



2-82 RESTRAINTS AND TRANSPORTATION OF INDIVIDUALS

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

2-5 Use of Police Vehicles

2-56 Use of Force: Reporting by Department Personnel

2-80 Arrests, Arrest Warrants, and Booking Procedures

~~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 Crimes or Major Events~~

2-71 Search and Seizure without a Warrant

2-73 Submission of Evidence, Confiscated Property, and Found Items

~~2-80 Arrests, Arrest Warrants, and Booking Procedures~~

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-82-1 Purpose

The purpose of this policy is to provide rule and procedures for Albuquerque Police Department (Department) personnel who are transporting individuals and/or applying restraints and/or protective devices.

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 and/or protective devices are applied. Sworn personnel are responsible for using the appropriate device. ~~A restraint will be used during a transport unless the situation meets an exception found in this policy.~~ Sworn p Personnel are responsible for the safe transportation of all individuals.

2-82-3 Definitions

A. Assistive Devices



Any device designed, made, or adapted to assist ~~an person~~ individual with a disability to perform particular task. Examples include: canes, crutches, walkers, wheel-chairs, and prosthetics.

B. Restraints and Protective Devices

Department-~~approved~~ restraints and protective devices, including:

1. Hinged, double-~~locking~~ handcuffs;
2. Double-~~locking~~ leg shackles;
3. Passive Restraint System (PRS);
4. Flex cuffs;
5. Spit socks; and
6. Padded headgear.

C. Transport

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

7 2-82-4 Procedures

A. Department personnel shall use -a restraint will be used during a transport unless the situation meets an exception found in this policy Standard Operating Procedure (SOP).

~~A.~~ B. Restraints and Protective Devices

1. Handcuffing

- a. Sworn personnel shall handcuff ~~Detained individuals shall be handcuffed~~ behind their back. Exceptions to handcuffing behind the back include:
 - i. ~~The e~~ Elderly, invalids, ill, injured, or other individuals with physical disabilities, which make the use of handcuffs impractical. Sworn personnel may handcuff individuals in front of their bodies when the nature of an individual's illness, injury, physical disability, or circumstance outweighs the threat the individual poses to themselves or sworn personnel.
 - ii. Exceptions shall be documented in a Uniform Incident Report.
 - iii. ~~In determining when exceptions apply, sworn personnel must very carefully evaluate the circumstances. Juveniles who are not subject to arrest and are otherwise not a risk of harm to themselves or others; and~~



~~iii. In determining when exceptions apply, sworn personnel must very carefully evaluate the circumstances. The nature of an individual's illness, injury, physical disability, or circumstances must outweigh the threat the individual poses to themselves or the sworn personnel.~~

b. Handcuffs and leg shackles shall be properly spaced and double-locked when in use.

c. Flex cuffs are an alternative for handcuffs.

~~e.~~

~~d.a. Exceptions shall be documented in a report.~~

2. Use of Passive Restraint System (PRS)

4

a. Sworn personnel shall use the PRS only on combative individuals.

b. The PRS shall only be used for as long as is necessary, and shall be removed as soon as practicable.

c. Sworn personnel shall check the PRS prior to use to ensure the straps are in good condition and the tensioning device is working properly.

6

d. A minimum of two (2) sworn personnel shall ~~be used~~ transport the individual when the PRS ~~is used~~ is applied.

e. Sworn personnel shall constantly monitor the individual when the PRS is ~~applied~~ used ensuring the individual's physical health is not in danger.

~~i. The individual shall be moved onto their side or knees to ensure they have a clear unobstructed airway.~~

~~ii. Sworn personnel shall move an individual in a PRS onto their side or knees must to guard against leaving the individual in the chest down position as this could cause positional asphyxiation.~~

~~iii. If there are signs of a medical issue, sworn personnel shall request Albuquerque Fire Rescue (AFR) immediately.~~

6

f. Sworn personnel shall promptly notify a supervisor when the PRS ~~is has been applied~~ used.

7

3. Use of Protective Padded Headgear

a. ~~Sworn~~ Department personnel 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~~ determines 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 shall ensure proper application of padded headgear.

7

4. Use of Spit Socks

~~a. Sworn~~ Department personnel encountering an individual who is spitting or attempting to spit on others may use a spit sock ~~by as follows:~~



- ~~b.~~a. Placing the spit sock over the head of the individual to prevent the transfer of saliva or other bodily fluids; ~~and~~
 - i. The spit sock cannot be reused and must be disposed of after it has been ~~s~~ used.

5. Sworn personnel who are involved in the use or application of any restraint and/or protective device shall document their use, the reason for their use, and their involvement in their Uniform Incident Report or a supplemental narrative report ~~report~~.

N/A

6. Sworn personnel should not use restraint devices in which they are not trained.

N/A

~~5.~~7. Sworn personnel should only use restraints for their intended purpose and should be consistent with their training.

~~B.~~C. Transporting of Individuals

1. The following Department personnel shall be authorized to transport individuals:

- a. Sworn personnel;
- b. Prisoner Transport Unit (PTU) personnel; and
- c. Police Service Aides (PSA) ~~(only for individuals who are not in Department restraints or subject to arrest).~~

2. Department personnel shall:

- ~~a.~~ Ensure no contraband, weapons, or other items are present in the back seat of their unit prior to, during, and after transporting individuals;
- ~~d.~~ Use;
- ~~e.~~
- ~~f.~~~~b.~~ Seatbelts and/or child restraints, shall be used unless the officer determines it is unreasonable, and
- ~~g.~~
- ~~c.~~ Prior to transport, Department personnel shall notify an Emergency Communications Center (ECC) the Dispatcher by radio transmission or Mobile Data Dispatch Terminal (MDT) of their destination, starting mileage, and upon arrival at their destination, notify the ECC Dispatcher of their ending mileage.

3. Sworn personnel shall:

~~2.~~

~~3.~~ The following additionally applies when transporting individuals under arrest:

- ~~a.~~ Sworn personnel shall Remove all property from the individual's clothing, keeping all property separate during the transport. Property shall be handled consistent with SOP Submission of Evidence, Confiscated Property;



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-82

P&P Draft 09/22/2021

- b. If an individual removes their seatbelt or it is not used, document the circumstances ~~shall be documented~~ in a Uniform Incident Report;
- c. ~~Sworn personnel shall~~ Minimize the time restrained individuals are at a scene and transport them as soon as practicable, ensuring the most direct route is taken to their destination; ~~and~~
- d. ~~Sworn personnel shall~~ Transport individuals who are combative and/or in a PRS directly to the Metropolitan Detention Center (MDC);
- ~~d. When =~~
- ~~e. =~~
- e. transporting an individual to a medical facility for treatment, take the safest and most direct route to the medical facility;
- f. ~~Sworn personnel shall~~ Only deviate from their destination while transporting an individual if a life-threatening situation arises or under any other reasonable articulable circumstance; ~~=~~
- ~~f. =~~
- ~~g. =~~
- g. If an individual is incoherent, officers shall request AFR and have them medically evaluated prior to transportation.

7

4. Individuals requesting a voluntary transport ~~that are not subject to arrest or in protective custody~~ shall be handled as follows:

N/A

- a. Department personnel shall ~~will~~ ask the individual for permission to conduct a Terry Frisk ~~check~~ for weapons and conduct the Terry Frisk (refer to SOP Search and Seizure without a Warrant for sanction classifications and additional duties). Weapons found shall be kept separate during transport and returned back after transport; ~~=~~
- b. If the individual declines the safety precaution of checking for weapons, no transport shall occur; ~~and~~
- c. PSA's shall call sworn personnel to assist with the check for weapons; ~~=~~ if there are no available sworn personnel, the PSA can assist by making a request to an ECC Dispatcher for a private transportation service or another means of transportation; ~~and~~
- d. Sworn personnel shall have the discretion to not handcuff individuals who are voluntarily transported when they present no risk of harm to themselves and others. In determining when exceptions apply, sworn personnel must very carefully evaluate the circumstances. Examples of situations in which handcuffs are discretionary include:
 - i. Juveniles who are not subject to arrest and are otherwise not a risk of harm to themselves or others.

5. Individuals who must be transported for an involuntary transport for a mental health evaluation but are not under arrest for criminal charges shall be handled as follows:

N/A

- a. Department personnel shall check the individual for weapons and conduct the search, consistent with SOP Search and Seizure without a Warrant (refer to



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-82

P&P Draft 09/22/2021

- SOP Search and Seizure without a Warrant for sanction classifications and additional duties). Weapons found shall be kept separate during transport; and
- b. Sworn personnel shall have the discretion to not handcuff individuals when they present no risk of harm to themselves and others. In determining when exceptions apply, sworn personnel must very carefully evaluate the circumstances. Examples of situations in which handcuffs are discretionary include:
- i. Juveniles who are not subject to arrest and are otherwise not a risk of harm to themselves or others.

~~5-6.~~ Transporting of Combative or Unruly Individuals

- a. A minimum of two (2) sworn personnel shall transport a combative or unruly individual.
- b. ~~Sworn personnel may ride together as a two (2) officer unit. The assisting officer's vehicle shall be secured, consistent with SOP —Use of Police Vehicles.~~
- c. Sworn personnel may request assistance from the Prisoner Transport Unit (PTU) for combative or unruly individuals. This request should only be made in extreme circumstances where the individual presents a likelihood of causing severe damage to a police ~~unit~~ vehicle, severe injury to themselves or others, and all other restraint method efforts have failed. The sworn personnel responsible for the individual shall remain with the individual until they are processed into the appropriate facility.
- d. Combative or unruly individuals shall be transported in police ~~units~~ vehicles that have a security plexiglass screen installed.

~~6-7.~~ Transporting an Individual in a PRS

- a. The individual shall be placed in a ~~patrol car~~ police vehicle in an upright seated position and seat-belted in.
- b. PRS strap must not be closed in the police ~~unit~~ vehicle door.
- c. Two (2) ~~Department~~ sworn personnel shall ride in the same ~~unit~~ police vehicle when transporting an individual in a PRS. The secondary officer's duty is to ensure that the individual remains seated upright and maintains an open clear airway.
- d. ~~Department~~ Sworn personnel shall ~~determine if the individual's behavior warrants the use of~~ protective padded headgear when the individual's behavior requires the headgear for protection.
- e. Any injuries received by the individual restrained by the PRS shall be reported (refer to —consistent with with— SOP —Use of Force: Reporting by Department Personnel for sanction classifications and additional duties).

N/A

7

~~7-8.~~ Transporting Individuals with Physical Disabilities:



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-82

P&P Draft 09/22/2021

- a. ~~Department~~ Sworn personnel shall make all reasonable efforts to accommodate the needs of individuals with physical disabilities, including individuals who use to include assistive devices.
- b. ~~Department~~ Sworn personnel 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's wheelchair cannot be transported, or they do not have a wheelchair, and the individual is immobile without the assistance of the wheelchair, the arresting sworn personnel shall contact the Metropolitan Detention Center (MDC) to ensure the booking process can be completed. If MDC can complete the booking process, sworn personnel shall transport the individual to MDC.
- e. If sworn personnel determined the individual cannot be transported and/or booked for one of the approved arrests, the individual shall be released and sworn personnel the case shall complete a summons (refer to SOP Arrests, Arrests Warrants, and Booking Procedures for sanction classifications and additional duties) be forwarded to the 2nd District Attorney's (DA) office. Sworn personnel shall document the reason. An explanation as to why the arrest was not made in their Uniform Incident Report could not be made shall be documented.
- f. Individuals confined to a wheel-chair or who use a walker shall be transported directly to the appropriate detention facility and not, the use of to the Prisoner Transport Center. ~~or emergency medical transport services is not an option.~~
- g. Sworn personnel shall call the on-call Evidence Unit Technician to retrieve the motorized or manual wheelchair that does not fit in the sworn personnel unit.

N/A

7

~~8-9.~~ Placement of Individual(s) in Police Vehicles

- a. ~~For d~~ Detained individuals in an unmarked unit without a security plexiglass screen:
 - i. Two (2) sworn personnel shall ride in the unit (driver/passenger);
 - ii. The individual(s) shall be placed in the right front seat and the second officer shall ride in the right rear seat;
 - iii. Transportation in a unit without a security plexiglass is highly discouraged and should be considered only if there are exigent circumstances that necessitate a transport in an unmarked unit without a security plexiglass; and
 - iv. Department personnel with unmarked units without a security plexiglass shall ~~be consistent with~~ abide by the procedures outlined in SOP Use of Police Vehicles, and follow unit-specific training and manuals as additional guidelines (refer to SOP Use of Police Vehicles for sanction classifications and additional duties).
- b. In police vehicles equipped with a security plexiglass screen and removed rear door handles:
 - i. When one officer transports one (1) individual, they ~~w~~ shall ~~it~~ be placed in the right rear seat;

N/A



- ii. When two (2) sworn personnel transport one individual, it is recommended the individual ~~shall~~ be placed in the left rear seat. The passenger officer is responsible for watching the individual; and
- iii. No more than two (2) individual(s) shall be transported in the back seat. Individuals under arrest shall only be transported with other individuals under arrest.

6

~~9.10.~~ Escape of Individuals During Transport

- a. In the event of an escape of an individual prior to or during transportation, the transporting officer shall:
 - i. Immediately notify ~~Emergency Communications Center (the ECC)~~ Emergency Communications Center (the ECC) with the individual's description and direction of travel;
 - ii. Request additional sworn personnel ~~units~~ to assist in locating the individual;
 - iii. Notify the ~~Ensure on-duty supervisor is notified;~~ and
 - iv. Document the escape in a Uniform Incident Report.

7

~~C.D.~~ Securing of Firearms/Handcuffing in the Booking Area

- 1. Sworn personnel shall comply with regulations set forth by the ~~MDC detention facility~~ MDC detention facility regarding securing of firearms.
- 2. Combative or unruly individual(s) shall remain handcuffed until ~~MDC detention facility personnel~~ MDC detention facility personnel takes custody of the individual(s).