
Policy Number: 301.095
Title: Central Transportation – Offenders
Effective Date: 11/5/19

PURPOSE: To ensure the safety of the public when transporting offenders for the maintenance of facility populations in compliance with population and custody capacities of each facility, while also providing for the safe, secure, and humane treatment of offenders during transport.

APPLICABILITY: All central office transportation unit staff transporting offenders within or outside the state

DEFINITIONS:

Administrative transfer – offender transfer based upon an administrative decision.

Affiliated facility – state hospital, interstate facility, or contract facility under the governance of the department.

Contract facility – offender transfer based upon contract/joint powers agreement with county jails and private companies that provide housing.

Custody level transfer – planned offender transfer based upon classification or non-emergency security/health program needs. Transfers are based on bed space availability.

Emergency transfer – offender transfer based on unanticipated medical, mental health, or security needs.

Federal Bureau of Prisons exchange – the DOC may send or receive offenders from the Federal Bureau of Prisons under the provisions of Intra-Governmental Agreement (IGA).

Full restraints – waist chain, black box (with padlock), handcuffs (double locked), and leg irons (double locked).

Interstate Corrections Compact (ICC) – as defined in Policy 203.110, “Interstate Corrections Compact – Facility.”

PROCEDURES:

A. Transfer authorization

1. Department transfers are managed by the central office capacity manager (under the supervision of the assistant commissioner of facility services). Offenders may be transferred to a department facility, or affiliated facility consistent with:
 - a) The custody, classification, gender, health, and program needs of the offender;
 - b) Operational needs of the department; or
 - c) Criteria established by contract, agreement, federal regulation or treaty.
2. Assignment to a particular classification level does not grant an offender the right to be assigned to or remain at a particular facility.

3. The facility transfer coordinator must ensure that each offender to be transferred has received transfer clearance from the following units: discipline, records, health services, and behavioral health services.

B. Offender records and property

1. Department staff must provide an updated offender file, including the health record, simultaneously or within 72 hours of transfer. Central office transportation staff must maintain possession and confidentiality of offender files and medical information during transfer.
2. Prior to transport, health services staff must evaluate either the offender or the offender's records to assess the offender's ability to travel. After the evaluation, health services staff prepare the medical, dental, and mental health files for transfer. Medications are packaged and clearly labeled separately from offender property. When travel is approved, health services staff must provide pertinent data (including medication, behavior management procedures, and other treatment or special requirements for observation and care during travel), documented in a manner readily accessible to, and easily understood by, transportation staff or others who may be called upon to attend offenders during travel and upon reception at the receiving facility. Health services staff must furnish transportation staff with any offender medications or other special treatments required enroute, along with specific written instructions.
3. When appropriate, the offender's property accompanies the offender at the time of transfer.
4. Food services staff at the individual facilities must provide bag lunches, when necessary, for each transport.
5. The central transportation unit must retain documents noting the names of transported offenders, the locations transported from and to, and the names of the transport officers.

C. Transportation security

1. Staff must prepare proper authorization to permit offender transport from the facility including two copies of the offender summary report.
2. Only central transportation unit approved vehicles are used to transport offenders except when a rental car is used during out-of-state transports. All central transportation staff sergeants have a commercial driver's license (CDL). Transportation vehicles are equipped with:
 - a) Barriers;
 - b) Restraints/back up restraints;
 - c) Radio;
 - d) Fire extinguishers;
 - e) Security of doors/windows from offender operation;
 - f) Biohazard clean up supplies;
 - g) First aid kit;
 - h) Chemical agent;
 - i) Verizon Networkfleet (GPS); and
 - j) Ignition override device.
3. Transporting officers are also equipped with restraints, chemical agents, and a cell phone.

4. A search/physical examination of an offender is not conducted for the sole purpose of determining the offender's gender. If the offender's genital status is unknown, it may be determined during conversations with the offender, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.
5. An unclothed body search must be conducted on each offender who is to be transported. Officers performing the search must comply with Policy 301.010, "Searches." If facility staff conducted the unclothed body search, transportation staff must pat search each offender before transport.
6. Officers must place the offender in a secure environment until the commencement of the transport.
7. Officers must search each vehicle leaving or returning to a facility must be searched for contraband before and after each transport, in accordance with unit guidelines.
8. Use of restraints (see C.9, below, for pregnant offenders and female offenders during the three days after delivery)
 - a) For all facility-to-facility transfers, offenders are placed in full restraints. Exceptions are determined by the central officer transportation unit captain/designee.
 - b) At the discretion of the transporting officer(s), supervised release and work release violators may be transported using handcuffs and waist chains only.
 - c) When transporting an offender (being released to supervised release status) with other offenders, the supervised releasee must be placed in full restraints. An exception may be made if using a partitioned transport vehicle.
9. Pregnant offenders and restraints (see also Policy 301.081, "Use of Force and Restraints – Adult," procedure A.10, and Policy 301.096, "Medical Transportation")
 - a) Female offenders are not to be restrained during active labor or delivery of a child, unless there are documented serious security risks and the medical authority has given specific approval as well as guidance on the method of restraint. In such extreme circumstances, staff must also follow the procedures in C.9.d), below.
 - b) Pregnant offenders, or female offenders during the three days following delivery, are not restrained during transportation and hospitalization unless there are security reasons to do so.
 - c) Staff must make an individual determination that restraints are necessary for the safety and security needs of the offender, staff, or the public. Security reasons to be considered include situations such as:
 - (1) Escape risk;
 - (2) Danger to the pregnant offender or the unborn child (self-injurious behavior);
 - (3) Physical abuse (assaultive behavior) to correctional or medical staff;
 - (4) Causing damage to property; or

- (5) Public safety risk.
- d) If staff determine that restraints are necessary, the restraints must be the least restrictive available and reasonable under the circumstances. If a pregnant offender must be restrained, necessary precautions must be taken in order to prevent harm to the fetus.
 - (1) Staff must notify a central office CTU supervisor, who then notifies the proper personnel at MCF-Shakopee.
 - (2) All staff involved must each write an incident report.
 - (3) Qualified health services staff prescribe the precautions to be taken, including such examples as:
 - (a) The manner in which the offender may be restrained, and
 - (b) Whether the offender needs a qualified health services staff person present during the application of restraints.
- 10. A single staff member must not transport more than one offender release violator to a facility, unless a central office transportation unit vehicle is used.
- 11. Necessary rest stops must be conducted with minimal public contact. Efforts are made to use secure (county jail or DOC facility) rest rooms. If public restrooms are necessary during transport, staff must position themselves between the offender and the obvious exits and must keep the offender in view at all times.
- 12. Offenders are not allowed to sit in the front of a transport vehicle.
- 13. Officers and offenders must wear seat belts, when available, while the transport vehicle is moving.

D. Escapes

If an offender escapes or attempts to escape during a delegation/transfer, transportation staff must take the following actions:

- 1. During an escape attempt, transporting staff must use only the amount of force necessary to apprehend the offender, up to and including deadly force. If the transporting staff are not able to apprehend the offender, they must maintain visual contact with the offender for as long as possible without endangering themselves or others. Transportation staff must act within the confines of the law (e.g., speed limits, etc.).
- 2. In the event of an escape, transportation staff must immediately notify the following by vehicle radio or cellular phone:
 - a) Local law enforcement and/or 911;
 - b) A central office transportation unit supervisor, who then notifies the proper personnel at the office of special investigations (OSI) and the commissioner's office; and
 - c) The nearest facility watch commander.

E. Emergencies

In the event of an emergency, transportation staff must complete the following procedures:

- 1. Notify local law enforcement and/or 911;
- 2. Notify a central office transportation unit supervisor, who then notifies the proper personnel OSI and the commissioner's office;

3. Notify the nearest facility watch commander;
4. Administer first aid, when applicable; and
5. Write an incident report as prescribed in Policy 300.300, "Incident Reports," and refer to Policy 104.4615, "Use of State Vehicles" in the event of an accident.

F. Transportation of parole violators and absconders

1. Parole violators and absconders may be either within the state or outside the State of Minnesota.
2. Transportation authority originates from the Warrant of Commitment, which grants the department the authority to return any violators or absconders.
3. Authorized staff from the warrants unit must notify the central transportation unit of the need to return a violator or absconder. The following information must be provided:
 - a) Name of the offender(s);
 - b) Offender identification number (OID);
 - c) Location of offender;
 - d) Name and phone number of contact person;
 - e) Location where offender is to be transported;
 - f) Timeframe deadline to pick up offender;
 - g) Papers necessary for transport staff to take custody of offender;
 - h) Papers necessary for receiving facility to take custody of offender;
 - i) Name of staff ordering the transport; and
 - j) Any additional information to prevent transport problems.
4. Out of state female violators/absconders must have a female transport officer during the transport when using a commercial airline.
5. Female violators/absconders may be transported without a female transport officer at the discretion of the central transportation unit captain/designee when a central office transportation unit vehicle is used.
6. Travel arrangements for out-of-state transports are arranged by the central transportation unit. Transport staff must complete an employee expense report and attach all receipts/airline itinerary for reimbursement (refer to Policy 104.461, "Employee Reimbursement for Travel and Other Business Expenses").

INTERNAL CONTROLS:

- A. Documents noting the names of the transported offenders, the names of the transport officers, and the locations from and to which offenders are transported are retained by the central transportation unit.

ACA STANDARDS: 4-4096, 4-4189, 4-4190-1, 4-4347, 4-4399, 4-4414, 1-ABC-3A-15

REFERENCES: Minn. Stat. §§ [243.51](#); [241.07](#); [241.28](#); [241.29](#); [241.30](#); [241.01](#), subd 3a.(b) [Policy 104.461, "Employee Reimbursement for Travel and Other Business Expenses"](#) [Policy 104.4615, "Use of State Vehicles"](#) [Policy 105.125, "A Workplace Accident and Injury Reduction Program \(AWAIR\)"](#) [Policy 203.220, "Delegations"](#)

[Policy 106.320, "Offender/Resident Records"](#)

[Policy 202.045, "Management of Transgender/Gender Non-Conforming/Intersex Offenders"](#)

[Policy 202.100, "Classification System"](#)

[Policy 203.110, "Interstate Corrections Compact \(Facility\)"](#)

[Policy 301.096 "Medical Transportation"](#)

[Policy 302.250 "Offender Property"](#)

[Prison Rape Elimination Act \(PREA\), 28 C.F.R. §115 \(2012\)](#)

REPLACES: Policy 301.095, "Central Transportation – Offenders," 5/20/14.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: [Minnesota Motor Vehicle Crash Report](#) (external site, Public Safety)
[Receipt of Offender and/or Records form](#) (Available on Records iShare site)
[Property Transfer Log](#) (302.250M)

APPROVALS:

Deputy Commissioner, Community Services

Deputy Commissioner, Facility Services

Assistant Commissioner, Operations Support

Assistant Commissioner, Facility Services