



Police Department

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DEPARTMENT GENERAL ORDER 21-01

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 07-17

DATE: March 1, 2021

PRISONER TRANSPORTATION/HANDLING

I. PURPOSE.

To establish guidelines regarding the transportation of prisoners. This shall include search procedures, the application of restraints, documentation to accompany transport, and such other requirements as may be necessary given a specific situation.

II. DEFINITIONS.

Gender Identity – Relates to an individual’s sense as to whether they are male, female, both male and female, neither male nor female, non-binary or gender fluid. It is the individual’s inherent internal sense of one’s own gender, which may or may not match their anatomical or chromosomal sex.

Gender Expansive – Denoting or relating to a person whose behavior or appearance does not conform to prevailing cultural and social expectations about what is appropriate to the person’s gender or biological sex, which refers to the sex assigned to a person at birth. This can refer to genitalia or chromosomal make-up.

Intersex – A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the typical definitions of female or male. Variations may occur in chromosomes, gonads, sex hormones, or genitals.

Lock-up Vehicle – Police vehicles equipped with a divider separating the driver from the rear passenger compartment. These vehicles are used for prisoner transport.

Prisoner – A person who has been arrested and taken into custody.

Restraint Devices – Equipment used to restrict the movement of a prisoner, such as handcuffs, flex cuffs, leg irons, restraining straps, seat belts, etc.

Trans – An umbrella term for transgender, transsexual and gender expansive person.

Trans/Transgender – An umbrella term that describes a person whose gender identity or Gender expression differs from the biological sex the person was assigned at birth and refers to the way an individual communicates gender identity through assertion, behavior, clothing, hairstyles, voice, or body characteristics.

Transport Officer – A sworn officer who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or an assist officer.

Transport Vehicle – The vehicle used to transport a prisoner from one point to another. this may be a patrol vehicle or a specially designed transport vehicle such as a van or min-bus.

III. GENERAL.

Custodial prisoners shall be treated with a degree of caution during the entire time the arresting officer, transport officer, or other department employee may be in close contact or proximity with the individual. This cautionary attitude shall apply equally to all prisoners, irrespective of the offense for which they were taken into custody.

Prisoners shall be treated firmly but fairly, and while in the custody of this department, their treatment shall adhere to the requirements of federal, state, and local law. Prisoners shall not be physically or mentally abused.

IV. PRISONER SEARCH.

For the safety of the transporting officer(s) and the prisoner(s) involved, each prisoner shall be searched prior to being placed in a police vehicle for transport. This will generally consist of a check of the individual's clothing and any packages, parcels, bags, containers, or other items they may be carrying or otherwise have in their immediate possession. In the event a more thorough search (e.g. strip search, body cavity search) is deemed to be advisable, same shall be conducted in accordance with the provisions outlined in the general order covering Search and Seizure. Should weapons or contraband be discovered, they will be seized as evidence and placed in a secure location out of reach of the suspect.

Personal property, and in particular medical devices such as crutches, etc. and anything that could be used to either harm themselves or others will be transported with the prisoner but not in their immediate possession.

When an officer is confronted with the need to identify or search an individual who is Trans, and/or intersex, the following procedures should be utilized:

1. Use pronouns as requested by the Trans individual (e.g. “she, her, hers” or “he, him, his” or “they, their, them”)
2. If employees are uncertain by which gender or pronouns the individual wishes to be addressed, employees shall respectfully ask the individual for clarification.
3. When requested, employees shall address a person by a preferred name based on their gender identity or asserted pronoun preference or usage rather than that which is on their government-issued identification.
4. An arrestee’s gender shall be documented on any Department forms as it appears on the individual’s government-issued identification.
5. A Trans prisoner shall not be subject to more invasive search procedures than a non-Trans prisoner.
6. A limited search for weapons of a Trans prisoner may be conducted by an officer of either gender if there is an immediate concern for safety.
7. If there is no immediate concern for safety, the prisoner may assert a preference regarding the gender of the officer who searches the prisoner. To the extent such an officer is reasonably available, the Trans prisoner’s wishes shall be followed.

When an officer is confronted with the need to search, arrest, or identify an individual who is wearing a religious head scarf/clothing, the following procedures shall be utilized:

1. It is acceptable for officers to search beneath the religious head scarf/clothing (e.g. a hijab used by Muslim women to cover the neck/head in public) for any contraband and/or weapons if legal grounds exist for the search.
2. When legal grounds exist and when feasible, an officer of the same gender as the subject shall, with as much privacy as safety allows, remove the religious head scarf/clothing, search the item, and immediately return the item to the subject.
3. If the subject’s head and face are fully covered (e.g. only the eyes are visible) and identification is necessary, an officer may remove any religious head scarf/clothing that will allow for such identification if legal grounds exist. When feasible, an officer of the same gender as the subject shall, with as much privacy

as safety allows, remove the item, conduct the identification, and immediately return the item.

V. RESTRAINT DURING TRANSPORT.

Prior to placing a prisoner in a police vehicle for transport, the arresting officer shall generally handcuff (double locked) the individual behind their back with their palms facing outward. The only exceptions to this policy will be in those instances where a prisoner may be in an advanced stage of pregnancy, an advanced state of age, suffering from a physical infirmity which would be seriously aggravated by such a procedure, or during long distance transport. In such cases, an officer may elect to handcuff the prisoner in front of their body.

Should two subjects be arrested by a single officer, they shall be handcuffed right wrist to right wrist or left wrist to left wrist until such time as an assist officer arrives and can apply a second set of handcuffs. However, members of the opposite sex shall not be handcuffed together, nor shall an adult be handcuffed to a juvenile.

Once a prisoner is placed in a police vehicle, the seat belt shall be applied and will remain in place during transport. Additional restraint devices, such as leg irons or flex cuffs, may be used to further secure a prisoner who violently resists arrest or manifests a mental disorder to the degree that they pose a threat to themselves or others. It should also be noted that prisoners shall not be handcuffed to any part of the police vehicle during transport.

In all cases, the prisoner is to be made as comfortable as possible during transport, but under no circumstances shall the safety of the transporting officer(s) be jeopardized for a prisoner's comfort.

A. Lock-Up Vehicles

These shall be equipped with a divider separating the driver's compartment from the rear passenger area. This will not only preclude prisoners from having physical access to the transporting officer(s), but when coupled with electric windows and door locks will drastically minimize the opportunity for a prisoner to exit the vehicle without an officer's assistance.

Prisoners transported in lock-up vehicles shall be generally be restrained in the same manner as described above; however, should such a vehicle be utilized for a long-distance transport mission, the escorting officers may elect to handcuff the prisoner in front of their body.

The safety barrier shall be installed in such a manner that conversation between the prisoner and transporting officer(s) should be clear and unimpaired.

VI. TRANSPORTATION PROCEDURES.

Once a prisoner or prisoners have been restrained in a police vehicle, the transporting officer(s) shall activate the interior dome light (during darkness), ensure the windows and doors are secured, and advise communications of the impending transport. Included in the latter should be:

- 1). The number of prisoners.
- 2). The gender of the prisoners.
- 3). The destination of the transport.

If the prisoner, or one of the prisoners, is gender different from the transport officer or a juvenile, the transport officer shall also provide the mileage readings on the police vehicle, both at the beginning and at the end of the transport.

As a matter of safety, lock-up vehicles shall be used to transport prisoners whenever possible. Prisoners should always be kept under visual observation, and in the event an arrest involves a serious felony, or some other circumstance exists to increase the threat to sworn personnel, a second officer shall accompany the arresting officer during transport.

Should circumstances require the utilization of a regular marked or unmarked police vehicle for transport, the officer assigned to the vehicle shall generally not transport more than one prisoner at a time.

Whenever practical, Trans arrestees shall be transported separately from other arrestees. If an arrestee identifies as transgender, or if the arrestee appears to the officer to be transgender, the arrestee shall be placed in a single cell temporary detention area at the department.

Upon arrival at police headquarters, officers with prisoners should enter the building through the sally port. After exiting their vehicle, the officer should ensure that the garage door is closed prior to removing their prisoner from the confines of the police vehicle. Detectives shall have the discretion to convey prisoners into the building through the sally port or via the second-floor entrance door.

VII. OFFICER SEATING REQUIREMENTS.

When transporting a prisoner, the seating locations used by members of this command will depend upon how the police vehicle is equipped and the number of officers conducting the conveyance. The use of a fully equipped lock-up vehicle shall be the preferential method of transport.

1). Lock-up Vehicle

In those instances where a single transport officer will be conveying a single prisoner, the officer shall be seated in the driver's compartment while the prisoner is secured in the rear passenger area.

Where a transport officer is accompanied by an assist officer, the two officers will be seated in the front compartment of the vehicle while the prisoner is secured in the rear passenger compartment.

In the event multiple prisoners are taken into custody, officers shall utilize a cage car for transport except where exigent circumstances preclude such usage. Officers will occupy the front seats of the vehicle while the prisoners are secured in the rear compartment.

2). Regular Marked/Unmarked Police Vehicle

When circumstances dictate the use of a regular marked or unmarked vehicle to transport a prisoner, seating arrangements shall be such as to provide for the safety of the officer(s).

When a single transport officer will be conveying a single prisoner, the officer shall be seated in the driver's seat, while the prisoner shall be handcuffed in the rear passenger seat opposite the driver with the seat belt applied.

Should two officers be conveying a single prisoner in a regular or unmarked vehicle, the prisoner will be secured (handcuffed and seat belt applied) in the right/left rear passenger seat. The assist officer may sit in the front or rear to keep watch on the prisoner.

Should two detectives be conveying a single prisoner in an unmarked vehicle, the prisoner should be secured in the front passenger seat (handcuffed and seatbelt applied). The assist detective will occupy the driver side rear seat to keep watch on the prisoner.

On those occasions where more than one suspect is taken into custody by detectives operating unmarked police vehicles, the detectives will split the prisoners between two unmarked/marked vehicles, so that only a single individual is transported in a single vehicle. Where circumstances preclude prisoner transportation by more than one vehicle, a detective will be seated in the driver's seat, while the first prisoner shall be secured (handcuffed and seat belt applied) in the front passenger with the seat belt applied. The second detective shall secure the second prisoner (handcuffed and seat belt applied) in the rear passenger seat directly behind the driver, while they assume the right rear seat so that they can observe prisoner movements while concurrently protecting their weapon.

VIII. PRISONER COMMUNICATION DURING TRANSPORT.

Prisoners shall not be afforded the opportunity to communicate with anyone, other than sworn officer(s), during the period they are being transported. Their constitutional right to communicate with an attorney shall be satisfied either prior to transport, or upon arrival at this agency or other destination.

IX. INTERRUPTIONS TO TRANSPORT MISSION.

The primary duty of a transport officer or officers shall be to ensure the safe delivery of the prisoner(s) under their care. As such, officers will refrain from stopping, or otherwise interrupting their transport mission, to intercede in another event/incident except in those situations where a life-threatening emergency exists, and no other police unit is readily available to intervene. However, as such incidents may constitute a diversionary tactic designed to free or even eliminate a prisoner, officers placed in such a situation shall exercise extreme caution, both for their own safety and that of the prisoner.

Should a transport officer be alone, he/she shall radio their location and situation to communications, request immediate assistance, and position the police vehicle where same can be readily observed. The officer will then activate the interior lights, turn off the engine and remove the ignition keys, and secure the doors and shotgun prior to leaving the prisoner unattended. Responding assist units shall then divert at least one officer to the location of the prisoner, at which time they will stand-by with same until the transport mission may be recommenced.

In the event two transport officers are present at the time a prisoner conveyance is interrupted, one of the two shall remain with the vehicle unless exigent circumstances require that both intervene in the situation. In such a case, the preceding security measures shall apply.

A. Prisoner Transport Within REJIS Area

Officers of this command shall generally not arrest and transport prisoners wanted on a City warrant beyond the boundaries of the REJIS area of which the department is a member. This area includes the City of St. Louis, St. Louis County, St. Charles County, Jefferson County, and Franklin County.

As with local prisoner transports, the officer(s) conducting the conveyance shall refrain from stopping, or otherwise interrupting their transport mission except in those situations where a life-threatening emergency exists and immediate police intervention is required. In such a case, the security measures dictated above shall apply.

B. Long Distance Prisoner Transport

In the event a situation arises where the department may be required to make a long-distance prisoner transport (two hours or more in duration), a minimum of two officers shall be assigned to occupy the transporting vehicle. At least one of the transport officers shall be of the same gender as the prisoner.

Should a prisoner require to use a restroom, the officer of the same gender shall accompany the prisoner into the lavatory, while the second officer remains just outside of the door to monitor pedestrian traffic in and out of the facility. The escorting officer will remove the prisoner's handcuffs and keep the individual under constant observation until completion of the relief process. Handcuffs shall then be reapplied.

Stops for meals should be conducted at those restaurants offering "Drive-through" service. When possible, stops should be scheduled during off-peak hours to avoid excessive crowds and/or traffic. Meals shall then be consumed within the interior of the police vehicle and while same is on the move.

The locations for both restaurants and rest rooms should be chosen at random.

In the event a problem should arise, the escorting officers shall contact the appropriate law enforcement jurisdiction by the most expeditious means possible.

X. SPECIAL SITUATION TRANSPORT.

Sworn members of this department shall not transport prisoners to attend to their personal matters (e.g. reading of a will, visiting sick relatives in a hospital, attending a funeral, etc.) or because of other special situations. Such episodes shall generally be handled by the St. Louis County Department of Corrections, or of the prisoner's own volition once they have been released via bond or their own recognizance.

XI. PRISONER TRANSFER PROCEDURES.

During the transfer of a prisoner to or from another criminal justice agency, the transporting officer(s) will adhere to those safety and/or procedural directives which have been established by the host agency. In addition, officers shall comply with the following safety procedures whenever possible:

A. Firearms Security

Upon arrival at the host agency, firearms shall be secured in a weapons locker or similar storage device, prior to the officer entering a confinement area.

Similarly, upon returning a prisoner to this department, the transport officer(s) shall secure their weapons in a designated storage area prior to unhandcuffing

a prisoner for booking, processing, or to conduct an interview.

B. Removal of Restraint Devices

Restraint devices shall remain on a prisoner until the removal of same are directed by a member of the receiving agency or the prisoner is lodged in a secure confinement area.

In those instances where a prisoner is transported to this department, restraint devices shall remain in place until such time as the individual is conveyed to one of the department's temporary holding areas. At that time, it shall be at the discretion of the officer to either leave the restraints in place or remove same, contingent upon the potential threat to officer safety.

C. Information Transmittal

Appropriate written/printed documentation, prisoner's personal property, and such verbal threat warnings as may be necessary, shall be delivered to the agency taking receipt of a prisoner. Similar documentation and/or information will be obtained in those cases where this department assumes custody of a prisoner from another agency. In such instances, the transport officer will ensure that all documentation is properly completed and that the inventory of the prisoner's property (if any) is accurate and correctly logged.

D. Custody Transfer Documentation

At the time custody of a prisoner has been transferred, both the receiving and releasing officers shall affix their signatures and department serial numbers to the booking sheets.

XII. NOTIFICATION OF SECURITY RISK.

When a prisoner is transported or released to another agency or court, and the prisoner is deemed to present an unusual security risk, the officer(s) making the release shall verbally notify personnel of the receiving agency/court of the potential threat. There must be proper justification for such a cautionary warning (prior history, personal observation, etc.); however, once same has been issued, it will then be the responsibility of the receiving agency/court to institute the appropriate safeguards.

XIII. TRANSPORTATION DOCUMENTATION.

All appropriate documentation shall accompany a prisoner when same is being transported between this agency and another criminal justice facility.

A. Identification Methods

To prevent the release or transfer of the wrong individual, officers will confirm the identity of each prisoner prior to their transport to, or from, another criminal justice agency. Methods of confirmation include:

- 1). Checking the prisoner's documentation (booking sheet, personal property envelope, arrest record, etc.) with the individual's physical characteristics and personal data:
 - a. Name.
 - b. Telephone number.
 - c. Person listed as emergency contact.
 - d. Age, date of birth, height, weight, hair, and eye color.
 - e. Identifying marks such as scars or tattoos.
- 2). Conducting a fingerprint comparison check on the prisoner.
- 3). Personal knowledge as to the correct identity of a prisoner.
- 4). Comparison of a mug shot (photograph) with the prisoner's facial features.

B. Documentation to Accompany Prisoner

Each prisoner who is transported to another law enforcement agency or criminal justice facility, shall be accompanied by a copy of the booking sheet and the individual's personal property inventory.

In those instances where officers of this command assume custody of a prisoner from another criminal justice agency, they shall secure both a copy of the booking sheet and the individual's personal property envelope from the releasing agency to accompany the prisoner back to this department.

C. Information Regarding Individual Threat Potential

In the event a prisoner is considered dangerous, constitutes a potential escape threat, suffers from an infectious disease, or is suicidal, the information shall be recorded in the appropriate sections of the booking sheet. This shall then be provided to the receiving agency.

XIV. PRISONER ESCAPE DURING TRANSPORT.

In the event a prisoner should escape during transport, the following actions shall be initiated:

A. Required Notifications

The transporting officer(s) shall contact the department's communications unit at the earliest practical moment and notify same of the escape. This shall include:

- 1). Prisoner's identity and description.
- 2). Clothing description.
- 3). Method and direction of travel.
- 4). Any additional criminal charges.
- 5). If the prisoner is armed.

Communications will broadcast the above information to other department units and surrounding jurisdictions, and then notify the on-duty supervisor of the incident. The supervisor shall proceed to the scene and not only assume command of the search, but also conduct a preliminary investigation into how the escape occurred. Should an officer have been injured in the escape, medical assistance will be dispatched to assist at the scene.

Where an escape may occur outside of this agency's jurisdiction, the transporting officer(s) shall, in addition to notifying this department, contact the appropriate law enforcement jurisdiction by the most expeditious means possible. Pertinent information regarding the escapee will be provided the agency having jurisdiction, and the transport officers shall cooperate with local investigators to the maximum extent possible.

B. Search

If a prisoner escapes custody during transport, he/she shall be in violation of RSMo 575.200, "Escape from Custody," the penalties for which will vary according to the circumstances. In addition, RSMo 544.157, provides arrest powers for law enforcement officers in "Hot Pursuit" of persons who have committed a criminal offense in the presence of any such officer. As such, officers of this department shall conduct an immediate search of the area where an escape occurred to recapture the escapee. Where such an incident may have taken place in an outside jurisdiction, the department will cooperate with the investigating agency and provide physical and personnel resources as practical.

C. Documentation

In each instance where a prisoner escapes custody from a sworn member of this department, the arresting/transport officer (whichever is appropriate) shall be required to document the circumstances surrounding the event via an Incident Report.

The officer's supervisor shall then draft an Internal Memorandum detailing his/her investigation into the facts surrounding the escape, and forward same through the chain of command to the Chief of Police. Upon review of the reports, the Chief of Police may initiate an internal affairs investigation where negligence or a lack of adherence to department policy is believed to have been a contributing factor to the escape.

XV. SEARCH OF TRANSPORT VEHICLE.

At the beginning of each tour of duty, the officer assigned to a specific vehicle (both marked and unmarked), shall conduct an examination of the interior of the vehicle to ensure that same is free of weapons and contraband, is mechanically safe, has sustained no fresh damage, and is properly equipped for use.

A. Search Prior to and Following Prisoner Transport

All vehicles used to transport prisoners shall be thoroughly searched both prior to and after a prisoner has been conveyed in same. The object of such a search shall be ensuring that the vehicle is free of weapons and contraband. However, where an officer has been in continuous control of a vehicle since the beginning shift examination, and circumstances require a prisoner to be quickly removed from a scene, the transporting officer may load the prisoner in the vehicle and convey same without delay.

To reduce the likelihood of foreign objects being introduced into the interior of a vehicle, officers should secure their police vehicle (lock the doors and close the windows) each time same is out of their direct vision and control.

Should weapons or contraband be located during a search, the items shall be seized as evidence and secured out of the prisoner's reach.

BY ORDER OF:



MARK J. SMITH
Chief of Police

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