



Series 300 Support Services	Effective Date <i>TBD</i>	Review Date <i>Three Years</i>	Directive Number 305.4
Chapter 305 – Detention Management and Operations			
Reviewing Office Detroit Detention Center			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
References <i>Michigan Law Enforcement Accreditation Commission 5.1.1, 5.1.2</i>			

TRANSPORTATION OF DETAINEES

305.4 - 1 PURPOSE

To establish procedures for transporting detainees in a manner that will help ensure detainee security, protection of the public, and officer safety.

305.4 - 2 POLICY

Members transporting detainees shall take all necessary precautions to ensure all detainees are secured, monitored, and handled in a manner that protects the safety and security of the detainee, law enforcement, and the public.

305.4 - 3 PROCEDURES

305.4 - 3.1 Vehicle Inspection *(MLEAC 5.1.1 a, b)*

At the beginning and end of each shift, members shall inspect—

1. The officer and detainee compartments of the vehicle for weapons, contraband, property, or any other items that should not remain in the vehicle.
2. The safety screen and partition for damage rendering it unsafe.
3. All windows for cracks or other security hazards.

Vehicles must be searched before and after each transport. Prior to placing a detainee in the vehicle for transport, members shall inspect the vehicle for weapons or contraband. The vehicle shall be searched again after the detainee has been delivered to the Detroit Detention Center (DDC) or other destination (Detroit Receiving Hospital, Wayne County Jail, etc.).

305.4 - 3.2 Searches Prior to Transporting *(MLEAC 5.1.1 c)*

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All detainees shall be thoroughly searched for weapons or contraband prior to transport, regardless of any prior searches that may have been conducted.

305.4 - 3.3 Handcuffs (MLEAC 5.1.1 d)

Unless otherwise stipulated in this directive, all detainees shall be handcuffed prior to transport as follows:

1. Behind their backs;
2. Palms facing out;
3. Keyholes facing up; and
4. Handcuffs double locked to prevent self-tightening.

Officers may handcuff detainees to the front in circumstances where handcuffing behind the back would be dangerous, unsafe, or impractical (e.g., obvious state of pregnancy, disability, that which may aggravate an existing injury, short arm length, or other condition that precludes standard handcuffing procedures, or transportation in a divided prisoner van). Clear expressions of pain and related statements made by the detainee should be taken into serious consideration when determining whether handcuffs are appropriate.

Officers may use discretion in handcuffing the elderly or minor detainees; unruly detainees must be secured, if necessary, through the application of handcuffs. Under no circumstances may a detainee be handcuffed to any part of the vehicle during transport.

305.4 - 3.4 Medical Issues Resulting from the Use of Handcuffs

Detainees that sustain any injury due to being handcuffed (e.g., swelling or breaks in the skin, shoulder injuries) shall receive appropriate medical care.

305.4 - 3.5 Avoiding Positional Asphyxia During Transport

Positional asphyxia occurs when a person is immobilized in a position that impairs adequate breathing and can result in death. Factors that may increase the risk of positional asphyxia include the suspect being positioned: on their stomach, particularly on a hard surface; pressure applied to the suspect's back or chest, such as during struggles where officers use their bodyweight to gain control; drug or alcohol use by the suspect; cocaine-induced delirium; the suspect's physical characteristics (e.g., obesity); and environmental factors, such as extreme high and low temperatures.

To help reduce the risks associated with positional asphyxia, members shall move an individual to a seated position once the subject is under control, monitor the subject for signs of medical distress (e.g., difficulty breathing), and, if feasible, determine whether the

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individual has recently used drugs or alcohol or has any cardiac and respiratory conditions that may increase the risk of injury.

To help prevent positional asphyxia during transport, detainees shall be transported in the upright position whenever possible. If a detainee must be transported in an alternative position, the detainee shall be closely monitored for signs of positional asphyxia. Under no circumstances may a restrained detainee be transported in a prone position. Do not keep subjects face-down longer than necessary to gain control and apply restraints. Avoid knee placement on the torso once handcuffed. Members shall continuously monitor breathing, responsiveness, and skin color. Listen for statements like “I can’t breath” and treat breathing complaints as medical emergencies, not resistance.

305.4 - 3.6 Transporting Detainees (MLEAC 5.1.1 e, 5.1.2)

Detainees must be properly secured and remain under constant observation from the time the arrest decision is made until the detainee is secured in the vehicle. Members shall use care when assisting a detainee into the vehicle for transport to ensure the detainee is safely and properly seated in the vehicle. Seatbelts shall be used to further secure and provide safety for the detainee during transport, unless applying the seatbelt is impractical due to the size of the detainee, resistance by the detainee, or safety concerns.

Members shall make every attempt to maintain continuous visual observation of the detainee to ensure they remain in a safe position while in the vehicle during transport. Under no circumstances may a detainee secured in vehicle be left unattended.

Detainees shall be transported in vehicles that have—

1. A safety barrier that prevents physical contact between the members and the detainee; and
2. The doors and windows of the detainee compartment rendered inoperable from inside the compartment.

A single member shall not transport more than one detainee in a vehicle equipped with a safety barrier. If it becomes necessary to transport a detainee in a vehicle that is not equipped with a safety barrier, at least two officers must perform the transport.

Detainees must be transported in a manner that allows for constant visual observation as follows:

1. If one transporting officer is conveying a detainee in a vehicle equipped with a security screen, the detainee shall be conveyed on the passenger side of the rear seat.

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2. If at least two members are conveying a detainee in a vehicle that is not equipped with a security screen, the detainee shall be placed on the passenger side of the rear seat with the second officer seated on the driver's side of the rear seat.

Members must avoid transporting male detainees with female detainees. Members must also avoid transporting felony detainees with misdemeanor detainees. Under no circumstances may adult detainees be transported with juvenile detainees. Members must also avoid transporting juveniles detained for status offenses with juveniles detained for criminal offenses.

Except as provided for under Directive 203.5, Juvenile and School Incidents, no relatives, attorneys, or other associates of the detainee will be allowed to accompany or communicate with the detainee during transport.

Members shall transport all detainees from the location of the arrest to DDC or other appropriate destination (e.g., DRH). Members must not engage in any law enforcement activities while transporting detainees unless a failure to act would create a significant risk of death or serious bodily injury to another. In non-life-threatening, although serious circumstances, members shall call for assistance and standby until such assistance has arrived.

Members shall immediately report an escaped detainee to the zone dispatcher and shall provide a complete description of the suspect, method and direction of travel, initial crime, propensity for violence (if known), and any other relevant information.

305.4 - 3.7 Sick or Injured Detainees

Members must ensure that detainees who appear sick, injured, or in distress (difficulty breathing, chest pains, seizures, etc.) prior to or during transport receive appropriate medical attention, including first aid, dispatching of EMS, or conveyance to DRH. If this occurs, the transporting member shall immediately notify the zone dispatcher, the officer in charge of the precinct desk (or other appropriate supervisor), and the DDC as soon as possible.

The conveying member must complete the Detainee Medical Care Referral Form (DPD 660) when a detainee is conveyed to the hospital from a scene. If necessary, a supervisor from the command will respond to the hospital to sign any required paperwork to authorize treatment. The transporting member shall remain with the detainee until properly relieved. Members shall coordinate with hospital security to ensure that detainees are appropriately restrained.

Members should refer to Directive 201.11, Use of Force and Detainee Injury Investigations, for other protocols that may apply if a detainee is injured.

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Certain conveyances may require special attention to the safety and dignity of the detainee. Members are strongly encouraged to take additional protective measures when transporting someone who is—

1. Exhibiting erratic or irrational behavior.
2. Physically aggressive or threatening.
3. Physically challenged or in mental distress.

Prior to initiating the transport of a female or juvenile detainee, members shall notify the zone dispatcher of the location from which the detainee is being transported, the destination to which the detainee is being taken, and the vehicle's current mileage. At the conclusion of the transport, the transporting member shall immediately notify dispatch of the ending mileage and that the unit has arrived at the intended destination. Wheelchairs, crutches, or other medical equipment/devices, and medications shall be transported with, but not placed in the possession of, the detainee. Casts, braces, or prosthetic devices (e.g., artificial limbs) should be visually examined for hidden weapons or contraband. In the event a cast, brace, or prosthetic device must be removed for safety or security concerns (e.g., the hook of a prosthetic as a possible weapon), EMS shall be summoned to facilitate the transport.

Members shall notify a supervisor where the detainee has a disability or other issue that prevents transport in marked police vehicle. The supervisor shall be responsible for considering other methods of transportation to address the needs of the detainee (unmarked vehicle, van, EMS, etc.). The supervisor is responsible for ensuring that safety and security measures are in place regardless of the form of transportation selected.

If custody of a detainee is transferred from unit to another, the transferor of the detainee has a duty to inform the unit to which the detainee is being transferred of any issues requiring the unit's attention (medical or mental health concerns, violent tendencies, escape risk, property seized from the detainee, etc.). The unit to which the detainee is transferred is under a separate obligation to ask the unit from which the detainee was received about similar issues. Any such issues must be reported to the DDC supervisor upon intake.

305.4 - 3.9 Release from DDC and Post-Arrest Transportation

The following procedures will be followed when a detainee is to be released from the DDC:

1. An exit Law Enforcement Information Network (LEIN) must be conducted.
2. A supervisor assigned to Building 500 will review the Detainee Intake Sheet, Mugshot Report, and verify the information on the detainee's wristband against all

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items (including DPD #, SID #, and FBI #) prior to sending the detainee to Building 100.

3. Once inside Building 100, the supervisor will complete the same process and verbally verify the detainee's name, date of birth, address, and phone number.
4. The desk supervisor will conduct a final check of the detainee by completing the same task as the prior two supervisors. The desk supervisor shall then inform the detainee of the circumstances of the detainee's release and complete a blotter entry documenting the information.

After a detainee is arraigned, jurisdiction of the detainee transfers to the Wayne County Sheriff's Department. Post-arraignment transportation to preliminary examinations, trials, motions, or other proceedings is to be handled by the Wayne County Sheriff's Department.

305.4 - 3.10 Writs of Habeas Corpus

A writ of habeas corpus is a judicial command ordering the custodian of a detainee or prisoner to produce an individual before a court. Members wishing to obtain a writ of habeas corpus (MC 203) may do so at 36th District Court or online at <http://courts.mi.gov/pages/default.aspx>. The writ shall be completed in its entirety and signed by a judge prior to presentation to any lodging facility.

305.5 - 3.11 Temporary Custody of Detainees in Institutions in the State of Michigan

Members must obtain a writ of habeas corpus to have a detainee lodged in a State of Michigan institution testify at a Third Circuit Court trial. The Wayne County Prosecutors Office will be responsible for the issuance of the writ after an arraignment on the information is conducted.

305.6 - 3.12 Temporary Custody of Detainees from County Jails in Michigan

Members must obtain a writ of habeas corpus to have a detainee lodged in a jail located in Michigan testify at a Third Circuit Court trial. The original copy of the writ must be delivered to the jail.

If lodging is necessary, the member shall transport the detainee to the Wayne County Jail with one copy of the writ prior to the trial date. The writ must indicate the detainee to be in custody of the DPD and the Wayne County Sheriff's for the jail to accept the detainee. The DPD member will be responsible for the return of the detainee to the holding institution once the presence of the detainee is no longer needed.

305.7 - 3.13 Temporary Custody of Detainee in the Federal Correctional Institution, Located in Milan, Michigan

Members seeking temporary custody of a detainee to testify as a witness or for trial in the Third Circuit Court from the federal correctional institution in Milan, Michigan must obtain

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a writ of habeas corpus. The officer in charge of the case or trial prosecutor will be responsible for preparing the writ for the judge's signature. The writ must include a prosecutor's certification (10-point letter). Notification to the institution is required once the process is completed. Members shall be guided by the institution for the time frame necessary to prepare the detainee for transport.

Detainees shall not be returned to Milan until all court proceedings are concluded. The original writ and the prosecutor's certification shall be presented to the institution prior to release of the detainee.

Members seeking temporary custody of a detainee awaiting trial at the institution to testify as a witness or for trial in Third Circuit Court must obtain a writ of habeas corpus using the procedures outlined above. The writ shall be presented to the United States Marshall's Criminal Specialist, who shall seek approval from the United States Attorney. Once approved, the DPD member shall be responsible for transporting the detainee. The Wayne County Sheriff's Department may assist with this.

305.8 - 3.14 Discharge of a Writ of Habeas Corpus

Upon completion of the detainee's testimony, the trial judge or clerk will record "discharge of writ" on the original writ of habeas corpus. The original writ shall be retained for the court file.

Upon completion of the detainee's trial, the trial judge or court clerk will record "discharge of writ" on the original writ of habeas corpus. The original discharged writ shall be returned to the court file. The trial judge will attach a copy of a Commitment and Judgment of Sentence (explaining the disposition of the case) and two copies of the discharged writ to be transported with the detainee.

If the detainee was housed in the Wayne County Jail, one copy of the discharged writ and one copy of the Commitment and Judgment of Sentence, if applicable, shall be provided to the Wayne County Sheriff's Office. If the detainee must be returned to a county jail, other than the Wayne County Jail, one copy of the discharged writ and one copy of the Commitment and Judgment of Sentence, if applicable, shall be delivered with the detainee. A copy of the documents will be retained for the court jacket.

305.9 - 3.15 Return from Institutions Outside of Michigan

Detainees may be returned from state and federal penal institutions outside the state of Michigan under the Agreement of Detainers Act. The Agreement of Detainers Act encourages the expeditious disposition of untried indictments, warrants, and complaints pending against an inmate incarcerated in a penal or correctional institution. This grants the complaining jurisdiction temporary custody of the detainee.

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The procedure for returning an inmate to this jurisdiction for trial under the Agreement of Detainers Act is to file a detainer warrant with the prison authority through the assistant prosecuting attorney in charge of extradition, who will prepare the necessary forms used under the agreement to request temporary custody. The Prosecutor's Office will then forward the request to the prison authorities.

When the prison authority having custody of the detainee has granted approval for temporary custody, members of this department shall present the paperwork to the Wayne County Sheriff. The Wayne County Sheriff will be responsible for arranging the transportation of the detainee.

When seeking the release of a detainee from federal institutions outside of Michigan to testify as a witness in criminal proceedings, a Writ of Habeas Corpus shall be secured from the assistant trial prosecuting attorney or the Wayne County Extradition Unit. Members shall be guided by the institution for the time frame necessary to prepare the detainee for transport.

305.4 - 3.16 Extradition – Detainees Held for Detroit by Outside Authorities

Requests from other agencies pertaining to outstanding DPD traffic warrants shall be referred to the DPD Message Center. Requests to verify non-traffic arrests on a Detroit warrant or capias shall be advised to notify the DPD Message Center via the LEIN.

305.4 – 3.17 Extradition and Intrastate Pickup of Detainee

All extraditions are handled by the Wayne County Prosecutor's Extradition Unit. The unit may be reached at (313) 224-2530.

305.4 – 3.18 Transportation of Fugitives

The officer in charge of a case can make arrangements to personally pick up a fugitive when necessary. An appropriate DPD vehicle must be used to transport the detainee.

Related Policies:

- Directive 203.5 - Juvenile and School Incidents
- Directive 201.11 - Use of Force and Detainee Injury Investigations

Related Forms:

- Detainee Medical Care Referral Form (DPD 660)

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