
DETAINEE HANDLING & ARREST PROCEDURE (POL-P003)
DCSS – Police Department

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1.0 SCOPE:

- 1.1 To establish guidelines for the handling of persons in custody regarding the proper use of handcuffs and other restraining devices, detainee searches and detainee transports.

2.0 RESPONSIBILITY:

- 2.1 Chief of Police

3.0 APPROVAL AUTHORITY:

- 3.1 Deputy Superintendent
- 3.2 Chief of Police

4.0 DEFINITIONS:

- 4.1 Detainee – Person in custody.

5.0 PROCEDURE:

All persons in custody will be handcuffed with their hands behind their backs in a palms outward position unless a medical condition or other reason exists. In these cases, persons in custody may be handcuffed with their hands in front.

All handcuffs shall be double locked per manufacturer recommendation to reduce the risk of injury to the detainee as well as the risk of escape by the detainee.

Handcuffed persons in custody will be secured in the back seat of the patrol unit with the use of a seat belt while in transport.

Handcuffs should not be removed from any person in custody when the detainee poses a threat of violence. If removal of the handcuffs becomes necessary due to human needs of the person in custody, adequate personnel will be on hand to control the person if necessary. In all other cases, the handcuffs will remain in place until such time the detainee will be released at the detention center.

Under no circumstances will violent or threatening persons in custody be unhandcuffed while on school property or within a school facility. The person in custody should be transported to the detention center as soon as possible.

No detainee will be handcuffed to the interior of a vehicle or building, nor will the detainee be placed in a vehicle with self-locking doors without an officer present during the time the detainee is in the vehicle.

5.1 PERSONS TO BE HANDCUFFED

Officers should handcuff the following persons:

- 5.1.1 All persons under custodial arrest, regardless of age or gender, and prior to being searched. Exceptions will exist and the officer will evaluate the need based on the individual's demeanor and/or circumstances.
- 5.1.2 Normally, any person in custody to be transported should be handcuffed however; it may not be practical or reasonable to handcuff all persons such as the young or elderly. Each situation must be evaluated in context of the totality of circumstances.

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5.2 CARRYING OF HANDCUFFS

5.2.1 Uniform personnel will wear their handcuffs as specified in the DCSS Police Policy & Procedures Manual.

5.3 MAINTENANCE

All parts of the handcuffs should be checked periodically to ensure proper working condition to include the following:

- 5.3.1 The single bar must pass freely between the double bar of the same handcuff.
- 5.3.2 The double lock activator pin must activate smoothly when the pin is pushed inward on the locking block.
- 5.3.3 The handcuff teeth must engage with the pawl in the locking block.

5.4 TRAINING

5.4.1 Officers of the department will be instructed in the proper use of the handcuffs utilizing techniques approved by the Federal Bureau of Investigation. The Chief of Police will maintain training records of all officers regarding the use of the handcuffs.

5.5 USE OF OTHER RESTRAINING DEVICES

Other methods of restraining an individual may become necessary if the detainee while handcuffed poses a threat to his safety by his own actions. These other methods may include:

- 5.5.1 Handcuffing through the belt
- 5.5.2 Leg shackles
- 5.5.3 Security cuff belt
- 5.5.4 Flex cuffs

The use of flex cuffs is permitted. Flex cuffs will not be used unless there is a large group of detainees to be cuffed and the use of issued handcuffs is not practical. Care will be taken to ensure that blood flow is not restricted and that radial nerve damage does not occur. When using flex cuffs, two (2) flex cuffs will be looped together per detainee.

5.6 HOG-TYING PROHIBITED

Positional restraint asphyxia is due to the position a body is placed in and reinforced by restraints. This commonly happens when violently resisting subjects, resisting arrest after being handcuffed and secured in a vehicle. The most common form of positional restraint asphyxia is "hog-tying."

Violently resisting subjects will not be hog-tied in order to control them. Hog-tying is defined as handcuffing a subject with his hands behind his back, securing a rope, tether or other similar objects around the ankles and then drawing the feet up tight behind the back and securing the rope, tether or other device to the hands or handcuffs. Finally, the subject is placed face down on his/her chest or stomach. This positional restraint interferes with the subject's ability to breathe and death may occur.

Violent subjects can be secured with a rope, tether or other similar object around the ankles which is also secured to the handcuffs, so long as the subject's feet are not drawn up tight behind him/her and that the person can be transported in a seated, upright position. In preference to

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securing a rope, tether or other similar object to the handcuffs, secure the rope, tether or other similar object to the person's belt or belt loops. Another option is to tie the rope, tether or other similar object to the person's ankles and pull the rope outside the rear door and place it inside the front door. The rope should be knotted to prevent it from being pulled back out the door, and the person's feet are immobilized. No part of the rope, tether or other similar object will be left dangling outside the police vehicle while in transport. This is done to prevent the rope from catching or attaching on something on the roadway and injuring the subject in the vehicle.

As with any detainee, the subject should be monitored constantly to ensure that they remain conscious, and alert. This is easily accomplished by maintaining a conversation with the detainee.

5.7 RESTRAINING DEVICES FOR MENTALLY ILL PERSONS IN CUSTODY

The safety of the detainee and the officer requires due consideration while handling and transporting mentally ill persons in custody. Mentally ill persons in custody may pose a significant threat to themselves and the officer. Mentally ill persons in custody will be handled as follows:

5.7.1 The detainee will be handcuffed or otherwise restrained if he/she is violent, resists arrest or pose a threat to himself or others.

5.7.2 If possible, the detainee will be transported in a police vehicle with a security shield. If the detainee must be transported in a special vehicle; all reasonable attempts will be made to locate a vehicle that will accommodate the disability of the individual.

5.8 HANDLING INJURED, ILL OR DISABLED PERSONS IN CUSTODY

No member of this department shall attempt to book or confine to the detention center any arrested person who has visible signs of serious injury or trauma, an obvious illness or any condition of an emergency nature. Officers will seek appropriate medical assistance from the local emergency medical services (EMTs) and if necessary take the detainee to the hospital for treatment.

The department will assume financial responsibility only for those injuries received by the detainee during the course of lawful arrest. Responsibility for hospital and doctor bills for illness or injuries not caused by lawful arrest will be the responsibility of the detainee. The officer will not sign any document obligating the department to pay hospital costs for injuries not caused by a member of the department.

The detainee has a right to refuse treatment, unless the detainee is a child as defined by Georgia Law. If the detainee refuses treatment, the officer will provide the detention center with a copy of the hospital's or ambulance service's refusal of treatment form.

Physically, mentally and other persons considered non-ambulatory but requiring wheelchairs, crutches, etc may require special accommodations.

5.9 DETAINEE SEARCHES

Detainee searches are conducted to ensure the safety of the officer and other persons when dealing with persons in custody. Guidelines are established delineating acceptable search methods for detainee searches.

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All persons taken into custodial arrest by police officers and/or placed in custody for any other reason will be searched prior to being placed into vehicles for transport. Such searches shall be for:

5.9.1 Weapons

5.9.2 Contraband

5.9.3 Any other articles that may be prohibited by the School System as established by policy or contained in the discipline code in order to protect the safety and welfare of the detainee, the officer and other persons.

5.9.4 Any other items that might be detrimental to the maintenance of order at the detention center of the RYDC or the Dougherty County Jail Facility.

5.10 SEARCHES OF THE OPPOSITE GENDER (SEX)

When conducting searches of the opposite gender, it should be remembered that the primary objective is to eliminate a threat to the officer or the detainee's safety. This can normally be done by a pat-down search and handcuffing the detainee in accordance with this policy. At a later time, the detainee can be removed to a more appropriate location with appropriate personnel conducting a more thorough search.

Searches of persons in custody of the opposite gender should be conducted if an officer of the same gender as the detainee is available to conduct the search. If an officer is not available, limited searches conducted for the purposes previously mentioned are required before transporting any detainee. Care and sound judgment should be exercised to avoid any taint of impropriety on the arresting officer's part. Areas to consider when conducting a search of the opposite gender include, but are not limited to the following:

5.10.1 When there is good reason to believe that the detainee has upon his/her person any item that may cause injury or death to the arresting officer or the detainee, and

5.10.2 When there is reason to believe that stolen property or evidence is hidden about the person of the detainee and there is imminent danger that it may be thrown away or destroyed.

5.11 SEARCHES OF PATROL VEHICLES

Prior to going on duty, and after each detainee transport officers will check their vehicles for any contraband or weapons that may have been overlooked in the detainee search.

5.12 TRANSPORTING PERSONS IN CUSTODY

The transportation of persons in custody for any purpose should be done by vehicles equipped with shields. Vehicles used for transport shall have the electric windows or window cranks and door handles either removed or modified so as not to operate from the rear passenger compartment. Any door release locks shall be operated from the front of the vehicle or from the outside of the vehicle.

While transporting persons in custody in vehicles, officers shall occupy the front seat and place the detainee in a rear seat position where he/she can be observed at all times either through direct sight or the use of the rear-view mirror.

Persons in custody shall be secured by a seat belt or shoulder/lap harness during transport in addition to handcuffs.

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5.13 MONITORING THE DETAINEE IN CUSTODY

All persons in custody will be constantly monitored in order to:

5.13.1 Provide early detection of the onset of illness

5.13.2 Provide early detection of detainee security concerns to include escape attempts, assaults against persons in custody in custody, and damage to or other interference with government property.

5.14 TRANSPORT OF PERSONS IN CUSTODY OF THE OPPOSITE GENDER (SEX)

Female persons in custody should not be transported in the same vehicle with male persons in custody, unless arrested at the same time or for offenses constituting a separate act or complicity in the same offense. When transporting persons in custody of the opposite gender, officers will advise the police department office by radio of the beginning and ending mileage of the trip to the detention center. The beginning and ending mileage shall be logged on the officer's daily activity sheet.

5.15 TRANSPORTATION OF JUVENILES

Juveniles should not be transported in the police vehicle which is occupied at the same time by an adult detainee, except in emergencies or when arrested in the company of an older person for complicity in the same offense or act in which case a police officer shall maintain visual contact at all times on the juvenile.

5.16 RESPONDING TO CALLS OR INCIDENTS WHILE TRANSPORTING A DETAINEE

Officers of this department shall not respond to any calls or incidents while transporting a detainee to the detention center or jail facilities.

5.17 TRANSPORTING PERSONS IN CUSTODY TO COURT

Officers of this department will not normally transport persons in custody to court since this is the duty of the Dougherty County Sheriff's Department. There may be occasion when the Juvenile Court Judge will order the juvenile taken into custody to be immediately brought before the court. Should this occur, the beginning and ending mileage of the vehicle will be provided as mentioned above for the trip to the Court.

5.18 ARRIVAL AT THE DETENTION CENTER

Upon arrival at the detention center, officers shall follow all safety rules and instructions of the Dougherty County Sheriff's Department or the Regional Youth Detention Center. These safety rules and/or instructions may be in written format or given verbally by a Sheriff's Deputy or Detention Officer.

6.0 ASSOCIATED DOCUMENTS:

6.1 DCSS Police Policy & Procedures Manual

6.2 Incident Report

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7.0 RECORD RETENTION TABLE:

Identification	Storage	Retention	Protection	Disposition
Incident Report	Hard copy in the DCSS Police Department	Indefinitely	Maintained in a secure location	N/A

8.0 REVISION HISTORY:

Date:	Rev.	Description of Revision:
09-May-07	A	Initial Release

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