




# COLUMBIA POLICE DEPARTMENT

*"Policing Excellence through Community Partnerships"*

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<b>Subject:</b> <i>Prisoner Transportation, Fugitives and Extraditions</i>		
<b>Amends/Supersedes:</b> <i>Section 05, Chapter 15, Prisoner Transportation, Fugitives and Extraditions 2008</i>	<b>Chief of Police:</b> 	
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The purpose of this chapter is to establish the procedure to be used by officers in handling and transporting prisoners. The below listed procedures have been developed to ensure the safety and security of the prisoner(s), the transporting officer and the general public and therefore, shall be followed by all officers of the Columbia Police Department.

## 1.0 SEARCH OF THE PRISONER

The transporting officer will never assume that another officer has previously conducted a search of the prisoner. The transporting officer shall be responsible for personally performing a thorough pat-down search of the prisoner if he has not already personally observed another officer conducting a search of the prisoner.

Strip searches will not be conducted on a routine basis. Should an officer feel that a strip search is justified; a supervisor shall be called to the scene and must grant authority prior to conducting the search. An officer of the same gender as the prisoner must conduct the strip search in a private area. Officers must be mindful of the safety of the prisoner and proper evidence collection techniques. Any time a strip search has been conducted it will be documented in the Incident report or the After Actions report along with its' results.

Officers are prohibited from conducting body cavity searches. Should the need arise for a body cavity search, a search warrant will be obtained and the search will be conducted at a hospital by licensed medical personnel.

## 2.0 SEARCHES OF TRANSPORTING VEHICLES

### 2.1 Prior To Each Shift Search

Each police vehicle used for transporting prisoners will be searched for weapons or contraband prior to the beginning of each shift. The officer in charge of the vehicle during the oncoming shift shall be responsible for conducting the search. Any contraband or weapons that are found in the vehicle shall be turned in as found property and the on-shift supervisor will be notified.

Each police vehicle shall be inspected at the beginning of each shift to ensure that it is operationally safe and is equipped with the required emergency equipment which includes: shotgun, first aid kit, traffic cones, blanket,

fire extinguishers, etc.

The officer shall immediately notify his supervisor of any damage to the vehicle or any operational deficiencies. The officer will also note any vehicle problems or missing equipment on his daily activity sheet.

## 2.2 Prior To and After Transporting Prisoners

Prior to each prisoner transport, the transporting officer shall search the vehicle to ensure that there is no contraband, weapons or other items located in the area where the prisoner is to be transported. Further, after removing the prisoner from the vehicle, the officer shall again search the vehicle for weapons, contraband or other items.

## 3.0 TRANSPORTING IN VEHICLES

Prisoners, which are transported in police vehicles equipped with protective screens, shall be placed in the right rear seat of the vehicle. If there are two (2) officers in the front seat of the vehicle, then it shall be the responsibility of the passenger officer to maintain surveillance of the prisoner(s). If only one (1) prisoner is being transported, he will not be placed directly behind the driver, but will be placed in the right rear seat of the vehicle. If two (2) prisoners are being transported, both shall be handcuffed and placed in the rear seat of the vehicle.

When it is necessary to transport a suspect or prisoner in a police vehicle without a protective screen, the officer will contact the dispatcher and request an additional officer to assist in the transportation of the prisoner. The prisoner shall be cuffed behind his back and placed in the right rear seat of the vehicle. The passenger officer shall be seated in the rear seat behind the driver and shall properly secure his weapon away from the prisoner. Officers shall never transport more than one prisoner in a vehicle without a protective screen.

All prisoners transported to the detention facility will be seat belted in the back seat of the patrol vehicle. In those instances that the prisoner is extremely disorderly or violent and the seat belting of the prisoner would jeopardize the officer or prisoner's safety, the officer's supervisor may waive the use of the seat belt.

## 4.0 KEEPING PRISONER IN SIGHT

Officers shall never lose sight of any prisoner being transported. However, in a situation where observation is not possible (woman prisoner needing toilet facilities and a male transporting officer) the officer shall ensure that he has as much control as possible.

The prisoner will not be permitted in the facility with another individual and the officer shall ensure that no weapons or escape routes are available to the prisoner.

## 5.0 MEAL STOPS

When transporting a prisoner(s) over a long distance or period of time and a meal is required, the transporting officer(s) shall randomly make the selection of the location for the meal.

## 6.0 DUTY OF TRANSPORTING OFFICER

The primary duty of the officer when transporting a prisoner is the safe delivery of the prisoner(s) in his care. Officers transporting a prisoner will not take any other law enforcement action other than to advise local authorities by radio of observed violations and situations. Officers should remain alert to the possibility of diversionary tactics on the part of the prisoner or a possible third party. Transporting officers may only take law enforcement action in the event of a life-threatening situation when failure to act might result in the death or serious injury of a third party.

When transporting a detainee from a facility, the transport officer shall make positive identification of the detainee(s)

being transported (e.g., driver's license, DMV report, or other positive image identification methods). The officer shall also verify that each detainee has accompanying documentation and that special circumstances such as escape or suicidal risks or any other security/safety concerns are known and identified.

## **7.0 COMMUNICATIONS BY PRISONERS**

Prisoners being transported shall not be permitted to communicate with anyone other than the transporting officer.

### **8.0 ESCAPE OF A PRISONER**

#### **8.1 Escape Within the City**

If a prisoner escapes while being transported within the city, the transporting officer shall immediately notify communications giving his present location, the name and a description of the escapee, last known direction of travel and any other information that might aid in his recapture. The Communications Center will dispatch the on-duty supervisor who will be responsible for coordinating a search of the area in an effort to recapture the prisoner.

The transporting officer will complete an incident report charging the prisoner with escape and detailing the circumstances surrounding the prisoner's escape. The incident report will be submitted through the officer's chain-of-command to the Chief of Police.

#### **8.2 Escape Outside the City**

If a prisoner escapes while being transported outside the city, the transporting officer will:

- Exhaust all resources in an attempt to recapture the prisoner.
- Request assistance from the jurisdiction the officer is in at the time of escape.
- Offer to assist in any efforts to recapture the escapee.
- Submit a written information report through the officer's chain-of-command to the Chief of Police detailing the circumstances surrounding the prisoner's escape.

## **9.0 DETENTION FACILITY**

Officers transporting prisoners to the Richland County Detention Center shall follow the rules, regulations, and procedures of the facility. Upon arriving at the facility the officer will:

- Secure his firearm in the lock-boxes provided for this purpose.
- Remove restraining devices just prior to turning the prisoner over to a detention facility employee or placing him in a cell. The transporting officer will be responsible for the prisoner until he is turned over to a Detention Center official.
- Deliver the proper documentation on the prisoner to the facility's receiving officer, and obtain his signature as the officer receiving the prisoner.
- Notify the receiving officer of any medical treatment which the prisoner has received.
- Notify the receiving officer of any special problems the prisoner may have and any special alerts as to high escape risk or potentially violent prisoners.

## **10.0 SPECIAL TRANSPORT SITUATIONS**

#### 10.1 Transporting Prisoners of the Opposite Sex

When an officer(s) of the opposite sex transports a prisoner(s), the transporting officer(s) shall notify the communications center of the transporting vehicle's beginning mileage, the departing location and the intended destination. The communication center shall acknowledge the officer's transmission and shall broadcast the time of departure. Upon arrival, the officer shall again notify the communication center giving the vehicle's mileage and the location where the transport ended. The communication center shall broadcast the time the transport ended.

#### 10.2 Transporting Male and Female Prisoners

Male and Female prisoners will not be transported together in the same vehicle unless they were arrested as participants in the same offense.

#### 10.3 Transporting Adult and Juvenile Prisoners

Under no other circumstances shall adult and juvenile prisoners be transported in the same vehicle.

#### 10.4 Transporting Sick or Injured Prisoners

If a prisoner is injured incidental to arrest, or has a previous injury or illness for which he has not sought treatment prior to his arrest, the transporting officer shall transport the prisoner to Richland Memorial Hospital for treatment. The transporting officer will keep the prisoner under observation at all times and should keep the prisoner in physical restraints unless treatment requires their removal.

In the event the prisoner requires hospitalization the Duty Lieutenant will be notified immediately in order to facilitate the establishment of a 24-hour Hospital Guard schedule. The schedule will be maintained until the prisoner is transferred to SCDC or released from custody.

Officers assigned to guard duty will be cautioned against complacency and fraternizing with the prisoner. The prisoner will not be allowed any visitors or use of the telephone except as required to obtain legal counsel. Any unusual occurrence will be reported to the Officer's supervisor and will be noted on the Officer's work sheet.

When released from treatment, the prisoner's condition should be carefully recorded. All instructions for future treatment and medication should be obtained in writing and signed by the attending physician. Before moving, the prisoner will be searched and restrained.

#### 10.5 Physically Handicapped Prisoners

Special care and attention must be provided when transporting physically handicapped prisoners. The transporting officer shall pay special attention to ensure that medicine, special equipment and other necessary items are transported with the prisoner.

Physically handicapped prisoners will be transported in police vehicles with protective screens or the police paddy wagon whenever appropriate for the individual situation. If the prisoner cannot be transported in a police vehicle, then he shall be transported in an ambulance with an officer accompanying the prisoner in the ambulance during the transport.

### 11.0 MENTAL TRANSPORTS

When an area hospital has determined that a patient is to be transported to a mental facility the Telephone Response Unit (TRU) will be notified. The TRU officer will notify Columbia-Richland Communications of the transport and will log the

following information:

- Date and time of request
- Race and sex of subject
- Pick up location
- Time that Communications was notified
- Person at Communications that was notified
- Destination or Receiving facility

Columbia-Richland Communications will then dispatch an officer to the transport location to pick up the Commitment Order signed by the physician and escort the individual to the destination location.

#### 11.1 Ambulatory Patients

Persons who are ambulatory will be handcuffed behind the back and transported in a patrol vehicle or prisoner transport vehicle.

#### 11.2 Non-Ambulatory Patients

Persons who are non-ambulatory, incoherent or unconscious will not be transported in a patrol or prisoner transport vehicle. The Officer will notify their supervisor for authorization to transport via ambulance. The officer will follow the ambulance to the destination location.

#### 11.3 Violent Patients

Persons who are extremely combative or that require excessive restraint will not be transported in a patrol or prisoner transport vehicle, nor will an ambulance be called for transport until such time that the individual has been sedated and subdued.

#### 11.4 Receiving Facility

Once the officer has arrived at the receiving facility he will provide the facility with the physician's order and the receiving facility will assume custody of the individual. Once the receiving facility has accepted the patient the officer will clear and return to patrol duties. Under no circumstance will an officer surrender or store their weapon in their vehicle in order to enter a facility.

### **12.0 USE OF RESTRAINING DEVICES (HANDCUFFS AND LEG IRONS)**

All persons, including juveniles, shall be handcuffed with their hands behind their back (back hand to back hand). Prisoners will never be handcuffed with their hands in front except in situations where there are unusual circumstances (i.e., obesity, physical impairment, etc.) that dictate such action. Officers may, at their discretion, utilize leg irons if the situation indicates additional safety concerns. Any time leg irons are used it will be documented on the Incident Report.

All sick or injured prisoners shall be handcuffed with their hands behind their back when being transported by officers of the Department. The exception to this will be when handcuffing would aggravate the injury to the prisoner or the sick prisoner does not pose a threat to himself or others. All sick or injured prisoners that pose a threat to themselves or others, or pose an escape risk and cannot be handcuffed, will be restrained and transported by the Emergency Medical Service (EMS) with an officer accompanying the prisoner in the ambulance.

In situations requiring the transport of a mentally or physically handicapped prisoner, the transporting officer will use handcuffs and follow established transport procedures, even if the prisoner is not violent and does not appear to pose a threat to him or others.

In any situation involving Intoxicated, resisting or violent prisoners shall make every reasonable effort to place the restrained prisoner in a physical position that reduces the possibility of positional asphyxia.

In situations where a mentally or physically handicapped prisoner is violent, resist arrest or appears to pose a threat to him or others, the Emergency Medical Service (EMS) will be notified and requested to transport. EMS will be responsible for restraining and transporting the prisoner. The officer shall accompany the prisoner in the ambulance during the transport.

Under no circumstances will an officer handcuff a prisoner to any part of the transport vehicle or to the officer himself.

### **13.0 TRANSPORT VEHICLES**

All marked patrol vehicles used to transport prisoners shall be equipped with a protective screen that separates the front and rear compartments. The rear interior door and window handles shall be removed or disabled to minimize the risk of escape by prisoners.

### **14.0 FUGITIVES FROM JUSTICE**

Normally, persons wanted for crimes by an out of state agency are identified in one of two ways. The fugitive may be identified by a "hit" from the National Crime Information Center (NCIC) or by notification from an out of state agency that a suspect is within the City of Columbia.

#### **14.1 NCIC Wanted Person**

When a person is identified by a hit from NCIC wanted persons computerized records as being wanted by an out of state agency, an investigator will be notified and the following procedure will be followed:

1. Notify the agency that entered the wanted person into NCIC that the wanted person is in custody, or his or her whereabouts is known, and request a confirmation to extradite. Notification for extradition must be requested by Teletype and the response from the other agency must be by Teletype.
2. When Teletype communication is received confirming extradition, interview the suspect if in custody and attempt to get a voluntarily signed waiver of extradition. If the suspect is not in custody, obtain a fugitive from justice warrant from the Municipal Court and then arrest the suspect. If the suspect is in a public place and an immediate arrest is necessary, an arrest of the suspect may be made and the fugitive from justice warrant obtained afterwards. If the suspect voluntarily signs the waiver of extradition, notify the out of state agency that the suspect has waived extradition and can be picked up as soon as possible.
3. If local charges are pending, coordinate with the arresting officer, City Attorney, or the Richland County Solicitor's Office to determine if the local charges will be prosecuted. If the local charges will be prosecuted, notify the out of state agency by teletype that local charges are pending and that their agency will be notified at the conclusion of any holds relating to the local charges.
4. If after consulting with the arresting officer, City Attorney, or Solicitor's Office it is decided that the local charges will not be prosecuted, the suspect must appear before the Columbia Municipal Court, and a request made to *nolle prosequi* the local charges, stipulating that the suspect be held on the fugitive from justice charge until released to authorities from out of state.
5. Coordination with the out of state agency must be continued until the suspect is released into that agency's custody, and the waiver of extradition form is transferred to the out of state agency. A copy of the waiver of extradition along with positive proof of identification and notification of any special

security risks must be placed in the case jacket after being signed by the person to whom the suspect was released.

NOTE: NCIC hits can be the basis for detaining a person for a reasonable time to communicate with the entering agency. An arrest can be made only after receiving confirmation that the person is still wanted and warrants have been issued.

#### 14.2 Out of State Agency Requests

When an out of state agency notifies the Columbia Police Department that a person, wanted for a crime committed in their jurisdiction and for whom they are willing to extradite, is located in the City of Columbia, the following procedures will be followed:

1. If the wanted person is not entered in NCIC wanted person file by the out of state agency, request that the person be entered.
2. Request confirmation by Teletype that extradition is confirmed.
3. Request a full description of the suspect and the charges the suspect is wanted for along with warrant number, date of issuance of the warrants, any known addresses, and any other miscellaneous information on the suspect.
4. Except in an emergency situation, a fugitive from justice warrant will be obtained from the Columbia Municipal Court before the suspect is arrested.
5. In an emergency situation, and if the suspect is located in a public place, the suspect can be arrested without obtaining a fugitive from justice warrant but one must be obtained as soon as possible after the arrest.

### 15.0 EXTRADITIONS

The Chief of Police or his designee will authorize extraditions of all fugitives located outside the state of South Carolina wanted by the Columbia Police Department. The investigator assigned to extradite the fugitive back to this jurisdiction will prepare an extradition case file as well as provide the Solicitor's Office with the appropriate documents to obtain a Governor's Warrant should the fugitive refuse to waive extradition to South Carolina.

The NCIC Wanted Person Form will be completed and a copy placed in the case jacket. The original NCIC Wanted Person Form will be turned into the TRU for entry into NCIC. A copy of the computer print out, acknowledging entry into NCIC of the wanted person will be placed in the case jacket.

When an out of state agency notifies the Columbia Police Department a wanted person is in their custody, verification that the subject is still wanted and location of the original arrest warrant is a priority concern. Notification must be given immediately, ten (10) minute hit, to the out of state agency by Teletype. Telephone communication does not exclude the mandatory notification by Teletype. The Teletype will inquire as to any local charges by the holding agency, if the subject has waived extradition, and how long the subject will be held for South Carolina authorities. All Teletype communication should be placed in the case jacket.

#### 15.1 If the Subject Waives Extradition

After receiving Teletype communication that the subject has waived extradition and can be picked up immediately, a member of the Investigative Division will proceed in the following manner:

1. Obtain a certified true copy of all arrest warrants for the subject at the Columbia Municipal Court.
2. Take the certified true copies of the arrest warrant(s), along with copies of all Teletype

communications, to the Investigations Division for forwarding to the extradition officer.

3. Notify the out of state agency by Teletype that the Columbia Police Department will handle the transport of the wanted person to Columbia, S. C. Provide the outside agency with a contact person's name.
4. Coordinate with the out of state agency, make the travel arrangements and pick up the wanted person.

#### 15.2 If the Subject Refuses to Waive Extradition

After receiving Teletype communication that a wanted subject is refusing to waive extradition, the following procedures will be followed by an Investigative Division member:

1. Provide the assigned Assistant Solicitor of Richland County with a packet containing the listed documents to obtain a Governor's Warrant:
  - Extradition Information Sheet
  - Arrest Warrant(s) for the original offense(s) Certified true copies
  - Bench Warrant(s) (if "failure to appear" is an element) Certified true copies
  - Court Sentence Sheet (if s conviction is an element) Certified true copy
  - Photograph of subject or a statement as to why a photo is unavailable
  - Fingerprints of subject or a statement as to why prints are unavailable
2. Make copies of all arrest warrants, getting the copies certified as true copies by the Municipal Court. If a ministerial recorder signed the original warrant(s), a Municipal Judge must countersign the original warrant(s).
3. Coordinate with the Richland County Solicitor's Office, Criminal Investigations Division, and the State of South Carolina Governor's Office concerning the status of the case and to ensure that all procedures that have an effect on the Columbia Police Department are followed in accordance with the laws of extradition. Periodic phone calls to the agencies involved to determine the status of the case will be documented in case notes.
4. Take all original warrants for the wanted subject to the Columbia Municipal Court and obtain a letter of transmittal from the Municipal Court. Hand carry all original warrants, the letter of transmittal, and copies of all Teletype communications with the outside agency, to the Richland County Solicitor's Office representative who handles extraditions.



