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~~PRISONER HANDLING AND~~ **Persons in Custody and Transportation**

**5.18.01 PURPOSE**

The purpose of ~~the~~ this order is to outline protocols for the care of ~~the responsibilities of~~ members towards persons in police custody, including security and transportation. ~~they arrest until the arrested person(s) is accepted for booking at either a district station or County Jail.~~

**5.18.02 DEFINITIONS**

- A. **Medical Assessment** – ~~Examination of the prisoner~~ a person in custody by ~~paramedics~~ emergency medical personnel.
- B. **Medical Evaluation** – ~~Examination of the prisoner~~ a person in custody by ~~a physician at a~~ medical facility.
- C. **Person in Custody** – Person who has been lawfully detained, arrested, or who is in protective custody.
- D. **Positional Asphyxia** – Situating a person in a manner that would restrict their airway and reduces the ability to sustain adequate breathing. This includes, without limitation, the use of any physical restraint that causes a person's respiratory airway to be compressed or impairs the person's breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person's neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia.
- E. **Mobility Device** – These include, but are not limited to, braces, canes, crutches, walkers, wheelchairs, motorized scooters, and electric personal assistive mobility devices such as "Segways."

**I. 5.18.03 POLICY**

It is the policy of the San Francisco Police Department (SFPD) that members take necessary steps to ensure ~~the~~ to treat all persons taken into custody in a humane manner and with due regard for their physical safety and well-being of persons in their protection while in police custody. Members shall transport persons in custody in a manner consistent with law.

## II. **5.18.04 PRISONER VEHICLE INSPECTION AND SECURITY**

~~A. PREVENTING ESCAPE. Officers shall take all reasonable steps to minimize the possibility of prisoner escape by:~~

- ~~1. Properly handcuffing or otherwise restraining the prisoner;~~
- ~~2. Maintaining physical control of the prisoner at all times through appropriate holds or by confining the prisoner in a properly equipped police vehicle, having in mind that police vehicles shall not be used as holding facilities for prisoners for extended periods of time;~~
- ~~3. Not leaving the vehicle unattended, absent articulable exigent circumstances;~~
- ~~4. Taking the prisoner from the scene of the arrest to an appropriate police or medical facility as soon as practicable.~~

~~B. San Francisco General Hospital (SFGH) responsibilities: An officer transporting an arrestee to San Francisco General Hospital (SFGH) is responsible for the arrestee until that arrestee is:~~

- ~~1. Booked into a district station or the County Jail, or,~~
- ~~2. When all of the following conditions have taken place:
  - ~~a. The arrestee is admitted by the "physician in charge".~~
  - ~~b. A completed Field Arrest Card (prisoner housing card) and any relevant prisoner property (including clothing and money) are delivered to County Jail #9.~~
  - ~~c. The arrestee is booked at the SFGH Jail Ward and the officer is formally relieved by a deputy sheriff.~~~~

**A. Inspections - Members shall inspect the custody compartment of the vehicle they are assigned prior to and immediately after any custody transport to ensure the following:**

- 1. Any weapons, contraband, or personal items are located, secured, and documented appropriately and, if applicable, in compliance with DGO 6.02, *Physical Evidence and Scene Preservation*.**
- 2. All seatbelts and door locks are in working order.**

- B. Security** - During transport of a person in custody in a vehicle equipped with a custody compartment, members shall ensure the locking mechanisms are engaged.

### 5.18.05 CONTROL AND RESTRAINT

- A. Handcuffing** – Approved handcuffing techniques are listed in the SFPD Arrest and Control Manual.

1. Persons who are transported in a police vehicle shall be handcuffed with their hands to the rear, unless one of the following criteria is met:
  - a. The person has a physical condition which precludes this technique.
  - b. In situations where people are handcuffed together during multiple means of transport.
  - c. A supervisor has authorized an alternative option.
  - d. During exigent circumstances.
2. Members may use an additional set of handcuffs in situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort during transportation due to the person’s size.

- B. Searching** – Approved searching techniques are listed in the SFPD Arrest and Control Manual.

1. A transporting member shall thoroughly search a person who is in custody for weapons, prior to transport.
2. Searches should be conducted by a member of the same or preferred gender of the person being searched, when practical and in accordance with DGO 5.22, *Interacting with Transgender, Gender-Variant, and Nonbinary Individuals*.
3. In exigent circumstances when members are unable to complete a careful and thorough search of a subject prior to transport, members must complete the search as soon as practical.

- C. Other Restraint Devices** – Persons under arrest who have demonstrated violent actions or tendencies, must be restrained using Department approved restraint methods to minimize self-inflicted injuries and/or injuries to members of the public, medical, fire and police personnel. In addition to handcuffs, the following alternate restraint methods may be used on a case-by-case basis:

1. Hobble Cord (i.e. 'Ripp Restraint Cord')
2. Flex Cuffs
3. Soft Restraints (usually used by the San Francisco Fire Department (SFFD) or Paramedics)

### **III. 5.18.06 SAFETY OF PRISONERS CARE & SAFETY OF ILL / INJURED**

~~Members shall take all reasonable steps, consistent with Department policy and training, to prevent injury to prisoners for which they are responsible. The following list contains examples of such reasonable steps but is not intended to exclude other steps that might be reasonable under the circumstances.~~

- ~~A. Securing the prisoner in a way that prevents injury by or to any other person;~~
  - ~~B. While awaiting transportation from the arrest location, positioning the prisoner's body, in a manner that affords safety to the arresting officer, the prisoner and other persons who may be in close proximity. Prisoners in restraints shall not be left lying on their backs or stomachs, but shall be placed on their sides or in a sitting position as soon as their conduct allows the officer to place them;~~
  - ~~C. Transporting the prisoner from the place of the arrest as soon as practicable using department approved means of transportation, unless exigent circumstances require improvised procedures;~~
  - ~~D. Keeping the prisoner in view at all times to observe any change in the demeanor or consciousness of the prisoner or in the activities of others nearby. Continuous observation is required by Department policy after application of liquid chemical agents or carotid restraint (DGO 5.01, section I, I, 5);~~
  - ~~E. Staying with the prisoner until booking or until custody is properly relinquished to another officer, law enforcement agency or medical facility to guard against the possibility of injury, escape, rescue or lynching;~~
  - ~~F. Giving first aid for any apparent injury if the circumstances permit, or as required by Department policy (e.g., flushing the face of a person exposed to liquid chemical agents, DGO 5.01, section I, I.,3);~~
- A. Ill/Injured – Persons in custody who claim to be ill or injured and request medical attention should be medically assessed or evaluated prior to transport to a holding facility. In these circumstances, members may elect to transport the person in custody to a medical facility.**
1. Members shall not transport persons who appear to be experiencing any of the following conditions, except in extenuating circumstances where alternatives are

not reasonably available:

- a. Where the person is not at a functional level of consciousness.
- b. The person is having difficulty breathing.
- c. The person appears seriously ill or seriously injured.
- d. Any other medical condition that requires immediate medical attention.

In any of the above situations, when practical and safe to do so, emergency medical services (EMS) personnel shall be called to the scene. The member may resume transport if EMS personnel medically release a person in custody who, based on their criteria, does not require medical evaluation.

## **B. Medical Aid and Use of Force**

~~G. Obtaining, without unnecessary delay, the levels of medical attention required by the circumstances indicated below:~~

1. Medical Assessment: ~~(i.e., examination of the prisoner by paramedics) shall be done if:~~ **After a reportable use of force incident and prior to transport, persons in custody shall be medically assessed by EMS per DGO 5.01, Use of Force Policy and Proper Control of Person.**
  - ~~a. The prisoner has been sprayed with OC or Mace (DGO 5.01, Section III, B);~~
  - ~~b. The prisoner bears any other visible injury or complains of an injury.~~
2. Medical Evaluation: ~~(examination of the prisoner by a physician at a medical facility) shall be done if:~~ **Persons in custody shall be medically evaluated under any of the following conditions:**
  - a. **The person prisoner has been subjected to carotid restraint was seriously injured due to use of force (DGO 5.01 Section III, F.);**
  - b. The person was struck by a vehicle resulting in serious injury.**
    - ~~b. The prisoner exhibits an altered mental state, loss of consciousness, indications of mental disorder or extreme drug/alcohol intoxication;~~
  - c. **The person prisoner exhibits undergoes a noticeable change in level of activity, demeanor in the level of or consciousness or and becomes unresponsive responsiveness, or has difficulty breathing; to members.**
  - d. **Any other situation where a member or supervisor determined medical evaluation is necessary** ~~The prisoner has been subjected to Extended Range Impact Weapon (ERIW).~~

### ~~3. BOOKING AND DETENTION as dictated by the booking and detention medical screening~~

~~Members shall resolve any doubts about the level of medical attention needed by a prisoner in favor of obtaining a medical evaluation. If medical assessment indicates that a medical evaluation is necessary, the prisoner shall be transported to a medical facility either by ambulance or by police vehicle.~~

**C.** In all cases where EMS personnel are called to transport a person in custody from an arrest, a member shall ride with paramedics during the transport to a medical facility.

### **5.18.07 SEATBELTS FOR PERSONS IN CUSTODY**

- A.** Members are *responsible for the safe transportation of persons in their custody* and must ensure they are wearing a seatbelt.
- B.** When transporting a person in custody whose *size or build, coupled with the configuration of a* sedan or SUV, does not allow for the proper use of a seatbelt, members shall use a marked department patrol wagon for transportation. Refer to DGO 9.04 *Seat Belt Policy* for guidance and exemptions.

### **5.18.08 VULNERABLE POPULATIONS**

- A.** Members are responsible for the safety and care of people in their custody which may include vulnerable populations such as juveniles, pregnant or elderly persons, and people with mental or physical disabilities.
  - 1. **Juveniles** – Juvenile custodies shall be transported in compliance with *DGO 7.01, Policies and Procedures for Juveniles Detention, Arrest, And Custody*
  - 2. **Pregnant Persons** - Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for members' safety. In no event shall these people be restrained by handcuffs behind the body. No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, members, or others (Ca. Pen. Code, § 3407).
  - 3. **Elderly** – Elderly persons in custody who appear to be unable to resist victimization by others shall be transported individually and separately from other persons in custody.
  - 4. **Mental Health Disorder** – Members shall transport persons with mental health disorders as described in DGO 6.14, *Psychological Evaluation of*

*Adults.*

5. **Physical Disability** – Members should consult with their supervisor to ensure persons in custody with physical disabilities are transported in the most safe and effective manner.

a. **Mobility Device:** In all cases, members shall transport a person who uses a mobility device with their mobility device.

**i. Member Transportation-** Members shall transport the person in a patrol vehicle if the person using a mobility device is able to transfer themselves to the rear seat of a patrol car, and if the mobility device fits into the vehicle trunk or can be folded or collapsed to fit into the trunk without being disassembled. Members shall place the mobility device in the vehicle trunk (although if a person is wearing leg braces, the person may continue to wear them).

Members are reminded that they must remove restraint devices from a person using certain mobility devices (e.g., wheelchair) to transfer them to the rear seat of a patrol vehicle.

**ii. Transdev Transportation-** Members shall contact Transdev (or current paratransit transportation vendor) for an accessible van to transport the person in custody under the following circumstances:

- a. The person is unable to transfer themselves from the mobility device to the rear seat of the police vehicle.
- b. The person cannot be transported in a police vehicle unless the mobility device is disassembled.
- c. The person possesses a motorized mobility device, one with life support or other computerized controls.
- d. The person requests to be transported while remaining in their mobility device.
- e. A member shall accompany the arrested person in the van to its destination. Officer safety shall not be compromised at any time.

## **5.18.09 PROPERTY**

**A. Mixed Loads** – Persons in custody shall not be kept or transported in the same compartment that contains property or equipment.

**B. Personal Property** – Once the personal property of a person in custody has been given to a transporting member, the transporting member shall take reasonable precautions to safeguard the individual's property until relieved by another member or until the property is inventoried.

#### IV. 5.18.10 TRANSPORTATION OF PRISONERS PERSONS IN CUSTODY

~~Officers are responsible for the safe transportation of prisoners in their custody. Unless unusual circumstances exist, the following rules apply:~~

A. Members who take a person into custody for a crime should share the circumstances of the arrest with the transporting member.

B. BWC- Members are reminded to adhere to DGO 10.11 *Body Worn Cameras* when transporting any person in custody.

#### C. Vehicles & Seat Position of Persons in Custody

~~A. MEANS OF TRANSPORTATION. The following vehicles are authorized for transporting prisoners:~~

~~1. Patrol wagon. The preferred means of transporting prisoners is by patrol wagon since those vehicles are designed for this purpose.~~

~~2. 1. Screened police vehicles including the patrol wagon are the preferred methods of transporting persons in custody. Screened police cars, vans, station wagons are the next best method, since they are modified to safely isolate the prisoner(s);~~

~~a. Absent clear circumstances requiring otherwise, screened police vehicles equipped with special restraint seats are the only vehicles that may be used to transport prisoners who have been sprayed with Mace or OC before medical assessment or evaluation.~~

~~3. 2. Unscreened police vehicles. An unscreened police vehicle, whether marked or not, may be utilized used to transport a single person in custody prisoner but only if all the following apply:~~

~~a. Two officers members are physically in the vehicle during transportation; and~~

~~b. The person in custody prisoner is properly handcuffed and secured with the vehicle's seat belts in the rear passenger-side rear seat and,~~

~~c. The second member officer is shall be seated behind the vehicle operator, and next to the person in custody prisoner.~~

~~d. With supervisory approval~~

~~4. 3. Other vehicles. In extenuating and exigent emergency situations [unusual circumstances], a supervisor may approve other means of prisoner transport (e.g., bus at mass arrest, private vehicles, solo member in unscreened vehicle in an emergency). The~~



~~fact of supervisory approval and a clear statement of the facts that made the alternate transportation necessary.~~ Any such circumstances shall be set forth documented in the incident report for the arrest.

~~B.~~ **D. Prompt Transportation.** Persons under arrest Prisoners shall ~~shall~~ should be transported from the place of their arrest to the booking location as soon as practical and booked as soon as possible. Persons in custody shall not be held in vehicles for extended periods of time.

~~1. Transporting Arrested Persons.~~ A person under arrest and being transported in a Department vehicle must be secured by a safety belt where provided by the vehicle manufacturer. Officers are exempt from this policy when:

~~a. The rear seat belts have been removed.~~

~~b. The prisoner is resisting or combative and the officer's safety would be jeopardized by attempting to secure a safety belt around the prisoner. If available, a wagon should be used to transport such prisoners.~~

~~c. The prisoner's size or build, coupled with the vehicle configuration, create a hardship to accomplish the securing of the safety belt around the prisoner.~~

**E. Safety Precautions** – Members should always keep people in custody, who are under their control in constant view to observe any change in demeanor, behavior, or consciousness.

#### 1. Two-Member Transport

a. Transporting a person in custody outside of San Francisco (e.g., the pick-up of a person with an out of county warrant) requires a two-member transport unless otherwise approved by the Platoon Commander of the member's assignment.

b. A person who has been taken into custody due to any of the following conditions should be separated from other persons in custody and transported by two-member transport, if practical:

i. The person has physically assaulted members at the time of arrest.

ii. The person is in custody due to an alleged crime including or relating to a shooting incident, homicide, rape, robbery, or mayhem.

iii. The person has been retaken into custody after previously escaping custody.

2. Hot Weather – When a person in custody is placed in a police vehicle during hot weather, either the front windows shall be rolled down, or the air conditioning should be left on for ventilation.

3. Contagious Disease – Persons in custody who have reported or are suspected of suffering from a contagious disease or parasitic infection (e.g., body lice, external parasites, etc.) shall be transported separately from others. If under exigent

circumstances, any of the above requirements are not met, members shall notify a supervisor when safe to do so and shall document the circumstances in an incident report.

#### 4. Positional Asphyxia

- a. Members shall not transport a person in custody in a manner that could cause positional asphyxia.
- b. If transporting members become aware that a person in custody has positioned themselves in a manner that may involve positional asphyxia, the members must take reasonable attempts to verbally and/ or physically re-position the person to a safe position for transportation. Members shall monitor the person for any change in activity, demeanor, or consciousness.

~~C. POSITION OF PRISONERS DURING TRANSPORTATION. Prisoners shall be transported in an upright, sitting position and secured by approved restraints, unless the demeanor and physical characteristics of the prisoner, the exigencies of the arrest situation or the transportation equipment available require otherwise. Transportation of prisoners in a manner that would tend to compress the person's chest or upper body shall be avoided if possible.~~

~~D. SPECIAL CATEGORIES. The following categories of prisoners shall be given special attention and handling according to their needs, except when to do so would compromise safety or the accomplishment of the police mission:~~

- ~~1. Juvenile prisoners shall not be transported in the same compartment of a police vehicle with adult prisoners. ( DGO 7.01, section I, H, 2);~~
- ~~2. Female prisoners shall not be transported in the same compartment of a police vehicle with male prisoners.( DGO 2.01,rule 36);~~
- ~~3. Contagious prisoners who have reported that they suffer from a contagious disease or whom the arresting/transporting officers know to be suffering from a contagious disease or parasitic infestation (e.g., body lice , external parasites) shall be transported separately from other prisoners. Refer to DM 12 for special booking procedures for this category of prisoners.~~
- ~~4. Mentally disabled prisoners who are in custody for evaluation under WIC §5150 or who, although under arrest for a crime, are unable to resist victimization by other prisoners, shall be transported individually and separately from other prisoners.~~
- ~~5. Prisoners who have attempted or expressed a desire to commit suicide during the current incident or since being taken into custody shall be transported separately and shall be kept under continuous observation until accepted for booking or medical evaluation.~~
- ~~6. Prisoners or escapees who have violently resisted arrest, been arrested for a crime of great violence to another, or who have escaped and been retaken shall be transported~~

~~separately and by the most secure means available. Patrol wagon is considered the most secure vehicle.~~

- ~~7. Disabled Prisoners: Mobility impaired prisoners must be transported in the appropriate vehicle. A prisoner using a wheelchair, who cannot transfer on their own, should be transported in a wheelchair lift equipped vehicle.~~
- ~~8. Transgender prisoners or prisoners whose gender is undetermined, are to be transported according to the provisions regarding transporting female detainees. (DGO 2.01, Rule 36)~~

**D. Calls for service** – Members will not respond to routine calls for service during any custody transport except in exigent circumstances.

**E. Pursuit** – Members shall not engage or participate in any pursuit while transporting a person in custody.

**F. Code 3** – Members shall not respond Code 3 to any location while transporting a person in custody except:

1. In exigent circumstances; or
2. When authorization has been directly given to the transporting unit by supervisor.

~~E. TRANSPORTING PROPERTY AND/OR EQUIPMENT. Officers shall not transport any prisoner in a compartment of a vehicle containing property or equipment, or place property or equipment in a compartment of a vehicle occupied by prisoners.~~

### **5.18.11 PRISONER SECURITY**

**A. Preventing Escape**- Members must be vigilant and maintain constant awareness of the person in custody. Members *shall take reasonable steps to minimize the possibility of escape* by a person in custody under their control. Considerations include:

1. *Properly handcuffing or otherwise restraining* a person in custody.
2. *Maintain physical control of the person in custody through appropriate holds, body positioning (E.g., using the triangulation technique with another member, when practical), or by confining a person in custody in a properly equipped police vehicle.*
3. *Not leaving a person in custody alone and unattended.*
4. Ensure proper searches are conducted.

5. Remain mindful of surroundings while in an unsafe or unsecured environment (E.g., officers outnumbered by unruly crowd, person in custody's associates/family members, possible weapons, escape routes, etc.).

**B. Hospital Custodies and Escorts** - While with a person in custody at Zuckerberg San Francisco General Hospital and Trauma Center (ZSFGH) or another hospital, members are required to maintain member and public safety, preserve evidence, monitor the person's health and welfare while preventing escape attempts.

1. It is preferred to have one member for each person in custody while at a medical facility.
2. In some circumstances, medical staff may request members remove the handcuffs from a person in custody. Members should use discretion and reasonable considerations when determining to unhandcuff, while not in a secured police facility.
3. In situations when a person in custody is using a non-secured restroom facility, the following conditions should be applied:
  - a. If an opposite gender, nonbinary, or transgender individual who makes reasonable request that a preferred gendered member escort them to the restroom, members should accept the request if a member of the same or preferred gender is available.
  - b. Members should visibly inspect the restroom and secure it from any potential safety or security hazards.
  - c. Members should prevent the person in custody from locking any door which would keep the member from immediately accessing them, if necessary.
4. In circumstances when a person in custody has been arrested for a crime and is taken to ZSFGH Psychiatric Emergency Services (PES), see DGO 6.14, *Psychological Evaluations of Adults*.

**v. 5.18.12 AIRPORT BUREAU.**

Airport Bureau members and other members of the ~~SFPD an Francisco Police Department~~ providing services at the Airport will adhere to Airport Bureau policies. The general provisions of this order apply to all Airport Bureau members. References to specific facilities (i.e.; ZSFGH) shall be governed by the protocols of its San Mateo County counterpart (i.e., ~~San Mateo County General Hospital~~). ~~Members assigned to the Airport Bureau shall follow San Mateo County procedures for transporting persons who use mobility devices.~~

**References**

DGO 5.01, *Use of Force Policy and Proper Control of Person*

DGO 5.22, *Interacting with Transgender, Gender-Variant, and Nonbinary Individuals*

DGO 6.02, *Physical Evidence and Scene Preservation*

DGO 6.14, *Psychological Evaluations of Adults*

DGO 7.01, *Policies and Procedures for Juveniles Detention, Arrest, And Custody*

DGO 9.04, *Seat Belt Policy*

DGO 10.11, *Body Worn Cameras*

Arrest and Control Manual

Booking and Detention Manual

FTO Manual

