

**TITLE: RESTRAINT AND
TRANSPORTATION OF PERSONS IN
CUSTODY**

CODIFIED: 58.1
EFFECTIVE: 7/9/20
RECINDS/AMENDS: P 20.1
PAGES: 13

PURPOSE

The purpose of this directive is to establish guidelines for the safe and expedient transport of persons in custody. (I changed the title of the directive to be consistent with this, if you don't want to do that than the purpose should change to "transportation of arrestee's)

DISCUSSION

Any person in custody can become a danger to a Police Officer and the public by the mere fact that being in custody has taken his/her freedom away.

The chances of an escape or compromise can be greatly reduced, if not totally removed, when proper security measures are adhered to.

POLICY

It is the policy of the Santa Fe Police Department to ensure safety and security for any person who is an arrestee, detainee, person in custody, person in transport,

transporting Officers, and the general public when restraining anyone and transporting them in police vehicles.

PROCEDURE

58.1.01 All Santa Fe Police vehicles assigned to the Patrol Division shall be outfitted in a manner to accommodate the safe transport of all persons and modified to prevent escape to include but not limited to the following:

- A. A barrier separating the driver compartment from the rear passenger compartment. The barrier may consist of plastic or rubber coated wire mesh and/or heavy gauge plastic barrier, that shall not impair the ability of the Officer and arrestee from communication, nor shall it impair the ability of the officer's visibility of the arrestee.
- B. Rear passenger compartment doors with child locks shall be engaged at all times. Vehicles assigned to the Patrol Division should have rear cargo compartment doors and windows disabled prior to issue.
- C. Metal or Plastic windows barriers may be installed to the rear passenger windows.
- D. Child locks on the windows shall be engaged at all times during a transport to limit the rear window from rolling down completely.

- E. All unmarked Santa Fe Police vehicles shall be equipped with functioning child locks and window locks that must be placed in the locked position during a transport.
- F. The transport van is available for the transport of individuals who are violent, handicapped, when multiple individuals are arrested, or arrestees that present a credible security risk.
- G. Under no circumstance shall a violent arrestee, detainee or person in custody be transported in a vehicle that is not equipped with an installed transport barrier, separating the driver and rear passenger compartment.
- H. Upon the completion of every transport the rear passenger compartment should be cleaned and disinfected.

58.1.02 Use of restraints to secure arrestees, detainees, or persons in custody is limited to one or a combination of the following department approved restraining devices:

- A. Steel Handcuffs (double locking),
- B. Leg Shackles (double locking),
- C. Nylon Leg Restraints (Department Issued),
- D. Plastic Restraints commonly known as Flex-Cuffs (Department Issued), and

- E. Waist chain or similar device
 - 1. A person being transported that is not under arrest, or being detained for the purpose of an investigation may not be restrained at the discretion of the officer.
 - 2. At no time will a Public Safety Aid or Police Service Aid transport an arrestee or detainee.

IDENTIFICATION OF PERSONS IN TRANSPORT PRIOR TO TRANSPORT

58.1.03 Santa Fe Police Officers are responsible for verification that any person transported to or from a detention facility, medical facility, Santa Fe Police Department or other location is positively identified prior to transport. Positive identification may be accomplished by:

- A. Personal knowledge of the person in transport's true identity,
- B. Picture I.D. (i.e. driver's license, etc.),
- C. Jail records photograph,
- D. Matching biographical information (i.e. name, social security number, etc.), or
- E. Identification by other members of law enforcement who have personal knowledge of the person in transport's identity.

TRANSPORTATION OF ARRESTEES OR DETAINEE
--

58.1.04 The primary duty of an Officer while transporting a person in transport, is the safe delivery of the person in his/her care.

58.1.05 Any Officer who transports a arrestee, detainee, or person in transport shall personally search that person for contraband or weapons prior to transport, while heeding the stipulations in directive 58.1.25.

58.1.06 Whenever a person is taken into custody for a criminal offense, they will be handcuffed with their hands behind their back and the handcuffs shall be double locked and properly spaced.

A. Very careful evaluation and discretion must be utilized by the officer in determining when exceptions apply. The officer may handcuff the person with their hands in front of their body, or use other appropriate and approved restraining device(s) when the person:

1. Is in the obvious state of pregnancy,
2. Has a physical handicap,
3. Displays behaviors consistent with mental illness or an intellectual/developmental disability, or

4. Has injuries that could be aggravated by standard handcuffing procedures.

B. The nature of an individual's disability must be weighed against the threat the individual poses to the officer and/or himself. Partial restraint is preferable to no restraint at all.

C. Unusual illnesses will be handled on a case-by-case basis and aid from the Fire Department Personnel may be requested when necessary.

D. Alternative restraints may include, but are not limited to:

1. Waist chains,
2. Leg chains and/or similar devices that are approved by the department.
3. When these types of restraint are used they will be double locked.

E. Under no circumstance will any arrestee or detainee be "hog tied", have items placed over their nose and/or mouth that would restrict breathing. No person will be allowed to lie in a position that could restrict their airway.

F. Under no circumstance will anyone be handcuffed to a police vehicle, or to each other. Arrestees and

detainees must be individually restrained for their safety.

58.1.07 Prior to transporting an anyone in any police vehicle, the transporting Officer will visually and physically ensure that no contraband or weapons are present in the area that the person is to occupy. Officers shall not store any weapons, to include less lethal weapons, or any ammunition in the secured rear passenger compartment.

58.1.08 After the transport is completed, the transporting Officer will visually and physically search the area in the transport vehicle that was occupied by the person for contraband or weapons.

58.1.09 Any person being transported in any vehicle equipped with a secured rear passenger compartment shall be properly seat-belted at all times.

58.1.10 At no time will a Police Officer ride with or otherwise be seated with an arrestee in custody within a secured rear passenger compartment area of the vehicle.

58.1.11 No more than three people will be transported in the back seat of any police vehicle.

58.1.12 During all transports, seat belts will be utilized by each person to include the driver. Absent an exigent circumstance where an individual risks great bodily injury or death, Department personnel shall not utilize vehicles that are not properly equipped with seat belts to transport any person.

58.1.13 Violent or high-risk arrestees or detainees will not be transported in a vehicle without a properly installed transport barrier.

58.1.14 An arrestee or detainee being transported by one Officer will be seat belted in the right rear passenger seat.

58.1.15 The arrestee or detainee to officer ratio will never exceed one to one in a vehicle not equipped with an installed transport barrier.

58.1.16 The transporting officer will always be aware of the persons location and actions.

58.1.17 The No person secured in a police vehicle will be left unattended in any police vehicle.

58.1.18 During the transport, the Officer will maintain as much visual contact with the person as safety allows.

58.1.19 During the transport, an arrestee or detainee should not be allowed to communicate with other persons.

58.1.20 When an Officer is conducting a transport, the Officer shall advise the dispatcher of the current location, destination, and the vehicle mileage (to the tenth). Upon arriving at the destination the officer shall provide the dispatcher with the ending mileage (to the tenth).

58.1.21 Any unusual circumstances encountered during transport will be immediately relayed to Dispatch and the Shift Supervisor via police radio.

TRANSPORTATION ROUTE

58.1.22 The transporting officer will use the most expedient route to the appropriate facility or detention center in light of extenuating circumstance, e.g. traffic, weather, etc. conditions.

58.1.23 The officer will not perform other police duties when transporting any person, unless so ordered under extenuating circumstances in an emergency situation by a Shift Supervisor.

58.1.24 All transports will be prompt and without delay in all situations and the transporting Officer/Detective shall immediately return to performance of regular duties upon completion of any transport.

SPECIAL TRANSPORTATION SITUATIONS

58.1.25 Searching of any person in transport

- A. Under extenuating circumstances, a male Officer may pat down a female arrestee (or female officer a male arrestee) only with the back of his/her hands, and in the presence of another officer, to ascertain the presence of weapons.

58.1.26 Physically and/or mentally handicapped persons may require some considerations not normally associated with persons transported following an arrest for a criminal offenses. When dealing with a person in this category, the following will be done, at a minimum:

- A. Remove personal property and conduct a thorough search for weapons at the scene,
- B. Physical condition permitting, handcuff behind the back and double lock the handcuffs,
- C. Seat belt the subject in the right rear passenger seat,
- D. Transport in a vehicle equipped with a secured rear passenger compartment.
- E. Casts, braces, or artificial limbs must be searched for contraband or weapons to the best of the ability of the officer and with regard to prevent further injury.

58.1.27 The Detention Facility may refuse to accept those arrestees who have visible injury, complaint of injury, if involved in a vehicle crash in the past 24 hours, extremely intoxicated persons, those persons who have or show signs and symptoms of depressed or elevated vital signs, and those persons who have medical problems/illnesses which cannot be monitored, evaluated or treated in the Detention Facility. In these cases, the transporting Officer(s) will:

- A. Summon medical aid to the scene prior to any transport.
- B. If a problem is noted during transport, the Santa Fe Fire Department or Santa Fe County Fire ambulance and/or rescue units will

be called to render immediate medical aid, or

- C. If the arrestee's condition requires that he/she be transported to a medical facility, the officer will either ride in the ambulance with the medical personnel, or follow the ambulance in his/her patrol vehicle, or
- D. The Officer may choose to transport the arrestee directly to a medical facility to obtain medical aid.
- E. In making this determination, the officer will consider the requests of the ambulance personnel, the violent nature of the arrestee, and any evidence to be preserved.
- F. The Officer's decision should be based upon the severity of the illness, complaint of injury, obvious injury, location, and the length of time to complete the transport.
- G. Handcuffing procedures will be the same with all sick and injured arrestees as with other arrestees, unless directed to do otherwise by Fire Personnel.

Medical Transports

58.1.28 When an arrestee or detainee has been transported to a medical facility and is subsequently admitted by the attending physician, the officer will immediately notify the Shift Supervisor. The Shift

Supervisor will determine whether issuing a citation or filing charges by completing a Criminal Complaint and Statement of Facts in lieu of arrest is an option when the arrestee or detainee is being held on misdemeanor charges.

58.1.29 Hospitalized arrestees being held on felony charges are the responsibility of the Santa Fe Police Department until first appearance.

58.1.30 If the injury or complaint of injury can quickly be treated, the Officer will remain with the arrestee.

58.1.31 If the injury or complaint of injury requires a prolonged stay at the hospital, the Shift Supervisor shall inquire on the duration of the hospital visit and must notify the on duty commander.

- A. A Magistrate Court Judge may be contacted, in the event an arrestee requires admission to medical care facility, during normal business hours, Monday through Friday for the purpose of first appearance or arraignment.
- B. Judges may set conditions of release, and the arrestee may be released on their own recognizance, and required to appear in court at a later date and time.
- C. A first appearance or arraignment does not necessarily relieve Santa Fe Police Department personnel from security duties pertaining to an

arrestee admitted to a medical care facility.

58.1.32 The Officer will maintain control over the arrestee’s actions at all times. The arrestee shall be kept in restraints unless the attending physician requests they be removed for medical purposes, but only if the Officer determines it is safe to do so.

58.1.33 The Officer(s) will stay with the arrestee unless the treating physician requests the Officer to remain clear. Officers will maintain a post immediately outside the restricted area.

58.1.34 The Officer(s) in charge of the arrestee shall maintain security of the arrestee until officially relieved.

58.1.35 The Shift Supervisors shall ensure that the Officer(s) guarding arrestee(s) are checked on periodically and relieved as necessary.

58.1.36 The Officer must provide a copy of a release from a medical facility to Detention Facility personnel when booking the arrestee.

58.1.37 Any problems with Detention personnel refusing to accept an arrestee shall be reported to the Shift Supervisor, who will be responsible for making contact with Detention personnel to resolve the problem.

PRISONERS THAT PRESENT A HEALTH HAZARD

58.1.38 All sick persons except those with a contagious or highly communicable disease

will be transported in normal fashion as per policy guidelines.

58.1.39 If the malady is contagious or becomes serious, other means of transportation will be sought. Santa Fe Fire Personnel or Santa Fe County Fire Personnel will be consulted for any solutions to safely and mitigate the risk of exposure to transport Officers. All sick arrestees or detainees with control of their facilities will be restrained.

- A. The transport vehicle will be cleaned and decontaminated after each transport of a sick or person claiming to be sick and contagious.

OTHER CITIZEN TRANSPORTS

58.1.40 Officers if they deem necessary, may accommodate citizens in what is commonly known as courtesy rides under the following circumstances:

- A. The courtesy ride does not adversely affect the ability of Patrol Resources to respond to Calls for service in a timely manner,
- B. Approval is granted by the Shift Supervisor,
- C. If the individual requires an immediate transport to a medical care facility in reference to a legitimate medical complaint and Fire Department Personnel are not available.

- D. Involved in a motor vehicle crash and are unable to facilitate transport from the scene to their residence, which is within a reasonable distance of the city limits.
- E. A person is suffering from a mental disorder and refuses to be transported to a medical care facility by Fire Department Personnel.

ARRESTEE OR DETAINEE ESCAPE/SUICIDE POTENTIAL
--

58.1.41 Officers assigned to transport any person(s) shall attempt to acquire as much insight into his/her potential for escape, suicide, or unusual illness, prior to any such transport. Information may be obtained in any one of the following manners:

- A. Personal knowledge of the person's history.
- B. Initiating a computer check on the person.
- C. Information from Detention Center Records.

58.1.42 Should a transporting Officer/Detective learn of an arrestee or detainee having the potential for escape, the officer shall notify his/her Supervisor to request a back-up Officer to accompany or follow while in transport.

58.1.43 In the event of an person being transported is identified as a suicide risk, the officer shall take precautions to prevent any such incidents during transport. Officers should consider all suicide threats by

arrestees to be serious and take appropriate steps to ensure that the arrestee does not have the opportunity to carry out their threat. This includes constant observation of the arrestee or seeking professional mental health assistance for them. Arresting Officers should recognize the symptoms of potential suicide, such as depression or a sudden change in the arrestee's behavior. Physical warning signs of serious depression:

Depressed physical appearance;

- A. Walks slowly for no apparent reason,
- B. Slumps when walking or sitting, or
- C. sits in the corner in a fetal position.

58.1.44 Behavioral warning signs of serious depression:

- A. Cries frequently for no apparent reason,
- B. speaks slowly,
- C. Apathy and despondency,
- D. Sudden social withdrawal,
- E. little communication with officers or other persons,
- F. Feelings of helplessness and hope less ness,
- G. Perhaps general anxiety, with physical and mental symptoms,

- H. A lot of talk of self- pity, of life not being worth it, of people being happier if the prisoner killed himself,
- I. Talks of suicide, composes suicide notes,
- J. Talks of getting out of jail unrealistically,
- K. Gives away personal possessions,
- L. Has previously attempted suicide and talks about it, and
- M. Exhibits sudden changes in behavior, such as making an unprovoked attack upon an officer or another person(s).

**ESCAPE OF ARRESTEE OR
DETAINEE**

58.1.45 In the event of an escape of an arrestee or detainee prior to or during transportation, the transporting Officer will refer to the Department Directive 59.1 entitled, "Escape from Custody".

**PRISONERS THAT PRESENT A
SECURITY HAZARD**

58.1.46 A Shift Supervisor and/or on duty commander will be notified in order to make an assessment of additional security required during transport. The on duty commander may consult with the Special Operations Commander or SWAT Commander for additional resources.

58.1.47 On those occasions when an Officer/Detective becomes aware of security hazards involving the arrestee being transported, he or she shall take steps to notify the court of the possible risk.

58.1.48 Santa Fe Police Department Transport Officers will consult with Court Staff to include the presiding judge to determine , the possible use of restraining devices or additional security being assigned during the court appearance.

58.1.49 Situations presenting possible security hazards include, but are not limited to the following:

- A. Prior escapes from court.
- B. Threats against the arrestee’s life.
- C. Information involving possible plans for escape.
- D. All further security concerns and measure will at the discretion of the Santa Fe County Sheriff’s Office, Court Services Division if the arrestee is being transported to Magistrate Court or District Court.
- E. The Santa Fe Police Department is responsible for any potential security measures in the event an arrestee is in there custody and transported to Santa Fe Municipal Court.

OTHER ARRESTEE TRANSPORTS

58.1.50 Officers of the Santa Fe Police Department shall schedule transports that do not conflict with meal schedules at the

Detention facility. Since most transports are less than twenty miles, this Department will not normally provide meals during transport.

- A. The Santa Fe Police Department is responsible for additional transports, as listed below. All transports shall be in accordance with the policies set forth in this Directive.
- B. Arraignment on felony/misdemeanor charges as directed by the courts and judge’s order.
- C. Preliminary hearings.
- D. Transports for the purpose of funerals, visiting ill patients, when ordered by a judge, if the prisoner is incarcerated on City charges as directed by the courts and judge’s order.
- E. Transport for subsequent hearing, if the person is incarcerated on City charges as directed by the courts and judge’s order.
- F. Most, if not all transports will be at the direction of the courts and ordered to do so by a judge’s order. The Detention Center housing the arrestee will facilitate any transports for any court proceedings. The Santa Fe Police Department will be contacted in the event our services are needed or ordered.

DOCUMENTATION OF ARRESTEE TRANSPORT
--

58.1.51 The Santa Fe Police Department shall maintain records of all arrestee transports to court or other facilities. This will be accomplished with the use of the Felony Arrest Log maintained by the Liaison Employee, Officer, or Detective.

58.1.52 Entries will be made into the log whenever an arrestee is transported to District or Magistrate Court.

58.1.53 When an arrestee is transported to Municipal Court, the transport will be documented on Communications call cards or by entry into the CAD System dispatch for documentation and date entry.

58.1.54 During transport to District, Magistrate, or Municipal Court, a copy of the arrestee’s booking sheet shall accompany the arrestee. This sheet reflects the arrestee’s biographical and charge information, should it be required.

58.1.55 During transport of an arrestee to a mental facility, the applicable Court Commitment papers, available medical records, and physician's evaluation shall accompany the arrestee, along with any personal property that is to be left at the receiving facility.

HOLDING CELL

58.1.56 In the event an Officer must transport an arrestee to the Santa Fe Police Department for the purpose of completing arrest paperwork, complete an Implied Consent Breath Test, conduct initial or follow up interviews, the officer may utilize the holding cell facility located in the Santa Fe Police Department Patrol Bay. Any

arrestee that was the subject of a use force, shall not be transported to the Santa Fe Police Department without first being treated at a medical care facility.

58.1.57 It will be the responsibility of the on duty Shift Supervisor to regularly inspect the holding cell area at the beginning and at the end of each shift. This inspection will be documented on a form located outside the holding cell door daily.

58.1.58 In the event an item(s) of contraband is discovered in the holding cell a review of the holding cell closed circuit video will be reviewed to determine which arrestee discarded and left the item(s) of contraband in the holding cell.

- A. The original handling officer will be contacted and notified his arrestee discarded an item(s).
- B. The shift supervisor will complete a supplement report, documenting the discovery of the item(s) and place them into evidence.
- C. The original handling officer will be called back to the Santa Fe Police Department and complete the necessary paperwork to document the item of contraband. This may require the officer to amend arrest paperwork and must be completed by the end of shift, even if it requires the handling officer to remain in service past his/her scheduled duty assignment. If the officer is off duty, they shall return to work to complete the necessary paperwork.
- D. All items of contraband will be collected and processed in

accordance with current evidence and evidence handling procedures.

OCCUPANTS OF THE HOLDING CELL

58.1.59 Each Officer utilizing the holding cell shall communicate with other officers with arrestees and shall adhere to the following:

- A. The arrestee will be seated in the holding cell while the Officer(s) complete necessary arrest paperwork.
- B. In the event the holding cell is occupied the officer may request from the other arresting Officer to move their arrested person to the far corner and seat there arrestee in the opposite corner.
- C. If both corner seats are occupied the third arrestee will be seated in the center seat.
- D. At no time will juvenile offenders and adult offenders be seated in the same holding cell.
- E. At no time will female arrestees and male arrestees be seated in the same holding cell.
- F. All persons seated and secured in the holding cell with the exception of some juvenile offenders will be handcuffed to the eyebolts located in each of the three stalls.
- G. At no time will any arrestee be left unattended while in the holding cell area. Officers or Detectives must

remain in the Common Bay area unless relieved by another officer or detective. The holding cell area may be monitored via the closed circuit monitor.

- H. At any time an arrestee is seated in the holding cell, the closed circuit recording device and monitor shall be activated and turned on.

HOLDING CELL INCIDENTS

58.1.60 In the event an arrestee becomes combative in the holding cell, the officer shall request a Shift Supervisor and other officers to assist in transporting the arrestee to the Santa Fe County Adult Detention Center.

58.1.61 In the event an incident takes place in the holding cell, the date and time of the incident must be included in the officer's narrative report.

58.1.62 A copy of the closed circuit recording shall be requested from the evidence custodian and placed into evidence as part of case and supervisors report.

58.1.63 The Shift Supervisor must be notified of any incident that occurs within the holding cell.

DAMAGE TO THE HOLDING CELL

58.1.64 All damage to the holding shall be documented in a supervisor report (Blue Team).

- A. The Shift Supervisor must be notified of the damage and a supervisor's report must be completed.

- B. The arrestee causing the damage will incur Criminal Damage to Property charges as a result of any damage.

- C. Any arrestee that becomes overly aggressive to others or causes damage to the Holding Cell will be removed immediately and transported to the Santa Fe County Adult Detention Center.

- D. In the event the damage creates a safety concern for other possible occupants of the holding cell the Shift Supervisor must contact the on duty commander to report the incident.

- E. The on duty commander will notify the Facility Custodian and the Patrol Captain if the holding cell cannot securely house an arrestee due to safety concerns or if the holding cell is placed "out of order".

58.1.65 In the event a arrestee or detainee relieves themselves either by vomiting, urinating, or defecating in the holding cell:

- A. The Officer must make an attempt to properly clean and sanitize the area to the best of their ability.

- B. During normal business hours janitorial staff will be contacted to assist in the cleanup.

- C. In the event the incident takes place after normal business hours, on the weekend or over an extended holiday weekend, janitorial staff will be notified by the on duty commander and Facility Maintenance Custodian on the next business day.

