



Policy Name:	TRANSPORTATION OF PRISONERS		
Policy #:	OP 7.3	Last Updated:	2024-06-26
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
Version	2.0	Review Frequency:	AS REQUIRED

RELATED POLICIES

OP 2.4 IIO Notification

OP 3.1 Arrest and Detention

OP 3.1.1 Handcuffing a Person

OP 3.2 Searches of a Person

OP 7.1 Booking and Fingerprinting Prisoners

OP 7.2 Escape of Prisoners

OP 7.4 Guarding Prisoners in Hospital

OP 7.5 Responsibility for Prisoners

OP 7.6 Searching Prisoners

1. PURPOSE

- 1.1. To ensure that the transportation of prisoners places a priority on the safety of all persons involved and employs proper safeguards to limit the opportunity to escape.
- 1.2. To provide direction to Surrey Police Service (SPS) Members with respect to the transportation of prisoners.

2. SCOPE

- 2.1. This policy applies to all SPS Members.

3. POLICY

- 3.1. SPS is responsible for the well-being and protection of persons in its custody (see OP 7.5 *Responsibility for Prisoners*).
- 3.2. Members must transport prisoners in a manner which ensures the safety of prisoners, the public, and SPS Employees.
- 3.3. SPS will provide special handling of prisoners who are:
- i. Young Persons under the *Youth Criminal Justice Act*;
 - ii. of the opposite sex of the handling Member;
 - iii. mentally or physically disabled;
 - iv. violent or self-destructive;
 - v. sick or injured;
 - vi. transgender; and
 - vii. non-binary (see OP 3.1 *Arrest and Detention*; OP 3.2 *Searches of a Person*; OP 7.6 *Searching Prisoners*).
- 3.4. Members must transport persons in custody in a timely manner.

4. PROCEDURE

Handcuffing and Restraining

- 4.1. Incident to lawful arrest and subsequent transport of a prisoner, Members will take physical custody of the person, which will include handcuffing where the circumstances require it, taking into account their surroundings and the need to ensure police officer safety, prisoner safety and safety of the public. Members must be able to articulate in each circumstance their reasons (upon risk assessment) in applying any restraint device to a prisoner (see OP 3.1 *Arrest and Detention*; OP 3.1.1 *Handcuffing Persons*).

Search of Prisoners and Transport Vehicles

- 4.2. All persons taken into custody are considered prisoners and will be searched in the first instance. The transporting Member is responsible for ensuring a protection search of the prisoner has been completed prior to the prisoner being transported (see OP 3.2 *Searches of a Person*).
- 4.3. The Member must carefully search the prisoner and ensure all property, especially anything the prisoner could use to inflict self-injury or cause injury or damage to persons or property, is seized (see OP 7.6 *Searching Prisoners*).
- 4.4. The Member must search the transport vehicle before and after transporting prisoners. The Member will make an entry in their notebook to confirm completion of this search.

Transporting Prisoners

- 4.5. All prisoners will be transported in a police vehicle equipped with a secure prisoner compartment to minimize opportunities for the prisoner to escape, and to separate the driver from the prisoner by a safety barrier.
- 4.6. Prisoners will be transported separately in all instances unless otherwise authorized by a Supervisor.
- 4.7. Young persons (i.e., persons in custody aged 12 to 17 years) will not be transported in the same vehicle as adult prisoners, except in the prisoner wagon, if applicable, and only when they can be secured in a separate compartment from adult prisoners.
- 4.8. Female prisoners will not be transported in the same vehicle as male prisoners, except in the prisoner wagon, if applicable, and only when they can be secured in a separate compartment from male prisoners.
- 4.9. Prisoners who identify as, or are believed to be, transgender or non-binary, may be questioned and transported according to the gender with which they identify or separately from other prisoners.
- 4.10. Where a Member must transport a physically disabled prisoner, the prisoner will be transported in the same manner as any other prisoner unless the person's disability is of a nature that transportation by police vehicle would be impractical or cause undue discomfort or injury to the prisoner. In these cases, the transporting Member must consult a Supervisor regarding alternate transportation, such as the British Columbia Ambulance Service (BCAS), Handy Dart, or a wheelchair accessible taxi.
- 4.11. Regardless of the form of non-police vehicle transportation used, a Member must accompany the prisoner in the vehicle, with a second Member following in a police vehicle if the prisoner is displaying, or has displayed, a potential for violent behaviour.
- 4.12. Wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not necessarily in the possession of, the prisoner.
- 4.13. Members will use their PRIME busy codes when transporting prisoners to ensure that the times of transport are date and time stamped along with entries of the mileage reading before and after transport. If this cannot take place, the Member will request the Operational Communications Centre (OCC) dispatcher to log this information on the CAD file. Members must make an entry in their notebook to record information and reporting.
- 4.14. Prisoners must be secured in a seatbelt during transport if the Member believes they can safely ensure the seatbelt is fastened.
- 4.15. Prisoners must be transported in a manner that allows for continuous visual observation.

- 4.16. The physical well-being of prisoners must be monitored during transport. Particular attention must be directed to persons reported or suspected of being under the influence of drugs and/or alcohol or who have a history or propensity for violence.
- 4.17. Prisoners must not be left unattended during transport under any circumstances.
- 4.18. Members must not engage in unrelated enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another person. In non-life threatening but serious situations, Members should call for back-up assistance and remain on-hand until assistance has arrived.

Sick or Injured Prisoners / Persons

- 4.19. Prisoners who display symptoms or complain of an illness, excited delirium, or are suffering from an injury, are to receive an initial medical assessment from BCAS. The Member must immediately notify a Supervisor (see OP 3.1 *Arrest and Detention*).
- 4.20. Prisoners who are or who become unconscious or of questionable consciousness or who have incurred an apparent head injury must be immediately transferred by BCAS to the hospital. The Member must immediately notify a Supervisor.
- 4.21. BCAS should be requested to attend Code 3 if a prisoner is suffering from an obvious serious illness or injury.
- 4.22. Members should be guided by BCAS personnel regarding appropriate medical treatment for the prisoner, and whether the Prisoner should be transported by police vehicle to the hospital or wait for BCAS to arrive.
- 4.23. If the prisoner requires transportation by BCAS to hospital, one Member will accompany the prisoner in the ambulance with a second Member following the ambulance in a police vehicle.
- 4.24. In the event a prisoner is admitted to a hospital, it is SPS's responsibility to provide staff to guard the prisoner until an Information has been sworn or affirmed, at which time security of the prisoner becomes the responsibility of Provincial Corrections (see OP 7.4 *Guarding of Prisoners in Hospital*).
- 4.25. If the arrested person needs medical care but is also apprehended under s. 28 of the *Mental Health Act* (MHA), Members are responsible for custody of the MHA patient until a physician begins the MHA "examination" or notifies police that the prisoner will not be certified under the MHA. At that point, the prisoner is a medical concern of the hospital (see OP 3.1 *Arrest and Detention*).
- 4.26. If the illness or injury is of a minor nature but requires non-emergency medical attention, the Member should transport the prisoner to Surrey Memorial Hospital or Peace Arch Hospital.

- 4.27. The prisoner must be restrained at all times unless such restraint would interfere with essential treatment.
- 4.28. When the prisoner is released from the hospital and is being transported to the Surrey Cell Block, the transporting Member must give all hospital treatment instructions and medication directions to the Surrey Cell Block Guard and notify the Surrey Cell Block Duty Sergeant (see OP 7.1 *Booking and Fingerprinting of Prisoners*).
- 4.29. A Member may transport a person, who is not a Prisoner, to hospital in a police vehicle if the person requires urgent medical attention and BCAS or Surrey Fire Service are not readily available. The Member's Supervisor must provide prior authorization.

Documentation

- 4.30. Members must ensure that all adequate notes are taken relating to care of the prisoner while in their care.

Escape of Prisoner

- 4.31. Prisoner escapes must immediately be reported to the OCC, the district NCO and the Duty Officer, including a complete description of the fugitive, mode and direction of travel, original charge and propensity for violence, if known (see OP 7.2 *Escape of Prisoners*).
- 4.32. A district Supervisor will assign a Frontline Policing Member to investigate the escape.
- 4.33. If the fugitive is not immediately captured, the assigned Member must request the OCC to notify surrounding jurisdictions of the escape.
- 4.34. The assigned Member must provide a full report relating to the escape and the report to Crown Counsel requesting a warrant for escape lawful custody.

Reporting Requirements

- 4.35. If a Reportable Injury, Serious Harm or death occurs while a prisoner is in SPS custody, the Duty Officer must notify the Independent Investigations Office (IIO) Liaison Officer (see OP 2.4 *IIO Notification*; OP 4.34.11 *In-Custody Death*).
- 4.36. If a death occurs while a prisoner is in SPS custody, the Duty Officer must immediately inform the Chief Constable through the chain-of-command.

APPENDIX A: DEFINITIONS

“BCAS” means British Columbia Ambulance Service.

“Duty Officer” means the Frontline Policing Inspector.

“Employee” means a sworn Member or Civilian Employee appointed by the Surrey Police Board.

“Guard” refers to a Surrey Cell Block staff member entrusted with the safekeeping of prisoners under the general supervision of the SPS.

“IIO” means the Independent Investigations Office of British Columbia established pursuant to the *Police Act*.

“IIO Liaison Officer” means the Member designated by the Chief Constable as the point of contact with the IIO regarding an investigation.

“LMIPDS” means Lower Mainland Integrated Police Dog Services.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“NCO” means non-commissioned officer and includes the rank of Sergeant and Staff Sergeant or a Member acting in that role.

“Non-Binary” means an individual who identifies as non-binary and may live without gender assignment (agender) or may move between genders (gender-fluid).

“OCC” means the Operational Communications Centre.

“PRIME” means Police Records Information Management Environment, the provincial police records management system.

“Reportable Injury” means as it is defined in the *Police Act*, any of the following: “an injury caused by discharge of a firearm; an injury requiring emergency care by a medical practitioner or nurse practitioner and, transfer to a hospital; or any injury described by s. 184(2)(c) of the *Police Act*.”

“Serious Harm” means as defined in the *Police Act*, “injury that may result in death, may cause serious disfigurement, or, may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ.”

“Supervisor” means a Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

“Transgender” is an umbrella term referring to a person born with the physical characteristics of one sex who emotionally and psychologically identifies as a person of the opposite sex. The term includes but is not limited to people who identify as transgender, trans women (male-to-female MTF), trans men (female-to-male FTM), transsexual, or gender nonconforming, gender variant, gender queer, or non-binary.

APPENDIX B: REFERENCES

Memorandum of Understanding Respecting Investigations Between the IIO and Municipal Police Departments, and others (August 31, 2020).

Police Act, R.S.B.C. 1996, c. 367