



## **2-82 RESTRAINTS AND TRANSPORTATION OF INDIVIDUALS**

### **Related SOP(s):**

- 2-18 Contact with deaf, hard of hearing or speech impaired persons
- 2-19 Response to behavioral health issues
- 2-64 Identification, interviewing, and detention of witnesses to crime
- 2-80 Arrests, arrest warrants and booking procedures

### **2-82-1 Purpose**

The purpose of this policy is to provide standards and guidelines for Department personnel who are transporting individuals and/or applying restraints.

### **2-82-2 Policy**

It is the policy of the Department to ensure the safety, protection and security of all individuals and Department personnel during transportation and when restraints are applied. Officers are responsible for using the appropriate restraint device. A restraint device will be used during a transport unless the situation meets an exception found in this policy. Officers are responsible for the safe transportation of all individuals.

### **2-82-3 Definition**

#### **A. Restraints**

1. Department approved restraints include:
  - a. Hinged double locking handcuffs;
  - b. Double Locking leg Shackles;
  - c. The Passive Restraint System (P.R.S.);
  - d. Flex cuffs;
  - e. Spit Socks; and
  - f. Padded headgear.

#### **B. Transport**

Any movement of an individual in a vehicle from one geographical location to another.

#### **C. Assistive Devices**

Any device that is designed, made, or adapted to assist a person perform a particular task. For examples, canes, crutches, walkers, wheel chairs, and prosthetics are all assistive devices.



## 2-82-4 Rules and Procedures

### A. Restraints

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#### 1. Handcuffing

- a. Individuals will be handcuffed behind their back. Exceptions to handcuffing behind the back include:
  - i. Exceptions may be made for the elderly, invalids, ill, injured, or other individuals with physical disabilities, which make the use of handcuffs impractical.
  - ii. In determining when exceptions apply, officers must very carefully evaluate the circumstances.
  - iii. The nature of an individual's illness, injury, or physical disability, or circumstances must out-weigh the threat the individual poses to themselves or the officer.
  - iv. Exceptions will be documented in a report.
- b. Handcuffs and leg shackles will be properly spaced and double locked when in use.
- c. Flex cuffs are an alternative for handcuffs.

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#### 2. Use of Passive Restraint System (PRS)

- a. Officers will use the PRS only when necessary to:
  - i. Prevent imminent bodily harm to officer or another person(s); or to overcome active resistance
- b. The PRS will only be used for as long as is necessary, and will be removed as soon as practical.
- c. Officers will check the PRS prior to use to ensure the straps are in good condition and the tensioning device is working properly.
- d. A minimum of two officers will be used when the PRS is applied.
- e. Officers will constantly monitor the individual when the PRS is applied ensuring the individual's physical health is not in danger.
  - i. The individual will be moved onto their side or knees to ensure they have a clear unobstructed airway.
  - ii. Officers must guard against leaving the individual in the chest down position as this could cause positional asphyxia.
  - iii. If there are signs of a medical issue, officers shall request Albuquerque Fire Rescue (AFR) immediately.
- f. Officers will promptly notify a supervisor when the PRS has been applied.



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3. Use of Protective Padded Headgear

- a. Officers encountering individuals attempting or using their head to strike an object or others that could result in injury shall use the Department issued padded headgear.
- b. More than one officer may be needed in applying and removing the headgear due to the individual's movement.
- c. The headgear may be removed when the officer deems the individual is no longer a threat to themselves or others or is no longer at risk of injury to their head.
- d. Department personnel will ensure proper application of padded headgear.

4. Use of Spit Socks

- a. Officers encountering an individual who is spitting or attempting to spit on others may use a spit sock as follows:
  - i. Place the spit sock over the head of the individual to prevent the transfer of saliva or other bodily fluids.
  - ii. The spit sock cannot be reused and must be disposed of after its use.

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5. Officers who are involved in the use or application of any restraint device will document their use and involvement in a report.

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B. Transporting of Individuals

1. Personnel authorized to transport individuals:

- a. Sworn personnel;
- b. Prisoner Transport personnel; and
- c. Police Service Aid (PSA) (only for individuals not in department restraints or subject to arrest)

2. Department personnel will ensure no contraband, weapons, or other items are present in the back seat of their unit prior to, during and after transporting individuals.

3. Seatbelts and/or child restraints will be used unless determined unreasonable.

4. Prior to transport, department personnel will notify the dispatcher by radio transmission or Mobile Data Terminal (MDT) of their destination, starting mileage, and upon arrival at their destination notify dispatch of their ending mileage.



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PROCEDURAL ORDERS

SOP 2-82

OPA Draft

5. The following additionally applies when transporting individuals under arrest:
  - a. Officers will remove all property from the individual's clothing keeping all property separate during the transport. Property will be handled according to SOP-Submission of Evidence, Confiscated Property.
  - b. If an individual removes their seatbelt or it is not used, the circumstances shall be documented in a report.
  - c. Officers should minimize the time restrained individuals are at a scene and transport as soon as practicable, ensuring the most direct route is taken to their destination.
6. Officers will only deviate from their destination while transporting an individual if a life-threatening situation arises.
7. Individuals requesting transport not subject to arrest or in protective custody will be handled as follows:
  - a. Department personnel will ask the individual for permission to check for weapons. Weapons found will be kept separate during transport and returned back after transport.
  - b. If the individual declines the safety precaution, no transport will occur.
  - c. PSA's will call an Officer to assist with the check for weapons, if there are no available officers the PSA can assist by making a request to dispatch for a private transportation service or another means of transportation.
8. Transporting of violent Individuals
  - a. A minimum of two officers will transport a violent individual.
  - b. Officers may ride together as a two officer unit. The assisting officer's vehicle will be secured in accordance with SOP – Use of Police Vehicles.
  - c. If an individual is incoherent, officers will request AFR and have them medically evaluated prior to transportation.
  - d. Officers may request assistance from the prisoner transport unit (PTU) for violent individuals. This request should only be made in extreme circumstances where the individual presents a likelihood of causing severe damage to a police unit, severe injury to themselves or others and all other restraint method efforts have failed. The officer responsible for the individual will remain with the individual until they are processed into the appropriate facility.
  - e. Violent individuals must be transported in police units that have a security plexi-glass screen installed.

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9. Transporting an Individual in a PRS:

- a. The individual will be placed in a patrol car in an upright seated position and seat-belted in.
- b. Two officers will ride in the same unit when transporting an individual in a PRS. The secondary officer's duties are to ensure that the individual remains seated, upright, and maintains an open and clear airway for breathing.
- c. Officers will determine if the individual's behavior warrants the use of protective padded headgear.
- d. Any injuries received by the individual restrained by the PRS will be reported in accordance with SOP – Use of Force: Reporting by Department Personnel.

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10. Transporting Individuals with Physical Disabilities:

- a. Officers will make all reasonable efforts to accommodate the needs of individuals with physical disabilities to include assistive devices.
- b. Officers shall not handcuff an individual to a wheel chair.
- c. If the individual is in a collapsible wheel chair and is able to get into the police vehicle with minimal assistance, the officer may transport the individual(s) with the wheel chair.
- d. If the individual is immobile without the assistance of the wheelchair, the arresting officer will contact MDC to ensure the booking process can be completed.
- e. If determined the individual cannot be transported and/or booked for one of the approved arrests, the individual will be released and the case will be forwarded to the 2nd DA's office. An explanation as to why the arrest could not be made shall be documented.
- f. Individuals confined to a wheel chair or who use a walker will be transported directly to the appropriate facility, the use of the PTC or emergency medical transport services is not an option.
- g. Officers will call the on call evidence technician to retrieve the motorized or manual wheelchair that does not fit in the officers unit.

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11. Placement of Individual(s) in Police Vehicles

- a. In an unmarked unit without a security plexi-glass screen:
  - i. Two officers will ride in the unit (driver/passenger)
  - ii. The individual(s) will be placed in the right front seat and the second officer will ride in the right rear seat.



- iii. Transportation in a unit without plexi-glass is highly discouraged and should be considered only if there is exigent circumstances that necessitate a transport in an unmarked unit without plexi-glass.
  - iv. Department personnel with unmarked units without plexi-glass will follow Departments SOP-Use of Police Vehicles, and unit specific training/manuals as additional guidelines
- b. In police vehicles equipped with a security plexi-glass screen and removed rear door handles:
- i. When one officer transports one individual they will be placed in the right rear seat.
  - ii. When two officers transport one individual the individual will be placed in the left rear seat. The passenger officer is responsible for watching the individual.
  - iii. No more than two individual(s) will be transported in the back seat.

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**C. Escape of Individuals during Transport**

- 1. In the event of an escape of an individual prior to or during transportation, the transporting officer will:
  - i. Immediately notify emergency communications center with the individuals description and direction of travel;
  - ii. Request additional units to assist in locating the individual
  - iii. Ensure on duty supervisor is notified
  - iv. Document the escape in a report.

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**D. Securing of Firearms/Handcuffing in the Booking Area**

- 1. Officers will comply with regulations set forth by the Metropolitan Detention Center (MDC) regarding securing of firearms.
- 2. Violent or unruly individual(s) will remain handcuffed until MDC takes custody of the individual(s).