

4.31 **SEARCHING, HANDCUFFING AND PRISONER TRANSPORTATION:**

A. PURPOSE:

Officers of the Police Department are required to arrest and restrain persons in a safe and lawful manner. The purpose of this policy is to provide guidelines on the transportation of all persons in the custody of law enforcement officers. These guidelines are not intended to cover every situation presented to officers. Therefore, officers must always use good judgement and be reasonable in their actions.

B. POLICY:

The responsibility for the safety and well-being of a prisoner, once taken into custody, rests upon the officer and the Department. It is the officer's duty to keep the prisoner safe from harm, protect others, and prevent escape.

The officer's life or the life of a fellow officer may be jeopardized if reasonable precautions are not taken. Proper and reasonable techniques shall be utilized while searching persons, handcuffing, and transporting prisoners.

C. SEARCHING PERSONS:

Even though the circumstances and techniques of each search are different, there are several principles which are common to all searches.

1. Common Principles:

- a. Constant alertness on the part of the officer.
- b. Proper balance on the part of the officer.
- c. Self-control on the part of the officer.
- d. Maintaining control of the suspect and position of advantage.
- e. Thoroughness of the search.
- f. Safeguarding of weapons (officer's/suspect's)
- g. Always search from the rear, never the front.
- h. Search with one hand. Other hand should be in contact with the suspect.
- i. Control of the officer's weapon by keeping his/her gun out of the suspect's reach.
- j. Always search systematically.
- k. If a weapon is found, tell assisting officers (where/what) immediately.

- I. If a weapon is found, maintain control of suspect/weapon. Continue searching for additional weapons. Never assume suspect carries only one weapon.
2. Suspects may conceal weapons or contraband anywhere on their bodies, therefore, an officer's search must be systematic and thorough. There are several common locations in which weapons and contraband may be carried. These include but are not limited to: hair, waistband, pockets, groin area, small of back, ankles, pocket books, purses, wallets, underarm area, jewelry designed to be used as weapons (i.e., necklaces, belt buckles, etc.), clothing, and under hats.
3. The decision of whether or not to search first and then handcuff or handcuff first and then search depends on what is safe and reasonable under the circumstances.
4. Searching of the opposite sex.
 - a. If the opposite sex suspect is an immediate threat to the arresting officer's safety, the suspect should be searched immediately.
 - b. If the opposite sex suspect is not an immediate threat to the arresting officer's safety and a same sex officer is available, the same sex officer should search the suspect.
 - c. If the opposite sex suspect is not an immediate threat to the arresting officer and a same sex officer cannot be located, the suspect should be searched by the arresting officer. A search under these circumstances should be witnessed by another officer or reliable person and should be limited to searching for weapons.
5. Strip and body cavity searches shall be conducted in accordance with Department policy 4.35 L (see section 4.35L - 3).

D. HANDCUFFING:

1. Purposes for Handcuffing:

The handcuff can be thought of as a safety device both for the officer and the prisoner. The handcuff is used for **temporary** restraint to minimize attack, escape, the destruction or concealment of evidence or contraband, and self-inflicted injury.

2. Control over a Handcuffed Prisoner:

- a. The officer must maintain control over a handcuffed prisoner keeping in mind that handcuffs are merely a **temporary restraining device**. Handcuffs do not immobilize a suspect.
- b. Control must be maintained in order to minimize the suspect's opportunity for action which produces injuries or affords an opportunity for escape.
- c. This control should especially be adhered to while escorting prisoners, for example, to and from a police vehicle, or while walking suspects in police buildings, where many officers carry exposed weapons.

1. Officers shall not permit unattended prisoners to walk or stand behind them, whether handcuffed or not.

3. Handcuffing Techniques:

- a. The Department currently instructs in two methods of handcuffing.
 - 1. The "quick-cuff" has the officer using his strong hand to control and use the handcuffs while maintaining a control hold on both of the arrestee's hands with the offhand.
 - 2. The "rear wristlock" has the officer using his strong hand to control and use the handcuffs while maintaining a rear wristlock control hold on the arrestee.
 - b. The Department instructs in two levels of risk involved in making arrests.
 - 1. Low-risk: Both methods of handcuffing can be used as instructed with the arrestee remaining in a standing position.
 - 2. High-risk: Both methods of handcuffing can be used as instructed with the arrestee in either a kneeling or prone position.
 - c. Any suspect within the lawful custody of any officer shall be adequately searched and handcuffed with the hands behind the back whenever possible.
 - d. Handcuffs should be applied on the wrist between the hand and the protruding base of the ulnar bone.
 - e. Handcuffs should be properly fitted as instructed and **double-locked**.
 - 1. When double-locked, the possibility of inflicting injury to the suspect, or the possibility of picking or slipping the locking mechanism is reduced.
 - f. An attempt should be made to avoid applying the handcuffs over bulky fitting garments since this can restrict the free movement or pivoting of the single bar of the handcuffs.
 - g. In order to reduce a suspect's potential to be aggressive, both hands should be cuffed behind the back.
 - h. If it becomes necessary to handcuff multiple suspects, additional handcuffs should be used to restrain the suspects temporarily.
4. **Removal/Exchange of Handcuffs:**
- a. Once properly applied, care should be taken before handcuffs are removed and exchanged.
 - b. In situations where handcuffs need to be exchanged, officers should place the handcuffs on in such a manner that the keyholes are not facing each other.
5. **Temporary Securing of Arrestee:**
- a. Officers should be aware of the potential hazards when handcuffing prisoners to stationary objects, leaving them unattended in police vehicles, or losing visual contact with a prisoner. The prisoner is the officer's responsibility.
6. **Exception to the Handcuffing Procedure:**

a. Mentally ill persons:

1. Officers may handcuff a mentally ill person in the absence of other restraints.
2. When a mentally ill person whose age or physical condition is such that the personal safety of the mentally ill person and officer clearly will not be jeopardized, the use of handcuffs shall be the discretion of the officer.

b. Multiple prisoners:

1. Normally, a female should not be handcuffed to a male.
2. Normally, a juvenile should not be handcuffed to an adult.
3. A violent arrestee should not be handcuffed to another arrestee.

c. Officers may handcuff a prisoner with his/her hands in front or utilize other appropriate devices when the prisoner:

1. Is in an obvious state of pregnancy.
2. Has a physical handicap, is unable to put their hands behind his/her back or has injuries that could be aggravated.

7. Alternate Restraint Devices:

The Department currently authorizes the use of plastic restraining devices and leg restraints (Ripp Hobble). Plastic flex cuffs can be used for multiple arrest situations and the leg restraints should be used on violent and resistant suspects.

E. TRANSPORTING OF PRISONERS:

While transporting prisoners the officer should expect the unexpected. The unpredictable nature of an arrestee creates a serious threat to officers removing a suspect from the scene of an arrest. The fact that an arrestee submits peacefully will not guarantee that they will not resort to violence or trickery to escape custody. Any arrestee may be an escape risk or a potential threat.

1. Search the prisoner prior to transporting. Searching a prisoner is the first of many precautionary measures.
 - a. An officer should not depend on another officer to search a prisoner for him/her.
 - b. An officer should personally search each person they will transport.
 - c. An officer shall confiscate any article that can be used for a weapon.
2. Any prisoner, whether male, female, adult, or juvenile should be handcuffed prior to transporting.
 - a. Normally, prisoners should be handcuffed with their hands behind them.
 - b. Violent prisoners should be handcuffed and transported separately.

1. Consideration should be given to transporting them in an ambulance, restrained to a gurney.
 - c. Prisoners SHALL NOT be handcuffed to any portion of the police vehicle.
 - d. If practical, prisoners should be secured in the vehicle by proper use of a seat belt.
3. **The Guidelines for Proper Positioning of Prisoner and Officer in a Vehicle are as Follows:**
 - a. An officer shall not transport an **unattended** prisoner in the back seat of any vehicle not equipped with a prisoner cage.
 - b. When it is necessary to transport prisoners in a vehicle not equipped with a prisoner cage, the prisoner should be placed in the rear seat on the passenger side and kept under constant observation by another officer riding in the rear seat to the left of the prisoner.
 - c. When transporting prisoners in a vehicle equipped with a prisoner cage, officers shall position the prisoner(s) in the right-hand rear seat or middle where the prisoner can be observed through the rear view mirror.
 - d. The decision to transport without the benefit of a prisoner cage should be made only after careful considerations of factors such as:
 1. Type of crime
 2. Number of prisoners
 3. Level of experience of transporting officers
 4. Familiarity with the prisoner(s)
4. **Transporting Opposite Sex Prisoners:**
 - a. When transporting an opposite sex prisoner, the officer should notify the radio dispatcher of their unit mileage upon departure and arrival, the exact times of which will be automatically recorded in the computer and on tape.
 - b. Generally, opposite sex prisoners will not be transported together unless they were arrested together and are not combative.
5. **Area-Vehicle Search Relative to Transporting:**
 - a. Although the interior of the transporting vehicle is searched for possible weapons or evidence after a prisoner has been delivered, it is also a good practice to search the vehicle before transporting prisoners.
 - b. A search conducted immediately after a prisoner is transported, makes it easier to establish that contraband (weapons or evidence) was hidden by that prisoner.
6. **Prisoner Control in Police Facilities:**

- a. Officers escorting prisoners in a police facility shall use unoccupied elevators when possible.
- b. The escorting officer shall notify other persons entering the elevator that prisoners are present.
- c. Prisoners will remain handcuffed while in common areas of any building, including elevators.
- d. Prisoners being escorted in elevators should be instructed to face one of the walls.

7. Controlling Violent Prisoners:

- a. Officers transporting prisoners suspected of being under the influence of P.C.P., L.S.D. or any other hallucinogen, or while transporting mentally disturbed persons shall be accompanied by at least one other officer. These prisoners should be watched at all times.
- b. Good judgement must be exercised in controlling a prisoner who continues to resist, (e.g., yelling, spitting, banging his/her head on prisoner cage, or attempting to kick out the vehicle windows).
- c. Placing adhesive tape or any other type of restraint over or across a prisoner's mouth to prevent yelling or spitting is forbidden. This does not preclude the use of a disposable surgical mask.
- d. Any use of force upon a prisoner shall be reasonable and comply with the Department's Use of Force Guidelines.
- e. When a leg restraint is used in conjunction with handcuffs, the prisoner should be placed on his/her side on the back seat, with the face pointing toward the screen. A second officer will ride in the front passenger seat and will be responsible for watching the prisoner at all times.
 - 1. Frequent checks should be made to insure adequate breathing and unrestricted circulation of blood to the prisoner's hands and feet.

8. Additional Transporting Guidelines:

- a. Prisoners SHALL NOT be left in vehicles for extended periods in hot weather. Windows will be rolled down for ventilation and/or the vehicle's air conditioner will be turned on when prisoners are left in vehicles for short periods in hot weather.
- b. While transporting prisoners by vehicle officers must obey all traffic regulations. Officers SHALL NOT engage in a code-three response while transporting prisoner(s).
- c. When it is necessary for an officer to conduct business away from a prisoner, the officer shall instruct another officer to watch his/her prisoner.
- d. Injured or unconscious persons should be examined by a physician and be given first aid before booking. The officer should be alert for medical conditions such as shock, brain injury, and diabetic coma.
- e. Unnecessary conversation with a prisoner should be avoided.

F. TOTAL APPENDAGE RESTRAINT METHODS AND EQUIPMENT:

1. PURPOSE:

The purpose of this policy is to provide police officers with guidelines in the use of total appendage restraining methods. Total appendage restraining methods are designed to be used in various situations that require the restraint of a violent or uncooperative suspect, preventing or limiting injury to officers and/or the suspect and/or damage to property.

2. DEFINITIONS:

- a. **HOBBLE** - A restraining device used primarily to secure the legs and ankles of a subject.
- b. **“RIPP” HOBBLE** - A restraining device made of one-inch wide polypropylene webbed belting with a tested strength of 700 pounds, equipped with a one-inch wide steel, alligator-jawed, friction-locking clip, and bronze swivel.
- c. **“TARP” - Total Appendage Restraint Position** - The method employed by officers to restrain handcuffed suspects in a seated position, using RIPP or similar type equipment.

3. POLICY:

- a. Officers shall only use department approved restraining methods, when such use appears warranted under the circumstances. Currently, only restraining hobbles that are of the “RIPP” design or similar are approved. This does not preclude officers from using other restraining devices if the “RIPP” or similar type hobbles are not immediately available. However, the use of other devices or systems is discouraged, unless absolutely necessary.
- b. Officers shall not restrain or transport suspects in a “Hog-Tied” position. For the purpose of this policy, Hog-Tied refers to the method of restraining the hands and feet together behind the suspects back while the suspect is lying in a face down position. The T.A.R.P. is not a hog-tie position. If it is necessary to control and restrain a suspect by the use of two or more officers transferring their body weight onto the suspect while the suspect is positioned face down on the ground, officers shall immediately, upon restraining the suspect, reposition the suspect into a sitting or face-up position. Officers shall continually monitor the suspect for signs of Cocaine Psychosis (Cocaine Overdose) or Excited Delirium (“Other” Drugs Overdose). If in doubt, officers should arrange to have the suspect transported to the hospital prior to booking. (Refer to training bulletin 96-02.)

4. APPROVED USES OF THE RIPP HOBBLE:

- a. To secure the feet and legs of a suspect to control running, kicking, and fighting.
- b. To prevent a suspect from standing.
- c. To secure a violent and/or uncooperative suspect in a total appendage restraint (T.A.R.P.) position.
- d. To secure a suspect’s feet in the police unit to prevent self injury, injury to

officers, and/or damage to police units.

- e. As approved by a supervisory officer.

5. **PROCEDURE:**

When the hobble is used on a suspect who meets the listed criteria for use, the following procedures will be employed as they apply:

- a. When transporting a suspect in the rear of the unit with the suspect's ankles secured with the hobble, officers will attempt to seat suspect in an upright position in the passenger side, back seat. After seat belting the suspect, the loose end of the hobble will be secured to the front seat area in a manner which prevents the suspect from kicking. In no circumstances will the loose end of the hobble be left outside of the back or front door.
- b. A suspect who is continually combative and/or uncooperative may be restrained in the T.A.R.P. position. **A suspect restrained in this position shall not be transported face down on their chest.** The suspect can be placed on his/her side and his/her feet secured as above. When a suspect is transported in this position, the transporting unit will consist of two officers. The second officer will continuously monitor the suspect's condition. Medical attention shall be sought if the suspect appears to be having difficulties in breathing, lapse in consciousness, or other medical problems.
- c. A suspect may be kept in the T.A.R.P. position for as long as it appears necessary under the circumstances of each particular situation. The suspect should be released from the feet to handcuff (T.A.R.P.) position when it reasonably appears that the suspect is cooperative and non-combative.
- d. The use of the "RIPP" or other approved hobble devices shall be fully documented in the arrest reports. This documentation shall include the observable symptoms and specific actions of the suspect which required the use of a restraint device.
- e. Officers who use the hobble restraint on a suspect, shall immediately notify a supervisory officer when the hobble restraint device is used in incidents as outlined in the Use of Force Guidelines, Section 4.30 (I).