all laws and directives in regards to the handling of persons in their custody, while providing appropriate safety and security measures to minimize the chance for injury or escape.

II. PREPARING FOR A PRISONER TRANSPORT

- A.** All vehicles used for transporting prisoners will be examined at the beginning of each shift to ensure the vehicle has not been tampered with since last used, is free of weapons and contraband, is mechanically safe, is free of damage or defect, and is properly equipped for use. In the event that any damage is noted, contraband and/or weapons are found, or any deficiency is noted in the vehicle, the operator will immediately notify his supervisor.
- B.** All vehicles used for transporting prisoners will be searched prior to and after transporting prisoners to ensure the vehicle used to transport a prisoner is free of weapons and contraband before and after the prisoner comes in contact with the vehicle. If an officer has been in constant control of the vehicle following the pre-shift examination/post-transport search, and no one has been introduced into the rear compartment, then the officer can articulate that the vehicle was searched prior to the introduction of the next prisoner into the vehicle.

III. STANDARD PRISONER TRANSPORT

- A.** All prisoners will be thoroughly searched by the transporting officer before being placed in the transport vehicle. Any items carried by the prisoner should be transported in an area secure from the prisoner.

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- B.** All prisoners will be secured with approved restraints (e.g. – handcuffs, flex cuffs, leg shackles, etc.) in accordance with stated policy. If more restrictive restraints are required, a prisoner should not be transported in the prone position, but on his side. However, should this technique be used, the prisoner should be closely monitored until the restraints can be safely removed. Officers will not utilize any unauthorized restraining devices, regardless of the physical or mental condition of the prisoner.
- C.** The transport vehicle operator will be responsible for ensuring that each passenger is secured with the vehicle safety restraints (seatbelts), as far as circumstance permits. Police prisoner transport vans are equipped with safety straps and prisoners will be instructed to use the safety straps.
- D.** All prisoners will be transported in the rear compartment of a marked patrol vehicle equipped with a security screen, or in the rear compartment of a prisoner transport van, if available. If a vehicle with a safety barrier is not available, a vehicle without a safety barrier may be used under the following guidelines:

 - 1. Two officers must be in the transporting vehicle
 - 2. The prisoner must be seated in the rear of the vehicle and properly restrained.
 - 3. The second officer must sit with the prisoner in the rear seat with the officer's weapon on the opposite side of the prisoner
- E.** The transporting officer will notify Communications at the beginning of the transport, providing information as to the number and sex of the prisoners and destination.
- F.** The transporting officer should refrain from interrupting a prisoner transport once it has begun. However, certain circumstances may dictate the necessity stop prior to reaching the destination. Only stops that require immediate action will be authorized (adjustment of handcuffs, combative prisoner, officer safety, vehicle issues, life threatening emergencies, etc.). Should an officer interrupt a transport he will notify radio of his location and the reason for the delay.
- G.** Normally, a prisoner will not be left unattended or unobserved in the transport vehicle. However, should a situation develop away from the transport vehicle that requires the officer's immediate involvement, the prisoner may be left unattended. The transporting officer, or another officer, should return to the prisoner as soon as circumstances allow.
- H.** Normally, a prisoner will not be allowed to communicate with anyone other than Department employees after being taken into custody by the transporting officer. If, in the opinion of the transporting officer, it becomes necessary that the prisoner be allowed to communicate with another person, the following guidelines will apply:

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1. Communications should be made with only one person at a time, and the transporting officer should be present for all communications.
2. The officer should not permit physical contact between parties.
3. Communications should be halted immediately if the prisoner becomes violent, over-emotional, attempts to escape, or attempts to injure himself.
4. Once the transport vehicle leaves the pickup location, no communications should be allowed with outside parties unless an overriding emergency arises.
5. If the prisoner requests to communicate in private with legal counsel, this activity should be accomplished at a proper temporary detention facility, as field conditions and prisoner security do not provide appropriate conditions for this activity.

IV. COMPLETING A PRISONER TRANSPORT

- A.** Prior to entering any area where other prisoners are present, the transporting officer will secure his weapon in a provided locker, lock his weapon in the trunk of his patrol car, or surrender his weapon under the procedure used at the destination.
- B.** Leave the prisoner handcuffed until inside a secured area. If turning the prisoner over to another transport officer, new restraints should be applied before the old ones removed, if possible.
- C.** The transporting officer will deliver the necessary documents that accompany a prisoner, and will await acknowledgment from booking or intake personnel that the prisoner has been accepted for temporary detention or processing. If the prisoner is turned over to another transport officer or agency, the receiving officer's name and agency (if not a Cobb County Police Officer) should be documented in the report.
- D.** Any necessary information about the prisoner regarding medical or security risks and violent, suicidal, or escape potential will be relayed to receiving personnel.
- E.** Intake personnel will be responsible for obtaining photographs and fingerprints of prisoners.

V. SPECIAL CONSIDERATIONS

A. Prisoners of the Opposite Sex

Prisoners of the opposite sex will be handled in accordance with the standard transport procedures, with the following exceptions:

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1. Officers should make a reasonable effort to have an officer of the same sex as the prisoner, search the prisoner, and in the transporting officer's presence. If this is not practical or possible, the officer should have another officer standby as a witness, or he should record the search with the use of the car video recording equipment. However, under no circumstances should an officer delay a weapons search and place his safety in jeopardy in order to comply with this section.
2. Prior to leaving the location at which the prisoner was taken into custody, the transporting officer will give the mileage shown on the transport vehicle odometer. Upon arrival at the final destination, the officer will give the ending mileage. In each instance, the transporting officer will ensure the Communications Center acknowledges the transport information.
3. Generally, male and female prisoners will be transported separately. However, male and female prisoners may be transported together when:
 - a. The transport vehicle has a physical barrier that would separate the prisoners from physical contact; or
 - b. The subjects are known to each other prior to arrest and they are non-violent. Both subjects must be handcuffed behind their backs.

B. Juvenile Procedures

Juvenile prisoners will be handled in accordance with the standard transport procedures, with the following exceptions:

1. If the juvenile prisoner is charged with a status offense, the transporting officer will have the option of handcuffing.
2. An adult and a juvenile will not normally be transported in the same vehicle at the same time. If circumstances force the transportation of a juvenile with an adult, such transport will be approved by a supervisor and only under the following conditions:
 - a. The adult is an immediate relative of the juvenile.
 - b. The adult is non-threatening to the juvenile.

C. Disabled/Physically Impaired Prisoners

1. Normally, disabled prisoners will be allowed to use supporting devices to move to and from the transporting vehicle. However, if practical, any support devices should be placed in a secure area during transport.
2. If possible, physically impaired prisoners should be restrained during transport. However, it is recognized that certain impairments may make

this difficult or impossible. Under such circumstances, officers must use extreme caution when transporting a prisoner with limited or no restraints.

3. The type of transport vehicle used will be dependent on the type of disability/impairment.

D. Mentally Impaired Individuals

1. Prior to taking custody of a mentally impaired individual, the transporting officer should ascertain any information that would assist him during his contact with the individual. This information includes, but is not limited to:
 - a. The type of mental disorder and abnormal behavior displayed.
 - b. Words, statements, or actions that might trigger abnormal behavior.
 - c. Ability to communicate coherently and follow instructions.
 - d. Disposition toward violence or self-inflicted injury.
 - e. The type and last time any medications were taken.
 - f. The circumstances why the individual came into police custody.
 - g. Anything that might have soothed the individual in the past.
2. When a marked police car or transport van is used, the individual will be restrained in the same manner as any other prisoner. However, if a mentally impaired individual requires medical attention, is catatonic, or needs to be totally immobilized for any reason, the individual can be restrained to a stretcher and transported in an ambulance. A police officer should ride in the ambulance with the individual, and a police officer should follow the ambulance in a police vehicle.

E. Transports of Injured Prisoners

If a prisoner is in need of treatment at a medical facility, the decision to transport the prisoner by ambulance or by Department vehicle will be made based upon the nature of the injury, the condition of the prisoner, the advice of EMS personnel, and the potential for escape. Generally, most transports will be done in a Department vehicle.

1. If the subject is admitted, refer to Policy 5.14 “Hospitalized Prisoner Guard Duty”.
2. If the subject is medically released, a copy of the release should be obtained and given to book-in personnel at the jail.
3. If a prisoner refuses medical treatment, a copy of the refusal should be obtained and given to book-in personnel at the jail. The refusal of treatment should be documented in the incident/supplemental report.

F. Transports of Prisoners with Infectious Diseases

Officers will follow the procedures as outlined in Policy 2.06 “Exposure to Infectious Disease” when transporting prisoners with infectious diseases.

VI. SPECIAL TRANSPORTS

- A.** Long distance (more than four hours duration) transports of prisoners will be coordinated with the Cobb County Sheriff’s Department.
- B.** Department members will not provide transports for situations such as attending funerals, visiting hospitals and critically ill persons, or attending the reading of wills

VII. ESCAPES

It is the responsibility of each officer who takes custody of any prisoner to take all prudent and reasonable action to prevent the escape of the prisoner. However, should a prisoner escape during transport, the following guidelines will be followed:

- A.** The officer will immediately contact the Communications Center and provide the following information, if available:
 - 1. The fact that a prisoner has escaped;
 - 2. A complete description of the escapee including whether the prisoner was wearing restraints;
 - 3. Notification as to whether the escapee is or is not armed;
 - 4. The direction and mode of travel;
 - 5. Any probable destination;
 - 6. The crime with which the escapee was last charged;
 - 7. The escapee’s potential for violence; and
 - 8. Location and time lapse since the escapee was last seen.
- B.** The supervisor will be notified.
- C.** The supervisor in charge will direct the Department’s response in order to contain the escapee and block escape routes.
- D.** Upon completion of the situation, a report regarding the escape and other pertinent circumstances will be completed by the end of that tour of duty.
- E.** A review of the escape incident will be conducted by the involved officer’s supervisor.

Cobb County Police Department

Policy 5.14

HOSPITALIZED PRISONER GUARD DUTY

Effective Date: May 1, 2016
Rescinds: Policy 5.14 (February 1, 2015)
Related Orders: None
Issued By: Chief J.R. Houser Page 1 of 4
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The purpose of this policy is to outline the procedures for the security of persons who are in custody that have to be hospitalized due to a medical emergency and to establish responsibility for the safety and security of the public, medical staff, Department employees, and prisoners.

I. AUTHORITY

The decision to establish a guard over a prisoner who has been hospitalized shall be the responsibility of the Deputy Chief of the Bureau having custody of the prisoner. Both Deputy Chiefs will work jointly to ensure adequate supervision and staffing of the hospital guard post.

II. ESTABLISHING THE GUARD POST

The decision to establish a guard over a hospitalized prisoner should be based upon, but not limited to, the following factors:

- Seriousness of the offense (capital offenses should be guarded in all cases)
- Mental state or capacity of the prisoner.
- The risk or danger to the public or medical staff posed by the prisoner.
- Escape risk posed by the offender.
- Prisoner’s criminal history.
- Prisoner’s home address (local or out-of-state).
- Time frame and method of the offense for which the prisoner is in custody.
- Age of the prisoner (if a juvenile, has the Juvenile Court committed to incarceration of the prisoner once he is released from medical care).

III. GUARDING OF PRISONERS

- A.** Officers assigned to hospital guard duty will remain with the prisoner at all times unless:

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1. Relieved by another officer.
 2. Requested to leave by hospital staff due to a medical emergency. If possible, the officer should place himself in area that would allow him to thwart an escape attempt by the prisoner.
 3. The prisoner is of the opposite sex and the officer must leave the room to allow privacy during direct medical examinations or services. The officer shall leave the room, but will maintain visual contact with the entry area to the room and will stay within hearing distance of the room.
 4. The prisoner has such a condition that the attending physician recommends total isolation. The officer should post himself outside the isolation area and notify his supervisor.
 5. The prisoner's attorney requests the officer leave the immediate area in accordance with this policy.
- B.** Prisoners will be secured to the bed at all times by the use of leg restraints or handcuffs, whichever is applicable based on the potential violent actions of the prisoner. If the attending physician rules against the use of restraints, the officer shall immediately notify his supervisor.
- C.** The prisoner and his clothing will be searched.
- D.** Prisoners will not be allowed to receive anything from anyone other than assigned medical staff without prior approval from the investigative supervisor.
- E.** Prisoners will not be allowed to make or receive any phone calls without prior approval of the investigative supervisor.
- F.** Officers will not question the prisoner regarding the offense. In the event a prisoner makes any statement relating to an offense, a Supplemental Report will be used to document the statements and the investigating detective will be notified.
- G.** Officers should remain abreast of the condition of the prisoner (medical condition, estimated release, etc.).
- H.** Officers will remain constantly alert and aware that ordinary objects such as eating utensils, medical supplies, etc., could be utilized as weapons, and pose a safety risk to both officers and hospital staff. A visual inspection of the room and bathroom should be made for likely escape routes which might be available to the prisoner.
- I.** Officers will maintain an extended detention log sheet which will be used to record all relevant events occurring during the watch (relief, hospital staff visits.

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The log sheets will remain at the guard post until the detail ends. The completed log sheets will be placed in the case file.

- J.** Officers should observe hospital rules and regulations as informed by hospital staff. If the officer is asked to comply with a rule/regulation that is in conflict with this policy the officer will observe the request and:
 - 1. Notify his supervisor; and
 - 2. On the log sheet, document the name/title of the person making the request as well as the time/details of the requested action.

IV. DETAIL SUPERVISION

Supervisors will be responsible for monitoring the activity of their personnel assigned to hospital guard duty. They will ensure that officers are relieved for breaks.

V. VISITORS

- A.** Visitors must have written permission from the appropriate Bureau Deputy Chief, or his designee, to visit a prisoner. The written permission will include the visitor's name and date of birth, and date, time, and length of visit. Additional comments/instructions may be included if necessary.
 - 1. Visitors will be required to show identification.
 - 2. All handbags, purses, etc. will be searched for weapons or contraband.
 - 3. Physical contact between visitors and the prisoner is prohibited.
 - 4. Visitors may not give or leave any items for the prisoner.
 - 5. Only one visitor will be permitted in the room with the prisoner at any time.
- B.** The visitor's name, as well as the date/times of the visit will be documented on the log sheet, and the visitor's authorization will be attached to the log sheet.
- C.** The officer will remain with the prisoner and visitor at all times (with the exception of the attorney-of-record as explained in this policy).

VI. VISITATIONS BY THE ATTORNEY-OF-RECORD

The attorney-of-record for the prisoner is allowed to see his client whenever he deems it necessary.

- A.** The attorney-of-record will notify the appropriate Bureau Deputy Chief of his status as the prisoner's attorney and will be issued a written authorization to visit with the prisoner whenever necessary.
- B.** The attorney-of-record will identify himself to the hospital guard officer and show his written authorization. The authorization should remain with the attorney and

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will not be retained by the officer. All information concerning the date, time, and length of the attorney's visit will be documented on the log sheet.

- C.** During the visitation of the prisoner's attorney, the officer may be asked to leave the immediate area. The officer will honor the request and post himself outside the room, remaining in visual contact with the entry to the room, but outside normal hearing range.
- D.** The attorney may not authorize any other person, including his staff or secretarial support, to visit with the prisoner (except in cases where the prisoner is a juvenile.) The appropriate Bureau Deputy Chief will be the only person authorized to allow such accommodation.
- E.** If the prisoner is a juvenile, the appropriate Bureau Deputy Chief, or his designee, may authorize one parent or legal guardian to accompany the attorney during the visit. This authorization must be in writing and presented before the visit.

VII. RELEASE FROM THE HOSPITAL

If, during the officer's tour of duty, the prisoner is discharged from the hospital, the officer will immediately notify his supervisor, who will notify the appropriate Deputy Chief (through the chain of command).

- A.** The prisoner will then be processed (following any special instruction provided) and transportation will be arranged to the Detention Center for book-in processing.
- B.** If the prisoner is a juvenile, the Youth Detention Center intake section will be contacted.