

**ILLINOIS STATE POLICE DIRECTIVE**  
**ENF-014, PRISONER TRANSPORTATION, HANDLING, SEARCHING, AND JAILING**

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| <b>RESCINDS:</b><br>ENF-014, 2011-077, revised 12-05-2011. | <b>REVISED:</b><br>06-04-2015 <b>2015-051</b>   |
| <b>RELATED DOCUMENTS:</b><br>ROC-002                       | <b>RELATED CALEA STANDARDS:</b> 1.2.4, 1.2.5, 1.2.8,<br>44.2.2, 61.1.2, 70.1.1 thru 70.1.8, 70.2.1, 70.3.1, 70.3.2,<br>70.4.1, 70.4.2, 70.5.1 |

I. POLICY

The Illinois State Police (ISP) will ensure the transportation, handling, searching, and jailing of prisoner(s) will:

I.A. Be conducted in a manner providing for the safety of:

- I.A.1. The officer
- I.A.2. Any detention facility personnel
- I.A.3. The prisoner(s)
- I.A.4. The general public

I.B. Comply with legislation and department policy.

II. AUTHORITY

- II.A. 725 ILCS 5/103-1, "Code of Criminal Procedure of 1963; Rights of Accused: Rights on Arrest"
- II.B. 725 ILCS 5/109-3, "Code of Criminal Procedure of 1963; Preliminary Examination: Preliminary Examination"
- II.C. 725 ILCS 5/110-1, et seq., "Code of Criminal Procedure of 1963: Bail"
- II.D. 730 ILCS 5/3-15-2, "Unified Code of Corrections: Standards and Assistance to Local Jails and Detention and Shelter Care Facilities"
- II.E. Joint Committee on Administrative Rules (JCAR), Administrative Code, Title 20: "Corrections, Criminal Justice, and Law Enforcement," Part 720: "Municipal Jail and Lockup Standards"
- II.F. JCAR, Administrative Code, Title 20: "Corrections, Criminal Justice, and Law Enforcement," Part 701: "County Jail Standards"

III. DEFINITION

- III.A. Restraint devices – department approved devices to partially or fully immobilize an individual to help ensure the safety of the subject, officer, or the public. These devices include conventional devices such as handcuffs, flexcuffs, and leg shackles.
  - III.A.1. The Director must approve restraint devices. Following approval of any new device, the ISP Academy will establish training for the use of the device, and ensure officers have been trained prior to the officer using the device in the field.
  - III.A.2. The ISP Academy Commander, or designee, must approve, prior to use, any personally purchased restraint devices.
- III.B. Restraint Methods - Restraint methods include methods of restraining subjects who are compliant or who are physically combative.

**NOTE:** In extreme circumstances, aggressive/combative offenders may be both handcuffed and cuffed at the ankles but **not** hog-tied or hobbled.

- III.B.1. Physical restraint - The physical manipulation and positioning of a subject's body by an officer and/or officers in order to partially or fully immobilize the movement of a subject.
- III.B.2. Law enforcement mechanical restraint device - The use of handcuffs, flex cuffs, leg shackles or other approved law enforcement mechanical device to restrict the movement of a subject.
- III.B.3. Medical restraint device - The use of an ambulance gurney, hospital bed, or other medical center/Emergency Medical Services (EMS) provided restraint. These devices are designed and approved by the medical community in order to partially or fully immobilize patients.
- III.B.4. Correctional facility restraint device - A device used by correctional facilities which immobilizes a combative and/or suicidal subject through the use of arm, leg, head, and torso restraints.
- III.B.5. Hog-tying restraint method - A method of restraining a highly aggressive, resistive, and/or combative person.
  - III.B.5.a. Hog-tying occurs when the arms of a subject are secured behind their back, the legs are secured together, then the legs are bent toward the hands (at a 90 degree angle or more) and the arms and legs are adjoined, or the legs are adjoined to the upper part of the pants or clothing, and the arms and legs are pulled toward each other in such a way as to put the weight of the subject primarily on the chest and abdomen area as they are secured prone, fully immobilizing the subject.
  - III.B.5.b. Hog-tying is a **prohibited** restraint method.
- III.B.6. Hobbling restraint method - A method of restraining a highly aggressive, resistive, and/or combative person.
  - III.B.6.a. Hobbling occurs when the arms of a subject are secured in front of or behind their back, the legs are secured together typically with a Hobble restraint system or similar device, then the legs are bent toward the hands (at a 90 degree angle or more) and the arms and legs are adjoined, or the legs are adjoined to the upper part of the pants or clothing, and the arms and legs are pulled toward each other in such a way as to put the weight of the subject primarily on the chest and abdomen area as they are secured prone, fully immobilizing the subject. Being restrained by hobbling is a method of restraint "looser" than hog-tying.
  - III.B.6.b. Hobbling is a **prohibited** restraint method.

**NOTE:** Department members engaged in the application of authorized restraining devices and restraint methods are reminded of the dangers involved with positional and compression asphyxia, as well as other sudden death medical afflictions. **Under no circumstances** will a person being restrained have their arms and legs secured together in a fashion commonly known as hog-tying or hobbling. Officers should continually medically evaluate any subject who is maintained on the ground after authorized restraint methods are applied. Officers should maintain the subject in a recovery position until authorized medical personnel provide care as needed or transportation to a correctional facility is provided. Additionally, while using more restrictive restraint methods, above normal handcuffing, officers should document the restraint methods used and the reason for their use to include which restraint methods were ineffective or not feasible. There is an inherent danger to officers and offenders while using restraint methods alone or in combination.

**NOTE:** Restraining an aggressive offender intent on being actively resistive and/or combative to officers and themselves during the restraint process is a safety concern for police and offenders. In order to address this issue adequately, document the restraint process thoroughly.

- III.C. Strip Search - having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts, or undergarments of such person.

## IV. PROCEDURES

**NOTE:** Due to the possibility of danger to ISP and local personnel, it is stressed that when searching a prisoner, the officer should be extremely careful and thorough to ensure all items of an illegal or dangerous nature are found and removed from the prisoner.

## IV.A. Prisoner Transportation

**NOTE:** Exceptions to this directive will be allowed only in cases of extreme emergency following the authorization by a supervisor.

IV.A.1. At the beginning of a shift, the officer will examine the vehicle to assure it is safe and properly equipped.

IV.A.2. The officer will handcuff and conduct a thorough search of the person upon determining he/she will transport that person. Searches of persons should be recorded by an in-car video recording system when feasible and safe to do so.

IV.A.2.a. Prisoners are to be hand-cuffed with their hands in back and the cuffs double-locked. An officer has the discretion of hand-cuffing a violator with hands in front but there must be a reason for doing so (i.e., obesity, physical impairment, etc.). A prisoner is not to be hand-cuffed to any part of the vehicle.

IV.A.2.b. If the prisoner is of the opposite sex and another officer is assigned to assist in the transportation, the search may be delayed until arrival of the second officer. If a second officer is not available or there is any safety issue, the officer will **not** delay the search.

IV.A.2.c. If a prisoner is extremely physically resistive and unruly, the officer will transport the prisoner in a vehicle equipped with a prisoner retention cage or in a vehicle specially designed as a prisoner transport vehicle.

IV.A.3. The transport area of the officer's vehicle or vehicles used outside of ISP for transporting prisoners will be searched prior to, and immediately after, transporting prisoner(s), including under the seats, to ensure that no weapons are accessible and that no weapon(s) or evidence were left in the vehicle. The officer will document the vehicle search in the narrative section of the officer's report.

IV.A.4. When two officers are present in one vehicle, one officer will place the prisoner in the right rear seat and the second officer directly behind the driver or the prisoner may be placed in the right front seat with the second officer in the right rear seat.

IV.A.5. Transporting prisoners without a prisoner retention cage

IV.A.5.a. When transporting one prisoner without assistance, the officer will place the prisoner in the right front seat.

IV.A.5.b. When it is necessary for an officer to transport two prisoners, the officer will place one prisoner in the right front seat and the second prisoner in the right rear seat.

IV.A.5.c. Under no circumstances will one officer transport more than two prisoners without the use of a prisoner retention cage.

IV.A.6. Transporting prisoners with a prisoner retention cage

IV.A.6.a. When transporting a prisoner within a prisoner retention cage containing a window, the officer will ensure the window is closed and locked at all times the prisoner is within the prisoner retention cage.

IV.A.6.b. The officer will place one prisoner within the prisoner retention cage in the right rear seat.

IV.A.6.c. The officer may transport a maximum of two prisoners within the cage.

- IV.A.6.d. If transporting three prisoners, the officer must first receive supervisory approval.
  - IV.A.6.d.1) The transporting officer will notify their supervisor prior to transport.
  - IV.A.6.d.2) If the supervisor approves the transport, the officer must place the third prisoner in the right front seat, provided the vehicle is large enough to accommodate all three safely.
- IV.A.7. All prisoners transported within the officer's assigned vehicle will be thoroughly searched, properly hand-cuffed, and have their seat belt securely fastened prior to transport.
- IV.A.8. The officer will place the passenger side air bag on-off switch in the ON position whenever a subject is transported in the front passenger seat. (See additional information in ISP directive EQP-002, "Department Vehicle Usage.")
- IV.A.9. The officer will apply the seat belt and lock the door to secure the prisoner.
  - IV.A.9.a. Officers will either restrain mental patients, sick, injured, or handicapped prisoners in the officer's car or make provisions for transportation in an ambulance.
  - IV.A.9.b. Officers transporting prisoners in an airplane will properly restrain the prisoners to restrict mobility and to limit access to personnel other than the escorting officer(s).
- IV.A.10. When transporting a prisoner, the transporting officer will inform the telecommunicator "Signal 38" and provide the following:
  - IV.A.10.a. The identity of the prisoner (to inform Communications of the identity of prisoners who may be potential informants, officers should use available alternate means of communications (i.e., cellular telephones, in accordance with ISP directive ADM-019, "Wireless Voice/Data Communications Equipment"))
    - IV.A.10.a.1) Last name only if Communications checked the subject through the Law Enforcement Agencies Data System (LEADS) via Computer Aided Dispatch (CAD).
    - IV.A.10.a.2) If the officer with a Mobile Data Computer ran the subject via LEADS and the subject returned "clear," the officer will provide Communications with the first, middle, and last name of subject to be transported.
  - IV.A.10.b. The description of the prisoner
    - IV.A.10.b.1) Height, weight, and hair color
    - IV.A.10.b.2) Clothing description, unless previously mentioned and logged in the CAD incident
    - IV.A.10.b.3) The reason(s) for transport unless previously mentioned and logged in the CAD incident or if more than one reason exists for the transport
  - IV.A.10.c. The officer's starting location, unless the location was stated during the initial call to Communications
  - IV.A.10.d. The officer's destination
  - IV.A.10.e. The starting odometer reading (double phrased)

**NOTE:** When possible, officers will avoid using the Illinois Wireless Information Network as a primary means to communicate the information in paragraph IV.A.10. The officer will use radio communications or cellular telephone (in accordance with ISP directive ADM-019).

- IV.A.11. Upon arrival at the destination, the transporting officer will provide to the telecommunicator the following information:
  - IV.A.11.a. The officer's location
  - IV.A.11.b. The ending odometer reading (double phrased)
- IV.A.12. The officer will maintain visual contact with the prisoner(s) while the prisoner(s) is in his/her custody unless relieved by an assisting officer who would assume this responsibility.
- IV.A.13. If an officer must leave the vehicle, the officer will remove the keys from the ignition.
- IV.A.14. A transporting officer will stop and respond to a law enforcement need only in the case of a life-threatening situation. The primary responsibility is to protect the prisoner(s) from injury and not place them in potentially hazardous positions.
- IV.A.15. If an emergency requires a prisoner to be left unattended, officers will ensure the prisoner is properly restrained to prevent escape.
- IV.A.16. Communications by the prisoner with persons other than the transporting/arresting officer, other law enforcement officers, and emergency medical personnel will be restricted until the prisoner has reached the booking location.
- IV.A.17. Officers will not use restraint devices to secure a prisoner to any part of the vehicle.
- IV.A.18. If a prisoner escapes while being transported, the transporting officer will notify the telecommunicator who will dispatch the information by an Illinois State Police Emergency Radio Network (ISPERN) broadcast.
  - IV.A.18.a. Immediate efforts should be made by the officer involved, when feasible, to recapture the escapee.
  - IV.A.18.b. If necessary, a supervisor will implement additional procedures for the recapture of an escapee.
- IV.A.19. In the event a prisoner becomes sick or injured during an arrest or while being transported, it will be the arresting or transporting officer's responsibility to take the prisoner to the nearest medical facility for treatment, or to summon an ambulance.
  - IV.A.19.a. A supervisor will be notified of the action taken.
  - IV.A.19.b. The arresting or transporting officer will provide security.
  - IV.A.19.c. If extended care is required and the officer would be required to extend duty into the next shift, the officer will notify his/her supervisor at least one half hour before the end of his/her tour of duty, or as soon as possible, so arrangements can be made for a replacement guard.
- IV.A.20. Officers transporting prisoner(s) to a detention facility following arrest or from one facility to another will follow this directive for guidance on hand-cuffing/restraint while in transport.
  - IV.A.20.a. It is not the intent of this directive to restrict officers from following detention facility regulations, but to provide minimum standards for ISP officers to follow at detention facilities where such regulations are absent or substandard. When ISP officers are apprised of jail regulations, they will comply with those regulations provided they are not in violation of the provision of this directive.
  - IV.A.20.b. While at a detention facility, ISP officers will comply with the following basic security and booking guidelines:
    - IV.A.20.b.1) Officers will secure all firearms in a locked drawer, cabinet, squad car trunk, or container outside the security area.

- IV.A.20.b.2) Officers are not to remove the restraint devices.
  - IV.A.20.b.2)a) When entering the lockup facility the officer will place the prisoner in the care of the facility personnel and in most cases, the facility personnel will not accept a prisoner without restraints.
  - IV.A.20.b.2)b) Facility personnel will remove the restraints after searching the prisoner and return the restraints to the officer.
  - IV.A.20.b.2)c) The search should be conducted in the presence of another qualified police employee witness.
- IV.A.20.b.3) Before leaving the detention facility, the officer will provide all appropriate booking/arrest documents to detention facility staff as required.
- IV.A.20.b.4) When documentation is required to show receipt of a prisoner, and the appropriate forms are provided, the officer will obtain the signature of the receiving officer before leaving the facility.
- IV.A.20.b.5) Officers will follow intake rules of detention facilities concerning a prisoner's health and mental status. Some facilities may require the prisoner be examined and released by a physician prior to the agency accepting the prisoner. In this instance, officers will notify the telecommunicator of the need to seek a medical clearance at the request of the detention facility and ensure supervisors are aware of this request. This request will be documented in the officer's report.

IV.A.21. Officers transporting or receiving prisoners from detention facilities will ensure positive identification through booking records, numbers, photographs, etc., pertaining to the prisoner, verifying the person described in the records.

IV.A.21.a. If transporting to court, documentation accompanying the prisoner will include, at a minimum:

- IV.A.21.a.1) Prisoner's name
- IV.A.21.a.2) Facility prisoner number
- IV.A.21.a.3) Court to which the prisoner is to be delivered

IV.A.21.b. If transporting to other facilities, additional documentation is to be included. Examples include:

- IV.A.21.b.1) Commitment papers
- IV.A.21.b.2) Medical records
- IV.A.21.b.3) Personal property

IV.A.21.c. Properly executed warrants or waivers are required for interstate transports.

IV.A.22. Any time an officer releases custody of a prisoner to another person, the officer will provide any information relating to the prisoner's escape potential, health/medical risks, suicide potential, or other personal traits of a security nature.

IV.A.22.a. Such security information will be included in documentation, when available.

IV.A.22.b. If the officer is transporting the prisoner to court, the judge of the court must be notified, in advance, of any security hazard.

**NOTE:** The officer will document in the narrative section of the officer's report all prisoner security notifications. If provided with a copy of the accepting person's documentation of the acceptance of a prisoner and/or receipt of any of the information contained in paragraph

IV.A.22., the transporting/arresting officer will append a copy of the form with his/her official report.

IV.A.23. When the booking procedure is completed and the prisoner is released to jail personnel, the prisoner becomes their responsibility and officers are free to resume duty.

IV.A.24. Any issues not specifically addressed in this directive fall under the guidelines of the officer's discretion as indicated in ISP directive ROC-002, "Rules of Conduct" and the Illinois Compiled Statutes.

#### IV.B. Strip Searches

##### IV.B.1. Location of Strip Searches

If ISP employees perform a strip search, two members of the same sex as the arrestee will perform the strip search out of view of persons not conducting the search.

IV.B.2. The officer will complete a Strip Search Authorization Form, ISP 5-201 (available at the District Headquarters), to include:

IV.B.2.a. The name of the person to be searched

IV.B.2.b. The names of the persons conducting the search

IV.B.2.c. The time, date, and location of the search

IV.B.2.d. The signature of the supervisor authorizing the search (the District/Zone Commander or his/her designee)

The original of this form will be maintained for retrieval. A duplicate copy will be provided to the case agent/arresting officer and the person searched.

##### IV.B.3. Body Cavity Search – Search Warrant Required

IV.B.3.a. A Consent to Search Waiver, form ISP 1-17 (available at the ISP Document Library at <http://maphome/documentlibrary/>), should be sought prior to applying for a search warrant. In addition, the reporting procedures for strip searches apply to body cavity searches.

IV.B.3.b. No search of any body cavity other than the mouth will be conducted without a duly executed search warrant. The warrant will specify:

IV.B.3.b.1) The search will take place under sanitary conditions

IV.B.3.b.2) The search will be conducted by or under the supervision of a physician licensed to practice medicine in all of its branches in the state of Illinois (hospitals or physician's offices will be used and fees billed to the applicable division)

IV.B.3.c. Following the body cavity search, the appropriate arrest or investigative report will be completed along with a form ISP 1-17, when possible, and a copy of the search warrant attached.

##### IV.B.4. Documentation

IV.B.4.a. Documentation of the strip search and/or body cavity search will include, in addition to the ISP 5-201 and/or 1-17, a brief description of the circumstances warranting a strip search and/or body cavity search on the appropriate arrest or investigative report.

IV.B.4.b. The documentation will be placed in the case file or retained by the District.

##### IV.B.5. Exceptions

These provisions will **not** apply when the person is taken into custody by, or remanded to, the sheriff or correctional institution pursuant to a court order.

IV.B.6. Compliance

IV.B.6.a. Any violation of the provisions of this directive may result in criminal prosecution for official misconduct or other violations of the criminal code or civil action.

IV.B.6.b. Specific attention is called to 725-ILCS-5/103-1(c) "No person arrested for a traffic, regulatory or misdemeanor offense, except in cases involving weapons or a controlled substance, shall be strip searched unless there is reasonable belief that the individual is concealing a weapon or controlled substance."

| Indicates new or revised items.

**-End of Directive-**