

**CITY OF OCONOMOWOC POLICE DEPARTMENT  
POLICIES & PROCEDURES**

DATE: September 7, 2020

HISTORY: September 27, 2019  
October 1, 1999

SUBJECT: Prisoner Guidelines

POLICY NUMBER: 99-020

**I. POLICY**

It shall be the policy of the City of Oconomowoc Police Department to ensure the safety of all prisoners, police officers, and the public while persons are in the department's custody.

**II. GENERAL GUIDELINES**

- A.** Any officer who arrests, takes custody of, or transports a prisoner, shall remain responsible for the prisoner until that officer is relieved by another officer or detention facility or the prisoner is released from custody.
- B.** The on-duty patrol supervisor shall be immediately notified of any problems with a prisoner.
- C.** Whenever any prisoner is injured while in the custody of the City of Oconomowoc Police Department, regardless of the circumstances, a detailed memo will be forwarded through the chain of command to the Chief of Police.
  - 1. It is the responsibility of the shift supervisor to submit the memo prior to the end of the shift.
  - 2. In the event that the injury results in death or serious injury, the Captain of Police shall immediately be notified. (See also policy 98-34 "Command and Supervisory Notifications")
- D.** Prisoners are prohibited from engaging in any activity that is in violation of state law or local ordinances. Any such prisoner behavior shall be investigated and appropriately charged.
- E.** At no time will a prisoner be placed in a position of authority over another prisoner.
- F.** Officers will safeguard arrest and detention information from unauthorized disclosure.
- G.** A prisoner shall not be left alone.
  - 1. The officer's specific responsibility will be to safeguard the prisoner.
- H.** Officers of the City of Oconomowoc Police Department shall refrain from addressing prisoners using obscene or profane language.
- I.** Prisoners shall, upon request, be given access to a telephone for notifying a friend, relative or counsel, as soon as circumstances permit.
  - 1. Long distance telephone are only permitted if the telephone call is made collect.
  - 2. Telephone calls should be limited to making notification of a subject's arrest. Officers should safeguard against calls being made that could hinder an investigation or are social in nature.

- J. Whenever an officer makes an arrest or at any time has in their personal custody a prisoner not confined to a cell, the officer shall always keep them in sight and use the utmost precaution to prevent a prisoner from escape or causing injury.
  - 1. If a prisoner escapes due to negligence or carelessness on the part of an officer, it will be considered gross neglect of duty and the officer will be subject to discipline.

### **III. HANDCUFFING GUIDELINES**

- A. Officers will handcuff all prisoners with their hands behind their back.
  - 1. As soon as is practical, the handcuffs should be checked for tightness and double-locked (except as stated in "B").
- B. Officers may handcuff a prisoner with their arms in front, or utilize other appropriate restraining devices, when the prisoner:
  - 1. Is in an obvious state of pregnancy
  - 2. Has a physical disability or condition that would prevent standard handcuffing procedures
  - 3. Has an injury that could be aggravated by standard handcuffing procedures
- C. Prisoners will not be handcuffed to any part of a vehicle.
- D. Additional approved restraints devices may be used to secure a prisoner who violently resist arrest, poses a threat of escape or who show mental disorders that pose a threat.
  - 1. Ripp restraint
  - 2. Leg cuffs
  - 3. Flex cuffs
- E. Prisoners held in the booking/interview room may be removed from handcuffs at the officer's discretion.
  - 1. If an Adult prisoner is placed in an interview room un-cuffed, the door must be locked from the inside.
  - 2. Juveniles in custody cannot be kept in a locked room.

### **IV. PRISONER SEARCHES**

- A. Stop and Frisk - Pursuant to "Temporary Questioning Without Arrest" (Reference to 968.24 and 968.25 Wisconsin State Statute).
  - 1. A frisk is a systematic examination of a subjects outer clothing. This procedure is performed by sliding the hands down the surface of the subject's outer clothing.
  - 2. If the officer discovers an object that may be potentially dangerous, the officer shall remove and secure the item which poses a threat by the safest means possible.
  - 3. Any item, which is not contraband must be returned to the subject at the conclusion of the contact.

**B. On-Scene Searches of Prisoners**

1. As soon as possible after making a custodial arrest, the arresting officer will secure the subject in handcuff pursuant to department policy.
2. An on-scene search of the prisoner will then be conducted, preferably by the arresting officer or in the presence of the arresting officer.
3. Whenever possible, on scene searches will be conducted by members of the same sex.
  - a. If it is necessary to make an on-scene search of a prisoner of the opposite sex, a witness should be present for the officer's protection.
4. For officer safety purposes, prior to conducting a search, the officer should ask the prisoner if they possess any weapons, contraband or sharp objects. If necessary, such objects are to be removed with extreme caution.
5. All wallets, purses and containers in the possession of the prisoner shall be removed from their possession and searched as soon as practical.
  - a. The above listed property must be searched prior to the release of the prisoner or transfer to another agency.
6. If, prior to transferring the prisoner to another agency, the officer is unable to conduct a thorough search due to opposite sex, extremely disorderly prisoner, etc., the officer shall advise that agency of the circumstances and request their assistance.
7. All prisoners shall be searched prior to being placed in a squad for transport.

**C. City of Oconomowoc Police Department Lockup Searches**

1. For the protection of the prisoner, officer and anyone else in the immediate area, upon arriving in the City of Oconomowoc booking room, the prisoner should be searched again.
2. The prisoner should remain handcuffed during the search to prevent injury from attacks and to provide more safety to the officer and prisoner.
3. All items should be removed from the prisoner's pockets and searched.
4. Special attention should be paid to hats, outer wear, shoes, socks, wallets, purses and containers.
5. Whenever possible, any searches conducted on a prisoner of the opposite sex should be done with a witness present.

**D. Strip and Body Cavity Searches**

1. See policy 97-009

**E. Search of Police Vehicles**

1. Prior to the beginning of an officer's tour of duty, and after each prisoner transport, the assigned officer shall conduct a thorough search of the squad for evidence and/or weapons.
  - a. Caution must be used when reaching into areas that are not visible.

**F. Only officers shall conduct prisoner searches.**

**V. MEDICAL GUIDELINES**

- A.** Immediate medical attention shall be provided or offered to any prisoner who:
  - 1. Has an obvious physical injury or illness.
  - 2. Who complains of injury or illness.
  - 3. Is not fully conscious, or loses consciousness.
- B.** The Fire Department will be called to the scene when a prisoner is in need of immediate medical attention.
  - 1. Officers may transport prisoners with minor injuries or illnesses to the hospital in a squad.
  - 2. If any doubt exists to the extent of a prisoner's injury or illness, the fire department will be called to the scene.
- C.** Appropriate police escort will be provided whenever a prisoner is transported to a medical facility.
- D.** The officer who has custody of a prisoner shall remain responsible for the security of the prisoner until properly relieved, or is otherwise directed by a supervisor.
- E.** At no time shall an officer diagnose ailments, prescribe or administer the prisoner's medication. Whenever any doubt exists if a prisoner needs immediate medical attention, the fire department shall be requested to respond.
- F.** The shift supervisor shall immediately be notified of all prisoner injuries and/or illnesses sustained while in custody.

## **VI. TRANSPORTING PRISONERS**

- A.** Squads should be searched for contraband and weapons before and after transporting a prisoner.
- B.** Caged squad transports
  - 1. If the squad is equipped with a cage, all prisoners must be transported in the backseat.
  - 2. When transporting a prisoner in the backseat of a squad, the cage shall be closed to protect the officer and minimize the threat of escape.
  - 3. Whenever possible, only squads with the interior door handles disabled shall be used for transporting prisoners.
- C.** Uncaged squad transports
  - 1. When necessary, prisoners may be transported on the front passenger seat of an uncaged squad with the authorization of the shift supervisor.
- D.** The officer should use care when assisting a prisoner into the squad for transport.
- E.** Seat Belts
  - 1. Ensuring the safety of the prisoner and the officer is paramount when determining whether or not to seat belt a prisoner.
  - 2. All prisoners shall be secured when transported in an uncaged squad.

3. All prisoners shall be secured in the squad by proper use of a seat belt except in situations where disorderly or violent behavior exists, that would present a danger to the officer.
    - a. Officer should also be cognizant of the potential danger to a prisoner, who may become unconscious (due to intoxication) during transport.
- F. Prisoner transports within the city**
1. When transporting a female or juvenile prisoner within the City of Oconomowoc, the officer shall advise dispatch of the following:
    - a. Starting mileage
    - b. Destination
    - c. Upon arriving on location, the officer shall provide their ending mileage.
- G. Prisoner transports outside of the city**
1. When transporting a female or juvenile prisoner outside of the City of Oconomowoc, the officer shall advise dispatch of the following:
    - a. Starting mileage
    - b. Destination
    - c. Upon arriving on location, the officer shall provide their ending mileage.
  2. Officers shall also utilize their mobile video recorder.
    - a. The camera should be direct towards the backseat of the squad and remain on during the entire transport.
  3. If a squad with a mobile video recorder is not available and body cameras are not working, and there is adequate manpower, two officers should make the prisoner transport.
    - a. The shift supervisor shall make the determination based on available manpower, calls for service and the prisoner.
- H. Disorderly Prisoners Transports**
1. When transporting disorderly prisoners, the mobile video recorder shall be utilized.
    - a. The camera should be directed towards the backseat of the squad and remain on during the entire transport.
    - b. When necessary two officer should be utilized to transport the disorderly prisoner.
    - c. If necessary, the transporting officer should request dispatch contact the jail facility for assistance when the squad arrives.
- I. Handicap Prisoner Transports**
1. Officers should consider the use of the fire department ambulance for transporting handicap and non-ambulatory patients.
    - a. The determination for transportation will be made by the shift supervisor.
- J. Prisoner property will be placed in an appropriate container and transported in an area away from the prisoner.**
- K. Upon arriving at the Waukesha County Jail, weapons must be secured in the trunk of the squad or in a locked gun box prior to entering the jail facility.**
- L. The primary duty of the officer transporting is the safe delivery of the prisoner. Only where a risk to third parties is both clear and grave should the officer stop to render assistance. Officer will use the utmost care and diligence to safeguard prisoners from accident or injury. Prisoners will not be**

endangered by high speed driving or other undue risks caused by an attempt to apprehend a violator.

- M.** Prisoners will not be left in an unattended squad, except in cases of emergency. If a prisoner is allowed to remain unattended in the squad, the ignition keys will be removed.

**V. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE**

This policy is effective immediately  
and will supersede any directives or understandings in conflict