

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

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| SUBJECT:                       | PAGE <u>1</u> OF <u>6</u>                |
| <b>Offender Transportation</b> | NUMBER: 100-APA-28                       |
| RULE/CODE REFERENCE:           | SUPERSEDES:<br>100-APA-28 dated 12/19/08 |
| RELATED ACA STANDARDS:         | EFFECTIVE DATE:<br>February 7, 2014      |
|                                | APPROVED:<br>                            |

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to describe the expectation and procedures to be followed by staff when transporting offenders under the supervision of the Adult Parole Authority.

**III. APPLICABILITY**

This policy applies to all employees of the Adult Parole Authority and specifically to those who are responsible for transportation of offenders under its supervision.

**IV. DEFINITIONS**

**Ambulatory** – Any offender who is able to walk and is not permanently confined to a wheelchair.

**Field Arrest** – While in the community, the act of taking custody of an offender and transporting the offender to a local holding facility.

**Hold Order** - The order or act of a parole officer, unit supervisor, or other Adult Parole Authority (APA) official that causes an offender under the jurisdiction of the APA to be detained or held in custody for alleged violations. The order or act may be placed into effect by use of an APA Hold Order, an APA Arrest Order, a teletype, fax, or a verbal order.

**In-Custody** - An offender under the supervision of the Adult Parole Authority who is being held in a jail, prison, or similar detention facility.

**Medical Returns** – Any offender in an approved program of release or a county jail who requires immediate, extensive, or costly medical assistance.

**Offenders** – Any individual under the supervision of the Adult Parole Authority.

**Restraints** – An approved device for controlling and limiting offender movements used in transporting violators to detention or correctional facilities. These devices include handcuffs, belly chains, and leg irons.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to ensure that Division of Parole and Community Services transports are conducted in a manner that ensures the officer's safety, the protection of the public, and the safe and humane custody of offenders subject to transportation. Offenders shall be transported to and from correctional institutions, halfway houses, district parole offices, or other designated areas within the State or from out-of-state.

## VI. PROCEDURES:

### A. Training of APA Officers and Transportation Teams

1. Parole officers: Parole officers shall receive training on the transportation policy and procedures and on-the-job training. Any officer involved in transporting an offender shall be certified in unarmed self defense and the use of the O.C. spray authorized by the APA. Such officers shall also be certified to carry and use an agency approved firearm. The officers shall, at all times, carry appropriate A.P.A. identification as well as the authorization papers regarding an offender's transportation. Any parole officer operating a state vehicle shall possess a valid Ohio driver's license.
2. A.P.A. transportation teams: Parole officers specifically assigned to transportation teams shall receive standardized transportation procedures training and routine annual follow-up training pursuant to Department Policy, 39-TRN-02, In-service Training. Transportation officers shall possess a valid Ohio driver's license, and be certified in the use of unarmed self-defense, O.C. Spray, and firearms. Transportation officers shall be trained in first aid and Cardiac Pulmonary Resuscitation (CPR).
3. Independent contractors such as halfway houses: Halfway houses accepting Transitional Control offenders are considered independent contractors and must follow the guidelines established by the Bureau of Community Sanctions.

### B. Vehicle Security and Safety

1. Officers shall practice weapon safety at all times in compliance with Department Policies 104-TAW-01, APA Firearms Policy and 104-TAW-03, DPCS O.C. Spray in Use of Force Continuum.
2. Offenders shall never be left unattended in a transportation vehicle.
3. Officers shall never remove restraints during transportation and never assume that the restraints shall prevent an escape, absent any exigent circumstances.

4. Custodial Transports

- a. Whenever possible, the transportation of offenders should occur only during daylight hours in state owned vehicles or equipped law enforcement vehicles. In the case of nighttime arrests such as bar sweeps, home visits, fugitive apprehensions, prior arrangement should be made for the transportation vehicle to be standing by or with local law enforcement to transport the offender to the detaining facility.
- b. Transportation of offenders in custody in personal vehicles is discouraged; however, if it is necessary to use a private vehicle two officers and/or supervisors should be utilized in the transport. Never reveal transportation details nor give advanced notice to the offender, family, or friends. Never deviate from point of pickup to point of return.

5. Offenders who are being transported to a correctional facility (custodial transports) shall not be transported with offenders going to a halfway house (non-custodial transports). Male and female offenders shall not be transported together unless in an A.P.A. van and authorized by the Regional Director or designee.

6. Non-custodial Transports

Transports in the officers' private vehicles are discouraged; however, this decision is left to the discretion of the officer. Only one officer is required for non-custodial transports although officer safety may dictate otherwise.

7. Stay alert. Maintain visual contact with the offenders.

8. Smoking and smoking materials are prohibited in all state vehicles.

9. Offender Comforts

- a. Restroom stops shall be conducted at the nearest Ohio State Highway Patrol Post or correctional facility and offenders shall be accompanied at all times. Do not remove restraints.
- b. Food and meals - Prior arrangements should be made at county jail facilities to feed offenders while on a long transport. If this is not possible, a fast food drive-through may be used to obtain food. It may be necessary to pay for the offender's meals and then submit the receipt for reimbursement. Do not remove restraints.

**C. Restraining Devices**

1. Handcuffs, restraining chains or belt, and leg irons are the appropriate restraints to be used for transport. All restraints shall be inspected prior to their use to ensure officer safety and transportation security.

2. When it is appropriate to handcuff offenders, they shall have their hands handcuffed behind their backs unless a physical impairment prohibits it. If a restraining chain or belt is used, offenders may be handcuffed in front of their body. Restraints shall be used in a humane manner and shall NOT restrict blood flow or the offender's ability to breathe.
3. All offenders being transported to correctional institutions should be restrained by double-locked handcuffs, restraining chains, belts, and/or leg irons.
4. Offenders subject to transportation shall be secured to the seat by seatbelt only. Securing offenders to other objects in the vehicle may jeopardize their safety in the event of a problem or an accident.

#### **D. Field Arrests, Search Procedures, and Pat Downs**

The act of taking custody in the community and transporting offenders to a local holding facility is a field arrest. This shall be done in compliance with Department Policy 100-APA-05, Search and Arrest Procedures.

1. At the time of a field arrest, a thorough pat down of the offender shall occur as well as a thorough property search after the offender is properly secured with restraints.
2. When taking custody of an offender from a detention or holding facility, the offenders shall be searched thoroughly by the transporting officer. To ensure the safety of the transporting officers, this search shall be completed even when jail or law enforcement personnel state the offender is without contraband and/or weapons.

#### **E. Offender Property**

Offenders are not permitted to have personal items in their possession during transport with the exception of approved medication. The facility or arresting officer shall inventory the property prior to transportation. Any excess personal items shall be shipped to the offender's residence or designee at the offender's expense.

#### **F. In-State Returns**

1. Offenders may be transported to LORCI, CRC, or ORW pending a violation hearing (Direct Return). Transportation of the offenders can be by parole officers, transportation officers, or county/city law enforcement. Authorization is arranged through the Regional Administrator or designee.
2. Two (2) firearms authorized parole officers shall escort all offenders being transported to/from a county jail or correctional facility.

3. If the transportation of an offender due to distance requires two separate teams to transport, an exchange of the offender shall take place at a designated State Highway Patrol Post or correctional facility.
4. Offenders sanctioned to a halfway house may be transported by the transportation team, if available, or two officers utilizing a regional state car (if available). The use of the transportation team should be arranged with the transportation team supervisor. It shall be the unit's responsibility to contact the halfway house to advise them of the offender's anticipated arrival. File materials shall be transported with the offender and shall be given to the unit supervising the halfway house.
5. If the offender is to be transported to the institution, it is the supervising unit's responsibility to send the regional transportation team supervisor a copy of the PRC sanction order or the parole revocation order for return within twenty-four (24) hours or the next business day of the violation hearing.
6. Approved alternative transportation options should be utilized in the following order when a transportation team is not available:
  - a. Transportation by the facility holding the offender.
  - b. Transportation by the supervising unit.
  - c. Each region shall generate a list of officers to be utilized, on an as-needed basis, to assist the transportation team.
7. No advance notice of the impending return to the institution, departure date, or time of departure is to be given to the offender, family, or friends. The offender shall be advised of the return at the time of pickup. There shall be no telephone calls or other communication between the offender and members of the public after that time. Do not deviate from point of pickup to point of return.
8. When an offender needs to be transported to a reception center or medical center due to illness or the need for medical treatment and the local detention center requests that the offender be transported from their facility, the unit supervisor or designee shall notify the Regional Administrator for consideration of a direct return.
9. Non-ambulatory offenders are not to be transported by APA officers except in rare circumstances. If medical equipment is needed such as an oxygen bottle, breathing machine, or any mechanical enhancements, the holding facility should provide the medical equipment required. All medical transports shall be at the discretion of the Regional Director or designee.
10. If the offender has been prescribed medication, the medication shall be administered by the holding facility prior to transport. All prescription medications shall be accepted by the transportation team in a sealed envelope.

11. The transportation of offenders requiring psychiatric hospitalization shall occur in the following manner:
  - a. The offender shall be escorted by the parole officer or transportation team during the entire probating procedure.
  - b. The offender shall be transported to the appropriate civil mental hospital.
  - c. The offender shall be restrained at all times regardless of supervision status.
  - d. Any medication needed by the offender shall be administered prior to transport to the hospital. If medication is not dispensed, the offender shall not be transported.
  - e. All medical records and charts are to be transported with the offender in a sealed envelope to the selected hospital.

#### **G. Out-of-State Return by Car or Van**

1. The Regional Director or designee shall determine assignments for out-of-state returns. The parole officers, transportation teams, or contract transportation companies may make these trips.
  - a. Travel distance from Ohio shall determine whether a transport team or contract transportation company shall be used.
  - b. Transportation practices by an APA transportation team or parole officers shall be the same as in-state returns including:
    - i. Necessary lodging of offenders shall be pre-arranged at a detention or correctional facility.
    - ii. Transportation officers shall be reimbursed for expenses through filing of an expense voucher.
    - iii. A state vehicle shall be used in all out-of-state transports.
2. Due to Homeland Security concerns, no APA employee shall be involved in the transportation of offenders by air for the APA or for a Common Pleas Court unless approved by the Director's Office.
3. All out-of-state travel must be approved by the Director's Office.

#### **H. Use of Force**

1. All officers shall be in compliance with Department Policy, 104-TAW-02, APA Use of Force Policy.
2. All use of force incidents shall be reviewed for compliance to Administrative Regulation 5120:1-1-39, Use of Force, and Department Policy 104-TAW-02, APA Use of Force Policy.
3. In the event of an escape during transport, the transportation officers should make every attempt to apprehend the escapee and seek the assistance of law enforcement agencies as soon as practical.