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	<i>Subject</i> 144.0 Prisoner Transport and Medical Treatment	
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Prisoner Transport and Medical Treatment

144.1 PURPOSE:

The purpose of this policy is to establish procedures for the safe and efficient transport of prisoners. This policy shall also establish procedures for ensuring that prisoners receive safe and efficient medical treatment.

144.2 POLICY:


It is the policy of the department to transport prisoners with the highest regard for the safety of the public, the transporting officer, and the prisoner as well as ensure that all prisoners have access to medical services while in custody. The transporting officer is legally responsible for the safety and custody of the prisoner being transported.

144.3 DEFINITIONS:

1. **Frisk/Pat Search** – A frisk/pat search means a search that involves a pat down of a person’s outer clothing. Its purpose is to detect weapons that an individual, reasonably suspected of possessing a weapon, may have on their person. A frisk/pat search can include the squeezing of clothing, the patting of clothing or the sliding of hands over clothing. If an officer feels what they believe to be a weapon, the officer may reach inside the clothing and remove the object.


2. **Search Incident to Arrest** – A search incident to arrest means a search that occurs after a lawful arrest has been made. An officer, simultaneously with the arrest, may conduct a head-to-toe search of the arrestee’s person and clothing. A search incident to arrest is permitted if the officer believes the person is concealing contraband or weapons on their person, to protect the officer from a possible weapon or object that could endanger the officer, to detect weapons or objects that could assist the arrestee in escaping and to prevent the destruction of evidence.

3. **Medical Emergency** - Medical emergency means a person who is experiencing pain, requesting medical treatment, visually injured, or in danger of dying or sustaining serious bodily harm due to a physical problem or injury (including self-inflicted injuries); or is incapacitated by drugs or alcohol to the degree that the prisoner may be a danger to self or others. This shall include evidence of an acute

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mental health disorder which is altering behavior, mood, or function placing the individual or those around them in danger of bodily harm.

4. **Positional Asphyxia** – Positional asphyxia occurs when the position of the body interferes with normal breathing. The inability to adequately breathe creates a lack of oxygen and elevation in carbon dioxide in the body, which may result in unconsciousness or suffocation. The inability to breathe properly may result from the body’s position interfering with the muscular or mechanical function of breathing, or from compromise or blocking of the airway, or from some combination of both.
5. **Compressional Asphyxia** – Compressional asphyxia occurs when a subject’s ability to breathe is restricted as a result of their airway being compressed by another who is sitting, kneeling, or standing on the subject’s back, chest, or neck.
6. **Gender Identity** – Gender identity refers to an individual’s innate, deeply felt psychological identification as male or female, a blend of both or neither, which may or may not correspond to the individual’s body or their designated sex at birth.
7. **Gender Expression** – Gender expression refers to the external characteristics and behaviors that are socially defined as either masculine or feminine, a blend of both or neither, such as, dress, mannerisms, speech patterns, and social interactions.
8. **Transgender** – A transgender person is a person whose gender identity and/or expression does not match expected gender norms typically associated with their assigned sex at birth. A transgender individual may choose to transition in some ways and not others. Transitions may include, but are not limited to: social, physical, legal, cultural/spiritual, and medical.
9. **Gender Non-Binary** – Gender non-binary refers to a person who does not conform to society's expectations of gender expression based on the gender binary (either male or female), expectations of masculinity and femininity, or how a person should identify their gender.
10. **Intersex** – Intersex refers to individuals who are born with reproductive/sexual anatomy and/or chromosome patterns that do not fit typical descriptions of male or female.
11. **Gender** – Gender refers to the collection of society’s assumptions, expectations, and traditions for how a person of a particular gender is supposed to act and/or be treated by others.

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12. **Sexual Orientation** – Sexual orientation refers to an individual’s spiritual, emotional, and physical attraction to another individual.

144.4 PROCEDURES

1. Whenever an officer of this department effects an arrest, due caution must be observed. It is the officer’s responsibility to safeguard their welfare and the welfare of the prisoner(s). Officers are reminded that no arrest should ever be regarded as routine and the unpredictability of human behavior makes any arrest a serious act. Any person being arrested presents a potential danger.

2. Vehicle Inspection
 - a. At the beginning and end of each tour of duty, all vehicles regularly used for prisoner transport on that tour shall be inspected for readiness as follows:
 - i. The safety screen shall be securely in place and undamaged.
 - ii. All windows shall be intact, and outer door latches in proper working order.
 - iii. Rear-seat door handles and window controls shall be deactivated.
 - iv. The interior shall be thoroughly searched to ensure that no weapons or contraband have been left behind or hidden within the vehicle.
 - v. Prior to placing a prisoner in the vehicle for transport, the transporting officer shall inspect the interior for weapons or contraband. The vehicle shall be searched again after the prisoner has been transported to the station or other destination.

3. Searches Incidental to Arrest
 - a. Once it has been determined that a subject is to be arrested, the subject’s “high-risk” areas shall be frisked prior to being handcuffed.
 - i. A frisk is a search of a person for weapons.


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ii. “High-risk” areas are the arrested subject’s waistband area, as well as the area where the hands will end up after handcuffing.

iii. After these areas are checked, the individual under arrest shall then be handcuffed.

4. Handcuffing/Use of Restraints


- a. It is the policy of the New Paltz Police Department that all suspects, regardless of their condition or gender, shall be handcuffed upon arrest and during any transport while in custody.
- b. Officers shall handcuff (double-locked) all prisoners with their hands behind their back and palms facing outward.
- c. The officer may handcuff the prisoner with their hands in front or use other appropriate and approved restraining device(s) where the prisoner.
 - i. is in an obvious state of pregnancy
 - ii. has a physical handicap
 - iii. has injuries that could be aggravated by standard handcuffing procedures.
- d. While effecting the arrest of a prisoner or while securing a prisoner for transport, personnel shall be aware of the potential risks for compressional asphyxia, positional asphyxia, or other medical emergencies, as defined above.
- e. “Hog-tying” a prisoner is prohibited, as is placing a prisoner in a position similar to being “hog-tied”.
- f. Once a prisoner has been handcuffed, continued pressure/compression of the chest or neck shall cease.
- g. Handcuffed prisoners shall not be left face down in a prone position; they shall be rolled onto their side, seated upright, or stood up, as conditions allow.

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- h. Females shall be subject to the same handcuffing and restraint policy as males unless in an obvious state of pregnancy or otherwise exempted by this policy.
- i. Officers may use discretion in handcuffing young juveniles but shall use authorized restraints necessary to control unruly or potentially violent juveniles of any age.
- j. Prisoners shall not be handcuffed to any part of the vehicle during transport.
- k. Additional approved restraint devices (including, but not limited to leg shackles and/or waist bands) may be used to secure a prisoner who violently resists arrest or who manifests mental disorders such that they pose a threat to themselves or to the public.
- l. Officers are prohibited from transporting prisoners who are restrained in a prone position.

5. Transport

- a. Prior to transport, all prisoners shall be thoroughly searched for any weapons or contraband.
 - i. A protective search should be conducted by an officer of the same gender as the prisoner. Where this is not practical, officers should attempt to get an officer of the same gender or record the search using the in-car camera or body worn camera systems and marking the video appropriately.
 - 1. Transgender individuals should be searched by personnel of the same gender identity. If an officer of the same gender identity is not available officers should attempt to have an officer of the same gender identity conduct the search or record the search using the in-car camera system and marking the video appropriately.
 - ii. The transporting officer should search the prisoner regardless of searches that may or may not have been conducted by arresting officers.
- b. Officers of the opposite sex or opposite gender identity of the prisoner may conduct a transport.
- c. Under no circumstances will juveniles, regardless of status, be transported in the same vehicle as adult prisoners.


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- d. Special precautions shall be employed when transporting high-risk prisoners. In particular:
 - i. Waist chains/leg shackles should be employed in addition to handcuffs; and
 - ii. Rival gang members should not be transported together.
- e. Prior to initiating the transport, the officer shall provide the communications center with the following information when possible:
 - i. Arrest location and destination of transport; and
 - ii. Mileage readings before and after transport; and
 - iii. Transport times will be broadcast by the dispatcher.
- f. The officer should use care when assisting a prisoner into the vehicle for transport.
- g. Prisoners shall be transported in a manner that allows for constant visual observation. Seating of officers and prisoners should conform to the following:
 - i. Where the vehicle has a security screen but only one transporting officer, the prisoner shall be placed in the back seat on the right-hand side of the vehicle. When the vehicle is not equipped with a security screen and has only one transporting officer, the prisoner shall be placed in the right front seat.
 - ii. When a prisoner is being transported in a two-officer vehicle without a security screen, the prisoner shall be placed in the right rear seat. The second officer shall sit in the left rear seat behind the driver.
 - iii. Leg restraints shall be used when an officer believes the prisoner has a potential for violent behavior.
 - iv. One transporting officer should avoid transporting more than one prisoner in a vehicle without a security barrier but should request transport assistance.

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- v. All prisoners shall be secured in the vehicle by proper use of a seat belt.


- h. Symptoms or reports of physical or mental illness (such as threats of suicide or psychotic behavior) shall be reported to the appropriate personnel. Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner.
- i. Prisoners shall not be left unattended during transport.
- j. Officers shall not engage in enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another. In non-life-threatening yet serious situations, officers should call for back-up assistance and may remain on-hand until such assistance has arrived.
- k. Any escape shall be immediately reported to the communications center together with a complete description of the fugitive, mode and direction of travel, crime, and propensity for violence if known.
- l. Extended Transports-Prisoners who are being transported by vehicle over several hours will be escorted by two transport officers, restrained as described above, and will be provided adequate rest and refreshment periods. When, during transport of a prisoner, a meal will be required, the selection of the place where the meal is to be taken will be done randomly. Care must be taken to allow the prisoners reasonable opportunities to use toilet facilities. However, officers will not lose sight or control of the prisoner for any reason.
- m. Officers are reminded that subjects taken into custody for DWI may have coordination/balance deficits and extra care must be taken to prevent the subject from injuring themselves. When transporting DWI arrestees in a patrol unit, the arrestee will be escorted to the patrol unit and if necessary, assisted in seating in the rear of the unit. Guard the arrestee's head while they are entering the car and apply the appropriate seat belt and/or safety restraining devices to prevent injury during transport.
 - i. In the event the arrestee is to be released, members will assure they are released to a sober, responsible third party who, if driving, has a valid license to drive in New York State. In the event the arrestee has no one to pick them up, members will give the arrestee

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a courtesy transport to his local residence or make additional arrangements to assure the safe and legal transportation of the subject.

144.5 MEDICAL AND MENTAL HEALTH TREATMENT

1. Whenever a prisoner is having a medical emergency, as defined above, the following shall apply:
 - a. Immediately summon New Paltz Rescue Squad (EMS) to respond.
 - i. Prior to EMS arrival, if necessary, personnel shall administer lifesaving medical care.
 - b. Notify a supervisor of the circumstances surrounding the medical emergency, and that EMS was requested and is responding.
 - c. Upon EMS arrival, EMS personnel shall become responsible for administering medical aid and shall make arrangements for transportation to the hospital, if necessary.
 - i. If there is a possibility that a contagious disease was transmitted, persons who came into contact with blood or other potentially infectious bodily fluids shall be transported to the hospital for treatment;
 - ii. A supervisor shall immediately be notified of any exposure; and
 - iii. All pertinent paperwork, including Exposure Report, 207-C and Worker’s Compensation C-3 paperwork, shall also be completed, as per current directives.
 - d. If treatment by EMS eliminates the need for further medical treatment at a medical facility or the prisoner refuses medical aid (RMA), the prisoner transport or the booking process shall continue as usual.
 - e. If further medical treatment is required, or the prisoner requests further medical treatment, the prisoner shall be transported to the appropriate medical facility, without delay.
 - i. The prisoner shall be transported via ambulance only.

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- ii. The prisoner shall be frisked/searched prior to being transported and restrained according to the following procedures.
 - iii. If the prisoner is combative, officers shall assist EMS personnel with securing the prisoner for transportation. All prisoners shall be at least rear handcuffed initially.
 - iv. If the prisoner spits or threatens to spit, a face mask or spit mask shall be applied.
 - v. When a prisoner is being transported to a hospital, the use of leg shackles, as added security, is authorized.
- f. If a prisoner has medication in their possession, or indicates that they are in need of medication while in custody, the following shall apply:
- i. Medication, prescription or non-prescription, shall never be given to a prisoner by personnel of the New Paltz Police Department. Instead, members may allow the prisoner access to medication on their person or the prisoner shall be transported to an area medical facility for evaluation/treatment by medical staff.
 - 1. Transgender and intersex individuals in custody, as well as non-transgender individuals, may be in need of hormone therapy, and may have hormones in their possession in pill, patch, gel, injection, or other form that were prescribed by their physicians to meet their medical needs. Personnel shall treat hormone medication in the possession of prisoners in an identical manner to any other prescription medication in the possession of a prisoner.
 - ii. As with any individual, personnel shall ensure that transgender, gender non-binary, and intersex individuals in custody are given access to treatment for all of their immediate medical needs on an equal basis with all other prisoners.
 - iii. Personnel shall never delay, deny, or interfere with access to medical care, or use any slurs or lewd, derogatory, or harassing remarks on the basis of an individual's actual or perceived sex, gender identity, gender expression, sexual orientation, disability, or HIV status; or because an individual's medical need is actual, or perceived to be, related to

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sex, gender identity, gender expression, sexual orientation, disability, or HIV status, as with any individual.

- iv. Personnel shall address the prisoner by the title, pronoun, and name that the individual has used to identify themselves. Gender identity is determined by an individual's self-identification.
- v. All medical treatment, whether by EMS or by a physician at a hospital, shall be documented in the member's supplemental report, and the following information shall be included:
 - 1. The nature of the illness/physical injury being suffered by the prisoner;
 - 2. The name of the arresting officer and the supervisor who responded to the scene or the hospital;
 - 3. If the prisoner refused further medical treatment or requested additional medical treatment at the hospital;
 - 4. The EMS provider that responded to the station;
 - 5. The EMS provider that transported the prisoner to the hospital;
 - 6. The name of the attending physician who treated the prisoner;
 - 7. Any physician instructions regarding the prisoner after discharge from the hospital; and
 - 8. If the prisoner was given an appearance ticket at the hospital, arraigned at the hospital by the on-call judge, or returned to the New Paltz Police Department.
- g. Whenever a prisoner is having a mental health emergency, members shall provide attention to the mental health needs of such person and obtain reasonable treatment for them in compliance with department policy and procedure 107.0 Persons in Crisis.