



## Cover Memorandum

### Custody, Transport & Processing, JHPD Directive #412

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#### **Purpose of the Directive**

The purpose of this Directive is to ensure the safety and security of people in Johns Hopkins Police Department (JHPD) custody.

#### **Summary of Directive Requirements**

This Directive establishes guidelines for members of the JHPD when taking a person into custody and transporting them in JHPD vehicles to ensure their safety and minimize the risk of injury or death during transport. This Directive exceeds the basic legal requirements and ensures that any person in need of or requesting medical assistance will be transported to and offered treatment at a local hospital emergency room prior to processing, initial appearance and/or incarceration. It also requires continuous supervision while a person is in the custody of a JHPD officer.

This Directive provides detailed procedures for vehicle inspections prior to transport, proper restraint use during arrest, custodial searches of people in custody, the requirements for use of seatbelts and other vehicle restraints during transport, and general transportation procedures and guidelines, including radio communications and safe driving requirements.

In addition, this Directive provides guidance and procedures on when and how to request medical attention, as well as procedures regarding the handling of people in custody upon arrival at the processing destination, including Baltimore City Central Booking and Intake Facility. For anyone who will not be formally arrested, but will be released by citation or otherwise, this Directive addresses the requirements and procedures for the temporary detention of individuals at a Johns Hopkins Public Safety facility.

This Directive sets forth procedures for escaped people in custody and in custody injuries or deaths.

Finally, this Directive mandates JHPD's training and reporting requirements for all related procedures.

#### **Blueprint for the Policy Development Process**

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of

JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

**a. Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

**b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

**c. National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



**POLICE DEPARTMENT**

**CUSTODY, TRANSPORT  
& PROCESSING**

**OPERATIONAL  
PROCEDURE #412**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
Dr. Branville G. Bard, Jr.  
Issued: [full date]  
Revised: [full date]

**Table of Contents**

**POLICY STATEMENT .....1**

**WHO IS GOVERNED BY THIS POLICY.....1**

**PURPOSE .....1**

**DEFINITIONS.....2**

**POLICY.....3**

**PROCEDURES .....20**

**POLICY ENFORCEMENT .....22**

**RELATED RESOURCES .....22**

**CONTACTS .....22**

**Policy Statement**

The Johns Hopkins Police Department (JHPD) recognizes that officers are responsible for the safety and security of persons in their custody and that all people should be treated with dignity and respect. All persons in police custody will be restrained and transported in such a manner as to prevent escape and to provide for the safety of the public, the person in custody and officers.

**Who is Governed by this Policy**

All sworn police officers, as defined by MD Code, Public Safety, § 3-201 in service with the Johns Hopkins Police Department (JHPD), are governed by this Directive.

**Purpose**

The purpose of this Directive is to ensure the safety and security of people in custody, officers, facility staff and the public when a person is taken into custody and transported for processing and detention.

## Definitions

<b>Arrest:</b>	<p>The taking, seizing, or detaining of a person by any act that indicates an intention to take the person into custody by a JHPD officer, and that subjects the person to the actual control and will of the officer making the arrest. An arrest is affected:</p> <ol style="list-style-type: none"><li>(1) when the arrestee is physically restrained, or</li><li>(2) when the arrestee is told of the arrest and submits.</li></ol> <p>An Arrest requires Probable Cause that a crime was committed or is being committed.</p>
<b>Booking:</b>	<p>For purposes of this Directive, booking is a procedure for admitting a person charged with an offense to a holding facility; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.</p>
<b>Contraband:</b>	<p>Anything in the possession, either on the person in custody, within their lunge, reach or grasp, or in and around their confined area that is illegal to possess and/or not authorized by JHPD Directives.</p>
<b>Constant Supervision:</b>	<p>The direct, personal supervision and control of a person in custody by the arresting/attending officer who can see and hear the person in custody and can immediately intervene on behalf of the agency or the person in custody when the person in custody is in need of medical assistance.</p>
<b>Custodial Search:</b>	<p>A search of a person who is in police custody. This includes a search of the person in custody, their property, shoes, and clothing, including pockets, cuffs, and folds on the clothing, to remove all weapons, dangerous items, evidence, and contraband.</p>
<b>Person in custody:</b>	<p>Any person held in police custody and whose freedom of movement is at the will or direction of JHPD personnel due to investigation, processing, arrest, care taking or other responsibilities. A person in custody includes an "arrestee" and those persons under arrest as defined in this Directive.</p>
<b>Disabled person in custody:</b>	<p>For purposes of this Directive, a person in custody as defined by this Directive who possesses an anatomical, physiological, or behavioral health condition or impairment that inhibits mobility and/or functioning.</p>
<b>Pat Down Search:</b>	<p>A brief, cursory, manual examination of a clothed person for weapons.</p>
<b>Hog-tying:</b>	<p>When a subject is deliberately restrained in a position of discomfort through the combined use of devices such as handcuffs, ankle and/or leg hobble restraints and placed face down. <b>Hog-tying is prohibited.</b> Under no circumstances will an individual be placed face-down by JHPD officers after having handcuffs and/or ankle restraints applied. Use of restraints in this manner causes breathing difficulties and could result in death by positional asphyxia.</p>

<b>Investigative Detention:</b>	The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions that the individual has committed, is committing or is about to commit a crime.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>Positional Asphyxia:</b>	A condition which can be brought on when a person is restrained in an abnormal posture that interferes with a person's ability to breathe normally.
<b>Processing:</b>	For purposes of this Directive, processing includes pre-booking activities involving people in custody, after which they are released from custody by one of several means or transported to an intake and holding facility where they would be booked.
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
<b>Safety Risk:</b>	The belief that an individual is a threat to other people in custody, staff, or the public.
<b>Security Risk:</b>	The belief that a person in custody is a threat to escape or to the security of an area under the control of the JHPD.

## Policy

To minimize the inherent danger when detaining persons during an investigation or arrest, and when searching, escorting, transporting or otherwise handling persons detained by police, officers will thoroughly and professionally search all persons in their custody while utilizing handcuffs and/or a combination of authorized restraints, as described in this directive, to ensure the safety of the person in custody, officer and the public.

## Procedures

### I. General

- A. People in custody shall be restrained by officers in a manner that does not cause undue pain, undue risk of injury, or actual injury.
- B. People in custody shall be secured by officers in a manner that ensures their safety and facilitates their Constant Supervision by the arresting or attending police officer.
- C. Any person in custody who needs, or is requesting, medical assistance will be transported by officers or Emergency Medical Services (EMS) to and offered treatment at a local hospital emergency room prior to processing, initial appearance and/or incarceration.

- D. Officers shall ensure that all people in custody are searched prior to transport, and each time any officer accepts custody of a person from another officer.
- E. Whenever possible, searches must be conducted by an officer of the same sex as the person in custody being searched.
  - Absent exigent circumstances, if any person to be searched requests that a member of a particular gender conduct the search, the member should accommodate the request. The person's request shall be documented.
- F. Only vehicles with sufficient, functioning seatbelts, safety barriers and other modifications to prevent unassisted exits from the rear passenger compartment will be used by officers for transporting people in custody.
- G. Officers shall ensure that all vehicles used for transport are inspected for contraband before and after the transport of a person in custody.
- H. Officers are prohibited from transporting people in custody who are restrained in a prone position.
- I. People in custody will not be handcuffed or attached, other than by seatbelt, by officers to any part of the vehicle during transport. (CALEA 41.3.3)
- J. Officers shall never leave a person in custody unattended in the transport vehicle, JHPD facility or otherwise.
- K. While processing or transporting a person in custody, officers shall not engage in any unrelated enforcement activities, except where an officer needs to act to prevent serious bodily injury to themselves or others. (CALEA 70.1.4)

## II. **Persons In Custody** (CALEA 70.2.1)

To minimize the risk of injury to officers and others during arrest situations, all persons taken into JHPD custody or otherwise detained shall be handcuffed and will remain handcuffed at all times unless they have a condition that would prohibit handcuffing.

- A. Officers shall apply handcuffs with the person in custody's hands behind their back, palms outward, keyholes facing up/outwards, and double locked, unless a waist restraint is utilized.
  - Under NO circumstances will men and women in custody be handcuffed together by officers.
  - Under NO circumstances will adult and youth in custody be handcuffed together by officers.
- B. Plastic "flex cuffs" issued by JHPD are authorized for use by officers as a temporary restraint.

- During mass arrest situations, “flex cuffs” may be utilized by an officer as the primary restraining device.
- C. Ankle restraints should be used in addition to handcuffs by officers when transporting and processing combative people in custody and those deemed to be escape risks. In addition:
- During lengthy transports;
  - And, during the period of detention of **all** persons in a JHPD facility and waiting for release or transfer to another agency.
- D. **Reasonable Accommodations in Custodial Situations** (CALEA 70.3.1)
- When an officer knows or suspects that an individual has a disability, the officer shall make reasonable modifications to arrest, custody transportation tactics, and procedures in accordance with an individual’s disability.
  - If a person in custody has a disability and requires the use of medical equipment (e.g., wheelchair, crutches, prosthetic devices), members shall transport medical equipment to the destination of transport for the person in custody.
  - For serious offenses where officers are required to take a person who the officer suspects have an intellectual disability into custody, officers shall:
    - o Contact their supervisor, if feasible.
    - o Deploy calm and reassuring language and de-escalation tactics.
    - o Request the person’s Support Person, if identified, to respond to the scene or place of confinement. Officers shall also request that a Crisis Intervention Trained (CIT) officer, from JHPD or Baltimore Police Department (BPD), if available, respond to the scene.
    - o Avoid using body weight to restrain the individual. If no other option exists, members shall take extreme caution when restraining an individual with intellectual, developmental, or behavioral health disabilities.
  - For people with behavioral health conditions or disabilities, avoid physical restraints when reasonable and practical, especially if the person needs to communicate via sign language, requires a wheelchair or scooter to move, if the use of handcuffs may exacerbate the disability, or if the use of handcuffs might re-escalate the crisis for a person with such disabilities.
  - NOTE: A person with a behavioral health condition or who has a disability that affects their hearing, vision, or speech might react in “fight

or flight” mode if being restrained. Officers should consider that this response is not always indicative of aggression.

- Upon arrival at Central Booking Intake Facility (CBIF), indicate on the booking form that the person may have a behavioral health condition or disability, and notify the CBIF staff that they require appropriate placement and medical arrangements, such as a quiet room with a Support Person or caretaker (if available).
  - Accommodations may include limiting the use of handcuffs while transporting or detaining disabled, sick, injured, or other impaired people in custody. When deciding what restraints to use during these circumstances, officers must consider the following:
    - o The safety of the public, officers, and people in custody;
    - o The likelihood of an escape; and
    - o The nature of the disability, illness, injury, or impairment.
  - Should an officer determine that the disability, illness, or impairment inhibits the use of handcuffs or the ability to maintain control of the person in custody, officer(s) will utilize a combination of waist and/or ankle restraints; and/or
    - o Request an EMS to assist with transport to an emergency medical facility when appropriate.
  - **Pregnant and Post-Partum person in custody:** The preferred course of action for a pregnant or up to six-week post-partum person in custody is to issue a warning or citation to the person in custody and release them from the scene. See JHPD Directive #424, Arrests and Alternatives to Arrest.
  - If detention or physical arrest is required, handcuffs should be applied in combination with a waist restraint and the person in custody’s hands secured in front of their body. The person in custody should be transported and/or released from custody as soon as possible. (CALEA 71.3.1)
    - During detention or transport, if requested by the person in custody or when there are obvious signs of distress, EMS will be called to the scene to check on the condition of the person in custody.
    - Should a pregnant or post-partum person in custody require transport, a second officer will be assigned to assist with the transport in accordance with Section VII, Special Transports, of this Directive.
- E. Prior to transport, officers shall check handcuffs and ankle restraints, when used, for tightness and double lock as soon as it is safe to do so.
- F. When a person in custody complains that handcuffs or ankle restraints are too



tight and/or are hurting them, the officer must check the handcuffs or ankle restraints to ensure they are not too tight as soon as reasonably possible.

- In general, the officer should be able to place one finger between the handcuff and the person in custody's wrist or ankle. If the handcuffs are too tight, they shall be loosened and relocked.

**G.** Officers are responsible for the welfare of the person in custody once a restraint device has been applied, during transport and up to their release from JHPD custody. Officers shall safeguard the person in custody by:

- Maintaining Constant Supervision of the person in custody;
- Prohibiting the person in custody to walk around unescorted; and
- Relocating the person in custody away from hazards, including inclement or extreme weather while awaiting transport.

**H.** Officers shall not:

- Leave a handcuffed person in custody on hot pavement; and/or
- Place a handcuffed person in custody in a face-down or prone position

**I.** Officers shall not use force against people in custody who are handcuffed or otherwise restrained, except in exceptional circumstances where the totality of circumstances makes it reasonable, necessary, and proportional to prevent injury or escape.

- Officers are cautioned that force that may be proportional against an unrestrained person may not be proportional when used on a restrained person in custody. See JHPD Directive #402, Use of Force.

### **III. Search Procedures for People in Custody**

All persons taken into custody or otherwise detained by officers, including those entering a processing area at the JHPD, will be searched thoroughly and with due regard for safety, security, and human dignity. A custodial search to ensure the safety of the person in custody, officers, and others in the custody environment will be completed under the following circumstances:

**A. Incidental to Arrest:** In the course of a lawful arrest, police officers may conduct a custodial search of the person in custody's person and any area within the person in custody's immediate control where they could access a weapon or destroy evidence of the crime. Officers may seize:

- Any weapons the person in custody may use to resist the arrest or effect an escape;
- Any evidence of the crime that if not immediately seized, could be disposed of, or destroyed; and

- Any contraband that is an immediate danger to the officer or others present. See JHPD Directive #411, Search & Seizure, for additional guidance.
- B. Before Transport:** A custodial search of the person in custody must be conducted at the arrest scene before a person in custody is transported. (CALEA 1.2.4)
- A custodial search of the person in custody must be conducted. A custodial search of the person in custody before a person in custody is placed into any JHPD vehicle. (CALEA 70.1.1)
    - The use of a Pat Down is permissible when the circumstances of a custody transfer limit the thoroughness of a search, such as the need to move from a public area with the presence of a hostile crowd, more than one person in custody, etc.
- C. Before Transferring Custody:** A custodial search of the person must be conducted whenever a person in custody is transferred to the custody of a JHPD officer by the court, another officer, agency, or legal authority. It should never be assumed that someone else has searched the person in custody. (CALEA 70.1.1)
- When a person is committed or is in the process of being committed to custody, an officer must conduct a field search immediately upon entry to an arrest processing area, admission to any holding facility, and before the individual is placed into a holding cell or detention area. (CALEA 71.3.1.b)
  - In addition, an itemized inventory of all property taken from the person in custody must be listed on a Property for Safekeeping Receipt.
- D.** Any time there is a concern for the safety of the officer or others and reasonable articulable suspicion (RAS) that the person in custody may be concealing a weapon or contraband, a custodial Search shall be conducted. Any such search, to include the observations and concerns leading to the search, will be articulated in the appropriate Incident Report documenting the arrest in accordance with JHPD Directive #470, Field Reporting System. (CALEA 1.2.4)
- E.** The use of Strip Searches and Body Cavity Searches are highly intrusive and therefore limited to the narrow circumstances and strict procedures defined in JHPD Directive #411, Search and Seizure. (CALEA 1.2.8.a)

#### **IV. Transportation of People in Custody**

- A. Vehicle Inspection and Search:** At the beginning and end of each shift, officers shall inspect the vehicle for readiness as follows:
- The plastic or metal security partition separating the front and rear compartments shall be securely in place and undamaged;

- All windows shall be intact, and outer door latches in proper working order;
  - Rear seat door handles and window controls shall be deactivated so they can be operated only from the outside of the vehicle or by the vehicle operator; and (CALEA 70.4.2)
  - The interior shall be thoroughly searched to ensure that no weapons, contraband, or tools of escape have been left or hidden within the vehicle.
- B.** Prior to placing a person in custody in the vehicle for transport, the transporting officer shall again inspect the interior for weapons, contraband, or tools of escape. If the transporting officer is different from the arresting officer, the arresting officer and the transporting officer will each, individually, ensure that the person in custody is searched before being placed in a police transport vehicle. See JHPD Directive #411, Search & Seizure, for additional guidance on warrantless Searches incident to arrest. (CALEA 70.1.1)
- C.** When a person in custody is transported in a police vehicle, the transporting officer shall ensure that:
- Only vehicles with safety barriers and sufficient, functioning seatbelts for each person in custody are used for transport. (CALEA 70.4.1)
  - Officers are prohibited from transporting people in custody who are restrained in a prone position (including the so-called “hog-tie” position).
  - Officers are prohibited from handcuffing or otherwise attaching people in custody to any part of the vehicle being used for transport.
  - The person in custody shall be secured by the transporting officer with the provided seat belt or authorized restraining device. Officers must ensure there is a seatbelt for each person in custody. (CALEA 70.2.1)
  - The officer shall ensure that their Body-Worn Camera (BWC) and mobile video camera are activated throughout the duration of the transport, from the first moment a person in custody is placed into the vehicle until the person in custody is removed from the vehicle.
- D.** Officers are strictly prohibited from transporting a person in custody in a manner intended to create discomfort to the person in custody, including unnecessary speeding, braking, or sharp turns.
- E.** Officers shall not transport men and women in the same compartment of a vehicle.
- If the vehicle contains only one compartment used for transporting people in custody, the officer shall use separate vehicles to transport men and women in custody.
  - Transgender, intersex, and/or gender non-conforming individuals shall be

transported with other people in custody of the same gender identity and expression, unless they, or any other person expresses a safety concern, in which case the person in custody shall be transported alone.

- F.** Once the person in custody has been delivered to the detention facility or other destination, the officer shall conduct a thorough search of the transport vehicle as soon as practical, but, in all cases, before the vehicle is reused.
- G.** If any contraband, including but not limited to weapons, controlled dangerous substances (CDS), etc., are found by the officer in the vehicle, they shall be recovered by the officer and submitted in accordance with JHPD Directive #468 Collection & Preservation of Evidence, and #469, Property & Evidence Management.
- H.** During each transport, the transporting officer shall notify the Communication Center by radio of the following information:
- The number of person(s) in custody that are being transported.
  - The starting and ending mileage on the vehicle.
  - The location where the person(s) in custody is placed in the transport vehicle (if different from arrest location).
  - The destination to which the person(s) in custody is being transported.
  - The official timestamp from dispatch when the transportation vehicle departs the scene.
  - The official timestamp from dispatch when the transportation vehicle arrives at the destination;
  - Any request for medical attention by the person in custody or transporting officer.
- I.** Officers shall include the above information when completing the Charge Information Form and any additional information, including:
- The starting and ending mileage on the vehicle.
  - Whether the transport vehicle made any additional stops.
  - Whether at any time the officer perceived the person in custody to be in need of medical attention.
  - Whether force was used during transport.
  - Whether the person in custody was adequately restrained by a seatbelt during transport.
  - Whether the person in custody was injured during transport, the nature of the injury, and whether first aid or medical care was provided.

- NOTE: Every injury that is reported to have occurred during transport shall be reviewed as a use of force or, if appropriate, as part of a vehicle crash investigation.

**J.** Officers responsible for transportation of a person in custody shall be aware of their physical well-being to ensure that the person is transported safely.

- Officer shall periodically check on the people in custody from the time of arrest to the time of transfer of custody, either by direct observation or through live video transmission, to ensure the safety and security of the officer(s) and people being transported, and to check for apparent signs of medical distress or emergency.

**K.** Escape Response (CALEA 70.1.7)

Should a person in custody escape while in transport, the transporting officer will take the following actions:

- Immediately notify the Communications Section, providing: (CALEA 70.1.7.a)
  - Time of the escape.
  - Location of the escape.
  - Direction and method of travel of the escapee.
  - Description of the escapee.
- Immediately notify a supervisor and request the supervisor respond.
  - After gathering the initial facts, the supervisor shall notify the Chief of Police through the chain of command and the Public Safety Accountability Unit (PSAU) and submit a BlueTeam entry. (CALEA 70.1.7.a)
- Prepare an Incident Report that includes: (CALEA 70.1.7.b)
  - Time of escape.
  - Location of escape.
  - Direction and method of the escapee.
  - Description of the escapee.
  - Circumstances of the escape.
  - Notifications made.
- **Additional Action** (CALEA 70.1.7.c)
  - Communications shall notify surrounding police agencies of person in custody's personal description, cautions, known associates, and potential addresses.
  - Provide a recent photograph of the person in custody to surrounding police agencies.

**L. Person in Custody Communications** (CALEA 70.1.5)

Officers shall not allow a person in custody to communicate with anyone during transport. Safety aspects of the transportation function require that people in custody not be permitted to communicate with attorneys, clergy, family, or others during the period of transport. Further, people in custody shall not be afforded an opportunity to make any phone calls or communicate with anyone while being readied for transport.

- During transport, officers shall not allow people in custody to make calls, send text or social media messages, or mail letters, nor will an officer do so on a person in custody's behalf. (CALEA 70.1.6)
- Officers shall not allow family, friends, or others to come in contact with people in custody while in transit. (CALEA 70.1.6)
- Officers will not discuss their itinerary within hearing distance of a person in custody and will not allow a person in custody to influence their itinerary in any way.

**M.** Youth and adults in custody shall not be transported in the same compartments. Youthful offenders will be transported and processed in conformance with JHPD Directive #426, Interactions with Youth.

**N.** Officers shall submit a completed Charge Information Form to their supervisor before the end of their shift.

**O.** Officers shall not transport people in custody to funerals, hospital visitations, will readings, or similar "special situations" not specifically mentioned within this directive. (CALEA 70.3.3)

**P.** Officers shall not routinely transport people in custody between detention facilities. Prior to transporting a person in custody from one facility to another, the officer assigned to transport the person shall verify the person in custody's identity through booking records, identification numbers, photographs, or other appropriate means. (CALEA 70.3.3)

**Q.** If officers must transport people in custody from one facility to another, the transporting officers shall ensure that the appropriate documentation accompanies the person in custody during transport. Depending upon the circumstances, virtually all documentation, or at least copies of that documentation, should accompany the person in custody, documentation may include:

- Positive identification of the person in custody, including photograph.
- Arrest information.
- Personal property information.
- Medical records.
- Any other pertinent records. (CALEA 70.3.3)

**R.** If there is a potential Security Risk or other risk requirement regarding a person in custody being transported by an officer, the officer should provide information about the risk to the personnel assuming custody of the person in custody about the risk. Security Risk or other risks may include:

- Potential risk of escape.
- Suicidal.
- Particular personality traits.
- Illness or medical condition. (CALEA 70.3.3)

**S. Accident or Injury during Transport**

In addition to those procedures in JHPD Directive #209, Fleet Management, an officer involved in a vehicle collision during transport of a person in custody is also responsible for:

- Verbally inquiring as to the person in custody's injuries and observing the seating arrangements for later reporting.
- Contacting the Communications Center to report the collision, the number of people in custody and others involved, injuries, and the need for EMS, if any.
- Requesting the Communications Center to dispatch a patrol officer to assist and investigate the accident if within the Campus Area, or contacting BPD or other agency which has primary police jurisdiction and authority in the area where the accident occurred.
- Removing the people in custody to a close, safe, conspicuous, and visible area until other transportation arrives.
- Providing emergency care to injured persons when possible.
- Securing and safeguarding the scene as needed by use of flares, emergency lights, directing bystanders, and taking photographs.
- If a vehicle becomes disabled during transportation of a person in custody, the officer shall contact the Communications Center to report the situation, request an officer be dispatched to complete the transport, and request the appropriate tow service.
- If the radio is not operable, the officer shall attempt to notify Communications Center by cellphone. At no time should people in custody be left unattended. If there is no cellphone reception or a cellphone is not available, the officer shall flag down a citizen and request their cellphone to make a call or visit a local business to make a phone call.

## **VI. Transporting Sick, injured or Disabled Persons** (CALEA 71.3.1)

Transporting persons in custody who are experiencing a behavioral health crisis or condition or are disabled requires that officers exercise due care and attention. For example, the type of vehicle to be used would be a consideration when transporting non-ambulatory persons or those requiring wheelchairs, crutches, or prosthetic appliances. It may be necessary to request EMS to assist to ensure a safe transport.

**A.** Officers shall provide reasonable accommodations for people with disabilities or who are pregnant. When there is an arrest involving a person with a disability requiring a wheelchair, crutches, prosthetic devices, or other medical equipment, officers shall take the following actions:

- Transport the person in a transport vehicle to the appropriate facility.
- Transport medical equipment to the destination of the individual who requires it. If possible, the medical equipment shall be transported in the same vehicle as the individual who requires them if this can be done without creating potentially hazardous conditions.

**B.** If portable, fold and place the wheelchair or other equipment in the trunk of the transporting vehicle. If the equipment is electric, officers shall secure it in a transport van and transport it to the facility where the person is being taken. (CALEA 70.3.1)

### **C. Medical Attention Procedures**

A person's immediate medical needs take precedence over legal processing procedures. Any person in custody requesting or in need of medical assistance, including those injured before or during an arrest situation, or those who do not visibly show signs of injury, will be transported by officers or EMS to and offered treatment at a local hospital prior to processing, initial appearance and/or incarceration. If necessary, an EMS will be requested to provide emergency transport to the hospital. In this event:

- The officer will ride with the person in custody in the ambulance, and
- A second officer, if available, will follow the EMS to the hospital.
  - o Should the person in custody refuse treatment while at the hospital, the officer will obtain a copy of the hospital refusal-of-treatment form prior to transporting the person in custody to another location.
  - o If the person in custody is to be incarcerated, the form will be photocopied and initiated by the officer.
  - o A copy will be provided to the on-duty detention facility staff as part of the person in custody's intake records. The officer will retain a copy and attach it to the incident report.



- Officers will promptly advise the on-duty supervisor of all medical incidents, including injuries to people in custody in police custody. The circumstances, including photographs, will be included with the appropriate Incident Report, other applicable administrative reports and submitted before the end of the officer's shift.
- D.** If a medical issue or injury is present or arises, ensure the person in custody's safety is maintained at all times. Officers shall request EMS or otherwise provide medical attention prior to transporting a person in custody directly to a medical facility.
- E.** Officers shall take precautions not to aggravate any injury when searching and restraining the person in custody.
- F.** Officers shall ensure the person in custody is guarded at all times.
- G.** Request EMS respond to the scene or transport the person in custody directly to the nearest hospital emergency room.
- H.** Ensure the medical facility or medic unit number is noted on the Incident Report as well as the date and time that treatment was provided.
- I.** If a person in custody refuses treatment at a medical facility, officers shall obtain a copy of the person in custody's refusal of treatment from the medical facility, provide it to the booking personnel, and note the refusal on a Supplemental Report to the Charge Information Form.
- J.** When observing a person in custody, officers shall carefully consider the following to provide appropriately for the safety of people in custody:
- Statements that might indicate suicidal intent.
  - Signs of depression or humiliation.
  - Evidence of prior suicide attempts (e.g., scars).
  - Activity which would lead a reasonable person to suspect a potential danger for self-harm (e.g., banging of the head against a wall or hard object, charging into hard objects, etc.).
  - Evidence or information about health conditions or mental health status received from family, friends, or other sources.
  - Information regarding previous arrests, such as the suspect resisted or assaulted the arresting officer.
- K.** Officers shall manage all reports of people in custody with possible or obvious behavioral health conditions, emergency evaluations, and related issues in

accordance with JHPD Directive #417, Emergency Medical Assistance & Examination.

- If a person in custody meets the criteria for emergency psychological evaluation, officers shall:
  - o Immediately transport the person in custody to the appropriate medical facility, in accordance with JHPD Directive #417, Emergency Medical Assistance & Examination.
  - o Provide the required supporting documentation to the medical facility treating the person in custody, and
  - o Request an emergency evaluation for any person in custody coming into police custody who exhibits any intent toward suicide, self-harm, or other signs of mental illnesses.
- NOTE: A person in custody does not need to voice suicidal intent to cause an emergency evaluation. Any combination of factors which may cause alarm on the part of an officer might trigger an evaluation. Any suicide attempt or attempt at self-harm shall immediately require an evaluation.

**L.** Determine if the person in custody is under any prescribed medication prior to transporting them from the detention facility, mental health facility, or hospital, and ensure the medication accompanies the person in custody in sufficient quantity to cover the anticipated time in departmental custody. The medication shall:

- Be capable of being administered orally.
- Not require refrigeration.
- And be prescribed by a medical professional, authorized, and licensed to prescribe the medication.

**M.** Officers who have reasonable suspicion to believe that a person in custody was in possession of CDS and has ingested the substance in an attempt to destroy or conceal the substance shall immediately request EMS to respond to the scene, monitor the person in custody for signs of distress, and render aid as needed. Under no circumstances should they seek to manually retrieve the substance from the mouth of the person in custody.

**N. Transporting Medications** (CALEA 71.3.1)

Medications shall not be administered by officers. If a person in custody requires medication to be administered, EMS should be summoned to assess the person in custody's needs.

- People in custody shall not possess any medication while in custody or during transport.

- Should an officer recover prescription medication from the person in custody during arrest processing, the medications should be packaged in conformance with Section V, Property for Safekeeping of this Directive.

## **VII. Destination Arrival Procedures** (CALEA 70.1.7)

- A. The person in custody shall remain handcuffed upon arrival at any facility (e.g., JHPD, Baltimore Police Department District Station, Baltimore City Central Booking Intake Facility, etc.
- B. Sufficient officers shall be present when moving people in custody from the transporting vehicle to the booking facility or other locations that might afford the opportunity for the escape of the person in custody or injury to the officer or others.
- C. The person in custody shall be escorted by more than one officer for all restroom breaks.
- D. When a person in custody is transported to a police facility and placed in a temporary detention area, the person in custody shall remain the responsibility of the transporting officer, and under Constant Supervision, until the person in custody is released from the facility.
  - NOTE: The transporting officer may relinquish custody of the person in custody to another officer. This transfer of custody shall be clearly communicated between both officers, and the officer assuming custody of the person in custody shall search the person in custody again upon taking over custody.

## **VIII. Processing and Transfer or Release**

The JHPD does not operate a holding facility, possess holding cells or have rooms equipped for the detention of people in custody. In conformance with Section IX,] all adults in custody being charged with an uncitable offense or meeting a condition not permitting their release on a criminal citation shall be transported, released to, and processed by staff at the Central Booking Intake Facility (CBIF).

- A. Youth in custody of an officer will remain restrained as described in this Directive, and under the Constant Supervision of the arresting officer(s) until released to the Department of Juvenile Services, a parent or guardian, unless in custody for a status offense.
  - Officers will process Youth in conformance with JHPD Directive #426, Interactions with Youth.

**B. Processing for Transfer or Release** (CALEA 71.1.1)

The Roll Call Room at the Remington Campus Safety Office is equipped with an immovable restraining bar to secure a person in custody who is only being cited or referred and released to an allied criminal justice agency, guardian, or community caretaker. The restraining bar may be used by an officer as a fixed object to secure a person in custody by attaching a single handcuff to the bar. While attached to the restraining bar, people in custody will remain in ankle restraints and under the Constant Supervision of the arresting officer(s). (CALEA 71.3.2, 71.5.1.a)

- Youth taken into custody for status offenses (CINS, CINA, or other non-criminal incidents) WILL NOT be secured to any fixed object.
- In conformance with JHPD Directive #429, Police Radio Communications, the arresting officer will notify the Communications Center when they arrive at the Remington Campus Safety Office and once they release the person in custody. (CALEA 71.5.1.c)
  - Officers are assigned portable radios equipped with an emergency alert button that when activated, sends an emergency alert tone across the radio channel to the Communications Center.
  - Officers will monitor their assigned portable radio while processing a person in custody.

A. During all circumstances, officers(s) transporting and escorting people in custody into the any Johns Hopkins Public Safety workspaces for processing will ensure that all persons in custody, with the exception of Youth, are placed in handcuffs and ankle restraints, and have been thoroughly searched before entering the facility. (CALEA 71.5.1.d.)

- Officer will secure their firearm in the gun locker provided before entering the processing area with the person in custody. Collapsible Batons and Oleoresin Capsicum (O.C.) spray is permitted as long as these weapons are secured in their holders.
- Officer shall activate the notification light or post the processing sign to alert all other officers to secure their firearm when entering or working in the area where the person in custody is restrained. (CALEA 71.5.1.b)

**IX. Transport to Central Booking & Intake Center** (CALEA 70.1.7)

A. Officers shall enter the Central Booking & Intake Center (CBIF) by vehicle through the door located on the Madison Street side of the building and park in the provided temporary space.

B. Officers shall remove the person in custody from the transport vehicle and take them to the sally port designated for their person in custody's gender identity.

Officers shall announce their presence through the intercom and the door shall be opened. The person in custody shall remain handcuffed during this process.

- NOTE: An officer shall be met by a correctional officer, who shall search the person in custody for contraband, conduct an evaluation, and obtain information about the person in custody. The officer shall wait in the sally port area for this assessment to be completed.
- C. The officer shall advise CBIF personnel of any potential medical or security risks.
- D. The officer shall immediately assume responsibility for any narcotics, weapons, or contraband found on the person in custody that warrants criminal charges. The correctional officer shall be included in the chain of custody for the Property Receipt and officers shall refer to JHPD Directive #469, Property and Evidence Management, when taking property or evidence into custody.
- E. The officer shall relinquish responsibility for the person in custody to the correctional officer when all the conditions set forth by CBIF are met for the booking process. The officer shall then retrieve their handcuffs at the search room.
- F. The person in custody's personal property shall be submitted to CBIF, but shall be limited to:
- Clothing being worn by the person in custody upon arrival, and
  - Non-contraband personal property.
    - o NOTE: Officers may be required to transport and transfer people in custody to other agencies/facilities. In these instances, officers shall determine the point and time of transfer, and adhere to the intake procedures for that agency/facility.

## **X. In-Custody Death Procedures** (CALEA 70.1.5)

- A. In all situations where a person in custody dies while in the custody of the JHPD, the officer shall:
- Immediately notify the on-duty supervisor and secure the scene.
  - Make additional notifications as directed by the on-duty supervisor.
- B. The on-duty supervisor shall refer to JHPD Directive #407, Use of Force Reporting, Review & Assessment, for additional notifications and actions, including the notification of IID.

## **XI. People in Custody Admitted to a Hospital** (CALEA 70.3.2)

- A. When sick or injured people in custody are to be admitted to the hospital, the supervisor will:

- Assign an officer to the person in custody at the hospital,
  - Coordinate with hospital staff,
  - Be responsible for providing relief,
  - Alert the oncoming shift, and
    - o Advise the Patrol Commander if the detail is expected to exceed 12 hours. The Patrol Commander will establish a staffing plan if the stay will be longer than 12 hours.
- B.** At the direction of the on-duty supervisor, the arresting officer shall complete an Incident Report and Application for Statement of Charges and present them to the Court Commissioner for issuance of a statement of charges and summons or arrest warrant. See JHPD Directive #423, Arrest Warrants, Attachments and Criminal Process, for specific guidance.
- C.** If only a criminal summons is sought, upon supervisor's approval, the officer shall release the person in custody to the care of the hospital.
- D.** If it is an offense for which a warrant is sought, the officer assigned by the supervisor to a person in custody at the hospital will be in uniform, unless otherwise approved by the Patrol Commander. The officer will:
- Remain with the person in custody continuously and monitor all contacts
  - Be alert for suicide, escape and/or assault attempts
  - Prevent articles from being passed to the person in custody
  - Permit visits only by authorized persons on official business
  - Allow no more than one person at a time to visit the person in custody, unless it is a necessary function of official business
  - Consult with their supervisor for instructions when uncertain regarding procedures

## **XII. Required Actions**

### **A. Communications Section**

- The dispatcher shall acknowledge the transporting officer's departure and arrival in radio reports with the official timestamp.
- The dispatcher shall coordinate the dispatch of EMS and/or specialized units in instances of person in custody injury, escape, or death.

### **B. Supervisors**

- In addition to any other requirement in this Directive, the supervisor shall:

- Initiate a review of every injury that is reported to have occurred during transport as a use of force, or if appropriate, as part of a vehicle crash investigation.
- If a person in custody requires medical attention, determine how many officers, if any, will be assigned to guard and assign officers as needed or whether the person can be charged by summons and released to the hospital care.
- Respond to the scene in instances of person in custody escape or death. Immediately notify OPR and initiate a BlueTeam entry.
- Collect all completed Charge Information Forms, from transporting officers by the end of their shift.
- Review reports for completeness and sign reports to ensure compliance with this Directive.

### **C. Shift Commanders**

- If a person in custody is seriously injured or dies while in custody, transport or processing, the shift commander shall ensure that the supervisor has immediately notified the Independent Investigative Division (IID) of the Maryland Office of Attorney General and that they complete a BlueTeam entry.
- In cases where the person in custody's injury is serious and/or potentially life-threatening, notification to IID shall be made immediately, even if the medical facility where the person is being treated is unknown or undetermined.
- In cases of serious injury or death, which necessitate response and/or investigation by the BPD Homicide Section, the Shift Commander shall notify BPD Homicide at 410-396-2100.
- If a person in custody is admitted to a medical facility for a stay exceeding 24 hours, Shift Commanders shall ensure that the supervisor has determined whether a summons should be sought or the warrant by the end of their shift.

## **XIII. Training**

- A.** The Johns Hopkins Public Safety Training Section will provide training to officers on the safe and humane transportation of people in custody to include:
- JHPD policy and procedures related to custody, transport, and detention.
  - Safe driving methods
  - Identification of illness and injuries
  - Proper restraint techniques.

## Policy Enforcement

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Policy should be reported to the Public Safety Accountability Unit.

## Related Resources

<b>University Policies and Documents</b>
Administrative Procedure #209, Fleet Management Operational Procedure #402, Use of Force Operational Procedure #407, Use of Force Reporting, Review & Assessment Operational Procedure #411, Search and Seizure Operational Procedure #417, Emergency Medical Assistance & Examination Operational Procedure #424, Arrests and Alternatives to Arrest Operational Procedure #423, Arrest Warrants, Attachments and Criminal Process Operational Procedure #426, Interactions with Youth Operational Procedure #429, Police Radio Communications Operational Procedure #468, Collection & Preservation of Evidence Operational Procedure #469, Property and Evidence Management Operational Procedure #470, Field Reporting System
<b>External Documentation</b>
<b>Police Department Forms and Systems</b>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>E-mail/Web Address</b>
Policy Clarification and Interpretation			