


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "HANDLING OF PERSON(S) IN CUSTODY-GENERAL REGULATIONS"	ORDER NUMBER: 50-01
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1.0 PURPOSE

The purpose of this policy is to provide general regulations regarding handling persons in custody or suspects.

2.0 POLICY

2.1 It is the policy of the Pittsburgh Bureau of Police to provide proper custodial care for all people in custody. Officers shall take any reasonable and necessary actions to ensure persons in custody are kept safe and secure, cannot and do not escape, cannot and do not inflict injury or harm on anyone, and are transported to a medical facility in a timely manner if required.

3.0 GENERAL REGULATIONS

- 3.1 A member or employee shall not subject any person in custody or suspect in custody to any unnecessary application of force.
- 3.2 A member or employee shall not communicate any information that may enable any person in custody or suspect to escape custody or conviction, dispose of stolen goods, or give information detrimental to the Pittsburgh Bureau of Police.
- 3.3 No member or employee shall loan or give money or anything of value to a person in custody or suspects in custody.
- 3.4 No member or employee shall release any persons in custody or suspect in his charge without proper authority.
- 3.5 No member or employee shall allow any persons in custody or suspect in his charge to escape through carelessness or neglect.
- 3.6 No member or employee shall allow any persons in custody or suspect to escape custody through design.
- 3.7 Members shall not engage in enforcement activities while transporting persons in custody unless failure to act would risk death or serious bodily injury to another. In non-life-threatening yet serious situations, members should call for backup assistance and may remain on the scene until such assistance has arrived. They must continue to monitor the persons in custody as per this policy.

4.0 PERSONS IN CUSTODY SEARCHES

- 4.1 When an individual is arrested, the arresting officer shall thoroughly search the person in custody/suspect, including their personal possessions, for any weapons, offensive articles, or contraband prior to entering any Pittsburgh Bureau of Police vehicle or facility.
- 4.2 If an officer other than the arresting officer must transport the persons in custody or suspect, the transporting officer shall complete an independent, thorough search of the persons in custody/suspect, including their personal possessions, prior to entering a Pittsburgh Bureau of Police vehicle or facility.

5.0 STRIP SEARCHES AND BODY CAVITY SEARCHES (Refer to G.O. # 45.1, "Strip and Body Cavity Searches").

6.0 VEHICLE INSPECTIONS

- 6.1 At the beginning and end of each tour of duty, all vehicles shall be searched thoroughly for weapons, contraband, and implement of escape.
- 6.2 The officer will inspect their vehicle at the beginning and end of their tour to ensure the following safety devices are present and functioning properly:
 - 6.2.1 The safety screen shall be securely in place and undamaged.

- 6.2.2 All windows shall be intact and outer door handles/latches in proper working order.
 - 6.2.3 Rear-seat interior door handles and window controls shall be deactivated.
 - 6.2.4 The interior shall be inspected to ensure that there are no remaining body fluids or other contaminants in the vehicle. If contaminants are present, the vehicle will be cleaned pursuant to the policy. (*Refer to City of Pittsburgh Infections Disease Control Program-Exposure Control Manual, July 2014 Revision.*)
 - 6.2.5 Prior to placing a person in custody in the vehicle for transport, the transporting officer shall inspect the interior for weapons, contraband, or implements of escape. The vehicle shall be searched again immediately after the persons in custody have been delivered to the Allegheny County Jail or the next receiving agency.
 - 6.2.6 If weapons, contraband, or implements of escape are located, they shall be immediately seized. The officer(s) shall immediately report the situation verbally to their supervisor. This information must be included in the investigative report or a supplemental report, whichever is appropriate.
 - 6.2.7 If a non-PBP vehicle, e.g., ambulances, other law enforcement agency vehicles, etc., is being used to transport a person in custody in police custody, the vehicle shall be searched for weapons, contraband, or evidence prior to and immediately after the transport. The search shall be limited to those areas immediately accessible to the persons in custody. When feasible, the officer shall obtain permission from the persons in charge of the vehicle
- 6.3 The following information shall be documented in every investigative report when a person in custody is/persons in custody are transported to the Allegheny County Jail or any other facility/institution.
- 6.3.1 A thorough search was conducted of the transporting vehicle at the beginning of the shift.
 - 6.3.2 A thorough search was conducted of the transporting vehicle at the beginning of the shift, persons in custody(s), and
 - 6.3.3 A thorough search was conducted after transporting the persons in custody(s).
- 6.4 If the search is not negative for weapons, contraband, and/or implements of escape, officers shall document the occurrence in the report or a supplemental report, whichever is appropriate.
- 6.4.1 Any such investigative report shall not be approved by a supervisor unless it contains the above-noted information.
- 7.0 DETENTION OF PERSONS IN CUSTODY AT ZONE STATION OR INVESTIGATIONS BRANCH OFFICES**
- 7.1 Persons in custody shall not be unnecessarily detained at any PBP duty location and shall be transported to the Allegheny County Jail or the next receiving agency as soon as possible.
- 8.0 CONVEYING OR TRANSPORTING OF PERSONS IN CUSTODY TO OTHER FACILITIES**
- 8.1 The transporting officer(s) should be aware of and follow the procedure at the different facilities they are entering with a person in custody. The facilities shall include, but are not limited to, state institutions, hospitals, mental health facilities, and county jails.
- 8.1.1 The transporting officer(s) will at no time enter a secure area of a prison or other areas of a governmental facility, which is marked to prohibit weapons, as permitted by law, with their firearm or other restricted weapons. The officer(s) will strictly adhere to the securing, storing, and safekeeping of all weapons identified in that particular facility's standard operating procedures. The transporting officer(s) shall follow the policy of the District Justice or Judge when a person in custody has been transported to court.
 - 8.1.2 The restraints will only be removed from the persons in custody upon the instructions of the receiving officer or official designee at the next receiving facility. In the case of court transports, the restraints shall not be removed until ordered to do so by the court officer, district justice, or judge.
 - 8.1.3 The transporting officer(s) will be responsible for making sure all the necessary documentation is properly exchanged with regard to the transfer of the persons in custody and delivered to the receiving officer/persons.
 - 8.1.4 Documentation of a person in custody transfer will be attached to a copy of the investigation report and will be kept on file at the duty location. In the case where a person in custody transfer receipt is not possible, the persons in custody transfer will be documented in the last paragraph of the investigative report.

- 8.1.5 The transporting officer(s) shall advise the receiving officer/persons of any potential medical or security concerns or hazards posed by the persons in custody.
- 8.1.6 The following information shall be documented in every investigative report when a person in custody is/persons in custody are transported to and lodged in the Allegheny County Jail (ACJ).
- 8.1.6.1 Location of secure storage of all firearms and less lethal weapons,
 - 8.1.6.2 Removal of persons in custody's restraining device(s) (handcuffs, shackles, etc.) prior to turning the persons in custody over to ACJ Corrections Officers,
 - 8.1.6.3 Transfer of custody to ACJ Corrections Officer, and
 - 8.1.6.4 Advising ACJ personnel of any potential medical and/or security concerns and/or hazards posed by persons in custody.
 - 8.1.6.5 Any such investigative report, shall not be approved by a Supervisor unless it contains the above-noted information.
- 8.2 Generally, all transports of persons in custody shall be made in a patrol vehicle equipped with a cage/safety screen or in a patrol wagon/van.
- 8.3 The use of seatbelts is required on all persons in custody. If an officer is unable to secure a person in custody (size, being combative, etc.), then the transporting Officer shall notify communication with this information prior to transport. This information is also required to be documented in the officer's report. If a transport unit was used, the officers providing the transport are required to notify the arresting officer to document why a seatbelt was unable to be used.
- 8.4 ALL juveniles must be transported in a vehicle equipped with functioning seatbelts.
- 8.4.1 All children under the age of four (4) years old will be secured in a child passenger restraint system (Car Seat) during transport. Children must be transported in a car/SUV.
 - 8.4.2 All juveniles four (4) years old and older but under eight (8) years of age will be secured in a child booster seat during transport. Children must be transported in a car/SUV.
 - 8.4.3 All juveniles under eighteen (18) and over eight (8) will be secured in a properly adjusted and fastened safety seat belt system during transport. Juveniles may be transported in a PBP wagon if it is equipped with functioning seatbelts. Supervisors may use their discretion regarding using wagons to transport juveniles (i.e., age of juvenile, size of juvenile, level of combativeness, etc.).
- This order complies with the Pa Motor Vehicle Code: Chapter 45: Other Required Equipment § 4581. Restraint systems.*
- 8.5 Whenever it is necessary for a member to transport persons in custody in a PBP police-vehicle not equipped with a cage/safety screen, there must be two officers present in the vehicle. One officer shall drive, and one officer shall sit in the back directly behind the driver. The persons in custody shall sit in the back to the *right* of the driver.
- 8.6 Whenever a persons is placed in a Bureau of Police vehicle, the officer(s) assigned to that vehicle, or the officer(s) who placed the persons in the vehicle, shall maintain a watch of the persons.
- 8.6.1 It will be the responsibility of the officer(s) assigned to that vehicle or the officer(s) who placed the persons in that vehicle to remove or transport the persons from that location as soon as possible. If transport is not immediate, the officer who placed the persons in the vehicle will monitor the persons visually.
 - 8.6.2 If there is a supervisor on the scene of any incident, the supervisor will ensure that the persons in the vehicle is monitored, transported, or removed from the vehicle as soon as possible.
 - 8.6.3 Whenever a person is being transported, the transporting officer(s) will monitor the persons continuously throughout the transport using the available technology in the police vehicle.
 - 8.6.3.1 This duty to monitor does not alter the officer's responsibility to operate their vehicle with due regard.
- 8.7 When a person in custody is to be transported to the Allegheny County Jail, the next receiving agency, or another destination, whether it be in a wagon, or patrol car, the transporting officers must notify the Emergency Operations Center (EOC) with the following information:

- 8.7.1 The starting location of the transport.
- 8.7.2 Number of persons being transported.
- 8.7.3 Whether persons(s) transported is an adult or juvenile.
- 8.7.4 Sex of persons(s) being transported.
- 8.7.5 The beginning and ending mileage of the transport.
- 8.7.6 The departure and arrival of the transport.
- 8.7.7 The destination of the transport.

9.0 TRANSPORTING SICK, INJURED, OR DISABLED PERSONS IN CUSTODY:

- 9.1 Whenever any person in custody is transported by a PBP member, the officer shall carefully observe the persons in custody to determine whether or not they are suffering from any illness or injury. If an illness or injury is discovered or suspected, or the persons in custody requests medical treatment, the transporting officer or medic unit shall transport the persons in custody to the closest hospital with an emergency room. Under no circumstances shall an unconscious person in custody be placed in or allowed to remain in a cell, locked room, detention bench, or police vehicle.
- 9.2 Individuals under arrest, who are injured or sick, will not be transported to any prison or holding facility until they have been transported to and offered treatment at the nearest hospital with an emergency room. If the person in custody refuses treatment while at the medical facility, the officer will obtain a copy of the refusal form. (*Refer to G.O. #12-9, "Pepper Aerosol Restraint Spray" and G.O. #12-13 Taser*)
 - 9.2.1 This refusal form will be given to the Allegheny County Jail Intake or next receiving facility upon entry with the persons in custody. The officer must document the refusal of medical treatment in their investigative report.
 - 9.2.2 When necessary, EMS shall be called to provide transport to a medical facility. If the persons in custody refuses treatment or transport by the EMS, the officer will obtain a copy of the refusal or relevant identifying information from EMS to be submitted in the officer's report. The officer will notify EOC that the persons in custody has refused medical treatment and has been cleared by EMS for police transport to the Allegheny County Jail or the next receiving facility.
 - 9.2.3 Any officer(s) involved in the injury of persons in custody or suspect will immediately notify their supervisor of the incident without delay. As soon as possible, the officer(s) will submit a subject resistance report, and document the entire situation in the investigative report.
 - 9.2.4 If the detention facility refuses to accept an arrestee and requires medical clearance for acceptance, the arrestee shall be transported to the nearest hospital with an emergency room. The transporting officers will guard the arrestee until medically cleared and then transport them back to the detention facility.
- 9.3 **Transporting an injured or disabled persons in custody:**
 - 9.3.1 The safety of the persons in custody and the transporting officer(s) requires due care when transporting disabled or injured persons in custody.
 - 9.3.2 It should not be assumed that restraining devices are not required on disabled or injured persons in custody. When transporting disabled and injured persons in custody, the degree of physical restraints will be applied within reason at the discretion of the transporting officer(s). A person in custody in a wheelchair or one who uses walking aids may not require the use of restraining devices in all instances. However, every precaution should be taken to ensure the safety of the officer(s) and the disabled or injured persons in custody.
 - 9.3.3 When possible, the disabled persons in custody will be handcuffed. A leather restraint transport belt (belly belt) may be utilized in lieu of handcuffing the disabled persons in custody behind the back. If the disabled persons in custody have shown a tendency toward violence, restraints shall be required.
 - 9.3.4 Any wheelchairs, crutches, unattached prosthetic devices, and medication must be transported with, but not in possession of, the persons in custody.
 - 9.3.5 If the persons in custody is released and transported to a holding facility, the transporting officer(s) shall take a copy of the medical release and provide it to the next receiving agency.

9.3.6 Physically and mentally disabled persons in custody present conditions for their transportation that dictate special care and attention. For example, the type of vehicle used would be a consideration when transporting non-ambulatory persons in custody or those requiring wheelchairs, crutches, or prosthetic appliances.

9.4 Restraining persons with a psychiatric disability who are persons in custody:

9.4.1 The guidelines outlined previously are applicable to situations involving the transport of mentally handicapped or mentally disturbed persons in custody.

9.4.2 If the mentally disturbed persons in custody have a potential for violence, the transporting officer may request, or the supervisor may direct, another officer to assist the transporting officer by either following the transporting vehicle or riding with the officer.

9.4.3 *Refer to PBP 40-15 "Responding to Incidents Involving People with Mental Illness" for further information.*

9.5 When a person in custody is transported to a medical facility for any reason, the following will apply:

9.5.1 The transporting officer(s) will notify dispatch of which medical facility they are transporting to and the nature of the injuries to the persons in custody.

9.5.2 Extreme caution will be taken to ensure the persons in custody is isolated from other patients and is not left unattended or permitted to escape the immediate control of the transporting officer(s). If the officer(s) must leave the persons in custody for any reason, another officer(s) shall be requested to remain with the persons in custody.

9.5.3 If the persons in custody is to be admitted to the medical facility, the officer(s) will notify their supervisor of the circumstances without delay.

9.5.4 The transporting officer(s) will not leave the medical facility until they are relieved by another officer or is instructed by the supervisor to do otherwise.

9.5.5 The transporting officer(s) will remove the restraints only when it is deemed necessary and they are requested to do so by the medical staff. The medical staff may be advised of the charge, if the offense is of a violent nature.

9.5.6 If the arrestee is admitted to the hospital, the shift lieutenant or acting lieutenant of the arresting zone shall be responsible for determining how to proceed with the arrest. The shift lieutenant or acting lieutenant shall determine if the incident should be handled by summons, warrant, or an actual physical arrest. Upon the admission of persons in custody into the hospital, the shift supervisor will initially decide whether a patrol officer will guard the person in custody.

9.5.7 If the persons in custody had normally been released after processing, as the Rules of Criminal Procedure provided, the decision to release them at the hospital may have been appropriate. If the persons in custody cannot care for themselves, such as in an intoxicated state, they may be released if the hospital accepts responsibility for them. The final decision on any long-term guarding of the persons in custody rests with the Chief of Police or their designee.

9.5.8 When a person in custody must be guarded at a hospital, the totality of the circumstances will dictate the degree of security and action taken. A supervisor will develop a course of action dealing with the use of restraints, visitors, relief officer(s), etc.

9.5.8 If it is determined that the arrest will be physical, it shall be the responsibility of the arresting zone to guard the persons in custody for the **first 48 hours**.

9.5.9 **After** the first **48** hours, the zone in which the hospital is located will be responsible for guarding the persons in custody.

9.6.0 The arresting zone lieutenant or acting lieutenant shall pass on all pertinent information, such as charges, who will clear and or complete the arrest/warrant paperwork, report number, criminal history, room number and medical condition. They shall also notify the CRRU supervisor and advise.

9.6.1 The shift lieutenant in the zone where the hospital is located shall check on the persons in custody and guarding officer every shift. This can be done by the lieutenant or a designated sergeant. In the event that there is only one supervisor working on a given shift, the check can be done via telephone.

9.6.2 Once the admitted arrestee is medically cleared, the guarding officer shall contact the zone desk where the hospital is located to arrange transport of the arrestee to the detention facility. All paperwork shall be cleared by the transporting unit.

9.5.9 Refer to *PBP 50-03 "Persons in custody Admitted to Hospitals"* for additional direction on persons in custody hospital admissions and security.

10.0 PERSONS IN CUSTODY ESCAPE IN TRANSIT

10.1 If a person in custody should escape while being transported, the following action will be taken, without delay, by the transporting officer(s):

10.2 Persons to be notified:

10.2.1 The officer shall immediately notify the EOC by radio. The transporting officer will provide a complete description of the escapee, direction of flight, and weapons and identify the original crime and propensity for violence if known.

10.2.2 The officer shall notify, without delay, their immediate supervisor and report the escape situation and current circumstances. The supervisor will then notify their chain of command for police notification.

10.3 Reports to be prepared:

10.3.1 Any internal paperwork required by the PBP to process an arrest.

10.3.2 Affidavit of Probable Cause.

10.3.3 Any other reports as determined by the supervisor.

10.3.4 Other actions to be taken:

10.3.5 The transporting officer(s) and supervisor will ensure that every effort is made to apprehend the escapee.

10.3.6 Notification to the police zone/agency in the jurisdiction of the last known address of the escapee.

10.3.7 Notification to surrounding police agencies.

10.3.8 Notification to the police agency where the victim resides and or works if known.

10.3.9 NCIC/CLEAN entry as soon as possible.

11.0 SECURITY HAZARDS

11.2 When a person in custody is to be transported to any facility and is considered an unusual or high-security risk, the transporting officer(s) will inform the EOC to notify the respective facility of such conditions and requests additional safeguards.

11.3 It is the responsibility of each officer to properly document all information received regarding an unusual or high-security risk person in custody

12.0 RESTRAINING DEVICES

12.2 The transportation of persons in custody shall be accomplished using the degree of restraint deemed reasonable and necessary by the officer(s) to complete the task safely.

12.3 Prior to transport, all arrested persons(s) shall be handcuffed (double-locked) behind their backs with their palms facing outward unless extenuating circumstances exist. The extenuating circumstances may be, but not limited to:

12.3.1 Those persons who are physically disabled or otherwise incapacitated.

12.3.2 Single amputees will be restrained by utilizing one cuff on the wrist and attaching the other cuff to the person in custody's belt.

12.3.3 Those persons(s) who are in an obvious state of pregnancy

12.3.4 Those persons that have injuries that could be aggravated by standard handcuffing procedures.

12.4 All arrested persons being transported in a police vehicle shall be properly secured with a seatbelt.

12.5 The proper use of leg irons (shackles) and leather restraint transport belts (belly belts) when transporting a person in custody is permissible. Some factors to be considered when using leg irons and transport belts include:

- 12.5.1 The nature of the charges against the persons in custody.
- 12.5.2 The escape potential of the persons in custody.
- 12.5.3 The risk of assault by the persons in custody.
- 12.5.4 The sentence the persons in custody is currently serving.
- 12.5.5 Number of officers on the transport.
- 12.6 Persons in custody shall not be handcuffed to any part of the vehicle during transport.
- 12.7 Officers are prohibited from transporting persons in custody who are restrained in a prone position.
- 12.8 Juveniles may be handcuffed when being transported to the duty location or other facility at the discretion of the transporting officer. Situations necessitating the handcuffing of juveniles may include the following:
 - 12.8.1 When they pose a risk of escape.
 - 12.8.2 When they are charged with a crime involving violence.
 - 12.8.3 When they display violent behavior.
 - 12.8.4 Juveniles will not be handcuffed to adult persons in custody.
- 12.9 Whenever handcuffs or ankle shackles are utilized during an arrest or prison in custody transport they will be double-locked. The officer shall perform a finger sweep with the tip of the index finger between the cuff and the wrist and/or ankle in order to ensure proper blood circulation. This may not be immediately possible if the persons in custody is difficult, but should be eventually done as soon as possible.
- 12.10 In the event of a large-scale civil disobedience or riot, where multiple persons in custody are taken into custody, alternate methods of restraint may be utilized, such as:
 - 12.10.1 Flex cuffs
 - 12.10.2 Other similar devices are designed to be used and discarded.
- 13.0 PERSONS IN CUSTODY OF THE OPPOSITE SEX**
- 13.2 Whenever possible, an officer of the same sex as the persons in custody should be utilized to transport a person in custody.
- 13.3 Male and female persons in custody will not be handcuffed together.
- 13.4 Generally, male and female persons in custody will be transported separately.
- 14.0 SHOW UP OF PERSONS IN CUSTODY**
- 14.2 Many courts have suppressed identification evidence based on the use of a show-up because of the inherent suggestiveness of the practice. Therefore, the use of a show-up should be avoided whenever possible in preference for a photo array or lineup. When exigent circumstances require the use of a show-up, the following guidelines should be followed:
 - 14.2.1 Single suspect show-up shall not be used if there is probable cause to arrest the suspect.
 - 14.2.2 A complete description of the suspect should be obtained from the witness prior to conducting the show-up.
 - 14.2.3 Whenever possible, the witness should be transported to the location of the suspect rather than bringing the suspect to the witness.
 - 14.2.4 A Show up should not be conducted when the suspect is in a cell, handcuffed or otherwise restrained, or dressed in jail clothing.
 - 14.2.5 A Show up should not be conducted with more than one witness present at a time. If the show-up is conducted separately for more than one witness, the witnesses should be separated and not be permitted to communicate before or after the show-up.
 - 14.2.6 The same suspect should not be presented to the same witness more than once.
 - 14.2.7 Show-up suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator, or to perform actions of the perpetrator.

14.2.8 Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the perpetrator should be scrupulously avoided.

15.0 RELEASED BY A PHYSICIAN FOR INCARCERATION

- 15.2 When a person in custody suffers an injury and has been examined and treated at a hospital and then released, the arresting or transporting officer(s) must obtain a physician "release for incarceration" from the attending physician or their designee stating the individual has been treated for their injuries.
- 15.3 The arresting or transporting officer(s) must deliver the physician's "release for incarceration," additional medical instructions, and medications to the detention officer, intake nurse, or next receiving facility designee at the time the persons in custody are released to their custody.
- 15.4 The Allegheny County Jail or next receiving facility may refuse any persons in custody if they are not accompanied by the appropriate release for incarceration paperwork.
- 15.5 In the event personnel at the Allegheny County Jail refuse to honor the above procedures, the watch commander, if available, or the zone commander of the zone station shall be contacted, and they, in turn, shall contact a higher authority at the County Jail to gain admittance for the arrested persons. The Assistant Chief of Operations will be contacted if the commander cannot be located or is unavailable.

16.0 ASSISTING WITH PERSONS IN CUSTODY ARRESTED BY CAMPUS, VETERANS ADMINISTRATION, AND HOSPITAL POLICE

- 16.2 In view of the fact that Campus Police, Veterans Administration, and Hospital Police are recognized law enforcement agencies by the State of Pennsylvania, any persons arrested by any of the above shall be treated in the same manner as an arrest by the Pittsburgh Bureau of Police.
- 16.3 When necessary, members of the Pittsburgh Bureau of Police shall transport such persons in custody; however, they shall be only the assisting and transporting officers and shall not be the arresting officer(s).
- 16.4 Persons in custody shall be searched and transported according to all applicable policies and procedures established by the Pittsburgh Bureau of Police.

17.0 DEATH IN CUSTODY REPORTING ACT

- 17.1 The Bureau shall comply with the federal Death in Custody Reporting Act (DCRA) of 2013 that requires agencies to report, within fifteen (15) days after the end of each quarter, to the Pennsylvania Commission on Crime and Delinquency the death of any persons who are detained, under arrest, or is in the process of being arrested, or is *en route* to be incarcerated, including:
 - 17.1.1 The name, gender, race, ethnicity, and age of the deceased;
 - 17.1.2 The date, time, and location of death;
 - 17.1.3 The law enforcement agency that detained, arrested, or was in the process of arresting the deceased;
 - 17.1.4 A brief description of the circumstances surrounding the death.

Approved by:



Larry Sciroto,
Chief of Police