

## Transporting Persons in Custody

### 904.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the University of Maryland, Baltimore Police Department.

See the Handcuffing and Restraints Policy 302 for additional guidance.

### 904.2 POLICY

It is the policy of the University of Maryland, Baltimore Police Department to provide safe, secure, and humane transportation for all persons in custody.

### 904.3 OPERATIONS BUREAU COMMANDER RESPONSIBILITIES

The Operations Bureau Commander or authorized designee should establish related procedures for:

- Safely transporting persons who have their legs restrained.
- Seating placement of persons being transported in vehicles with and without safety barriers.

### 904.4 OFFICER RESPONSIBILITIES

Persons in custody should be transported in a vehicle properly equipped to transport passengers. They should be appropriately restrained and positioned during transport. Unless otherwise directed by the Shift Supervisor, one officer shall transport the arrestee.

Officers transporting a person in custody should:

- (a) Search all areas of the vehicle accessible to a person in custody before and after each transport.
- (b) Immediately search persons in custody after arrest, when receiving the person from the custody of another officer, and before transferring the person. Refer to the Custodial Searches Policy 902 before conducting any search other than a field search.
  1. Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, a witnessing officer should be present during the search.
- (c) Provide Communications with any required notifications (e.g., start time, mileage, end time).
- (d) Properly secure all property.
- (e) Use audio/video equipment (when properly equipped) to observe and record any person in custody during transport (see the Mobile Audio Video Policy 422 and Body-Worn Camera Policy 424 for additional guidance).

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- (f) Make a reasonable effort to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
- (g) Plan travel times and routes to avoid situations that might impede transportation (e.g., heavy traffic, unfavorable road conditions, extreme weather) when reasonably practicable.
- (h) Make a verbal welfare check with a person in custody at least every 5 minutes during transport. Provide sufficient visual observation and audio communication during the transport of:
  - 1. Individuals in auxiliary restraints.
  - 2. Individuals in leg restraints.
  - 3. Individuals wearing a spit hood.
  - 4. Individuals who are a suspected suicide risk.
- (i) Verify that the vehicle's security devices (e.g., window and rear-door child-safety locks) are activated.
- (j) Assess uncooperative persons who cannot or will not sit upright for a medical condition (see the Medical Aid and Response Policy 430 for additional guidance):
  - 1. If no medical condition exists, alternative transportation should be arranged (e.g., a special transport van).

#### **904.5 TRANSPORT RESTRICTIONS**

When transporting multiple persons, officers:

- (a) Should not transport persons in custody together. Persons in custody should be transported individually when practicable, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
  - 1. Juveniles and adults shall not be transported together.
  - 2. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, shall not be transported together.
  - 3. Persons of different genders should not be transported together.
- (b) If segregating individuals is not possible, transporting officers should be alert to inappropriate physical or verbal contact and take appropriate action.

#### **904.6 TRANSPORT VANS**

An officer trained on the safety and restraint systems of a transport van should be present during the transport van's use for transporting a person in custody. The Baltimore Police Department (BPD) operates transport vans with officers trained in their safety and restraint systems. If necessary, the department can request a transport van from BPD.

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An officer, either BPD or UMBPD, should assist persons getting into and out of the transport van to avoid falls.

### **904.7 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY**

When transporting a person in custody who has a disability, a transporting officer should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting officer should ensure that any special equipment (e.g., canes, wheelchairs, prosthetics) is transported to the person's destination in a way that does not threaten the safety or security of the person in custody or the officer.

Officers transporting a person who has a disability should consult with the person in custody and use good judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety, and dignity of all persons.

### **904.8 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY**

Except in exceptional cases where alternatives are not reasonably available, officers should not transport persons in custody who are unconscious, have serious injuries, or who may be seriously ill. EMS personnel should be called to handle such transportation.

Officers shall notify the Shift Supervisor as soon as practicable when transporting a person in custody to a hospital.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by the Shift Supervisor.

Any person in custody suspected of having a communicable disease should be transported in compliance with the exposure control plan in the Communicable Diseases Policy 1008.

See the Medical Aid and Response Policy 430 for additional guidance on ill or injured persons in custody.

### **904.9 TRANSPORTING PREGNANT PERSONS IN CUSTODY**

Persons in custody who are known to be pregnant should be restrained during transport in the least restrictive manner that is effective for officer safety and should not be restrained by the use of leg restraints or waist chains. Handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property (Md. Code CS § 1-101; Md. Code CS § 9-601).

Absent exceptional circumstances, persons in labor or delivery should not be transported by officers. EMS personnel should be called to handle transportation.

### **904.10 MENTAL HEALTH EVALUATIONS TRANSPORTS**

When transporting any individual for a mental health evaluation, the transporting officer should request that Communications notify the receiving facility of the estimated time of arrival, the level

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of cooperation of the individual, and whether any special medical care is needed (Md. Code HG § 10-624).

Should the person require transport in a medical transport vehicle, and the safety of any person, including the person in custody, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

See the Mental Health Evaluations Policy 409 for additional guidance.

### **904.11 INTERRUPTION OF TRANSPORT**

Absent extraordinary circumstances, officers should not interrupt a transport to provide emergency assistance without supervisory approval. Officers encountering an emergency should notify Communications and request an appropriate response.

### **904.12 EXTENDED TRANSPORTS**

During transports for extended durations, transporting officers may be required to make necessary stops. With supervisory approval and due consideration for security risks and the in-custody person's health and well-being, these stops should be limited to fuel, meals, bathroom breaks, and other purposes reasonably necessary for the continuation of the transport.

### **904.13 PROHIBITIONS**

When transporting a person in custody, officers should not:

- (a) Use transport as a form of punishment or retaliation (e.g., intentionally rough rides, excessive heat or cold, obnoxiously loud music).
- (b) Handcuff a person to any part of a vehicle.
- (c) Leave the vehicle unattended with the person in custody in the vehicle.
- (d) Allow any person who is not in custody (e.g., friend, family member) to have contact with or be in close proximity to the person in custody.
- (e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.
- (f) Stop to conduct any personal activities.
- (g) Engage in a pursuit.

### **904.14 ESCAPES**

In the event that a person in custody escapes while being transported, the transporting officer should immediately advise Communications and other units of the escape, provide a description of the escapee, notify the Shift Supervisor, and submit a written report as soon as practicable describing the circumstances of the escape and any recapture. The written report shall be submitted before the conclusion of the shift in which the incident occurred.

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The Shift Supervisor will notify the Shift Commander, who will ensure notification is made through the chain of command to the Chief of Police or the authorized designee upon learning of an escape.

If the escape occurs outside the jurisdiction of the University of Maryland, Baltimore Police Department, the Shift Supervisor should notify the appropriate agency or agencies within the jurisdiction where the escape occurred. Furthermore, the Chief of Police shall be notified through the chain of command as previously mentioned.

### **904.15 DOCUMENTATION**

If a person is injured during transportation, officers should document the injury in the appropriate report. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other persons in custody). Any visible or reported injuries should be photographed and included with the report.

### **904.16 NOTIFICATIONS**

Officers should notify the Shift Supervisor and any receiving facility of information regarding any circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

### **904.17 TRAINING**

The E and T Lieutenant or designee should provide periodic training on this policy and procedures related to transporting persons in custody, restraint systems, and restraint devices.