DEPARTMENT OF CORRECTIONS

Policy Number:	**301.095**
Title:	**Central Transportation – Incarcerated People**
Effective Date:	**09/24/24**

PURPOSE: To ensure the safety of the public when transporting incarcerated people 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 incarcerated people during transport.

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

DEFINITIONS:

Administrative transfer – incarcerated person transfer based upon an administrative decision.

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

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

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

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

Escape – leaving the confines of a secure correctional facility or the custody of correctional supervision without authorization.

Federal Bureau of Prisons exchange – the DOC may send or receive people 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). Incarcerated people may be transferred to a department facility, or affiliated facility consistent with:
   a) The custody, classification, gender, health, and program needs of the incarcerated person;
   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 incarcerated person the right to be assigned to or remain at a particular facility.

3. The facility transfer coordinator must ensure that each incarcerated person/youth 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 incarcerated person/youth file, including the health record, simultaneously or within 72 hours of transfer. Central office transportation staff must maintain possession and confidentiality of incarcerated person/youth files and medical information during transfer.

2. Prior to transport, health services staff must evaluate either the incarcerated person/youth or their records to assess the person'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 the person's 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 to incarcerated people/youth during travel and upon reception at the receiving facility. Health services staff must furnish transportation staff with any incarcerated person/youth medications or other special treatments required enroute, along with specific written instructions.

3. When appropriate, the incarcerated person's property accompanies them 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 incarcerated people/youth, 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 Transportation Report.

2. Only central transportation unit approved vehicles are used to transport incarcerated people/youth except when a rental car is used during out-of-state transports. All central transportation staff sergeants have a commercial driver's license (CDL), Class A or B with passenger and air brake endorsements. Transportation vehicles are equipped with:
   a) Barriers;
   b) Restraints/back up restraints;
   c) 800 mHz radio;
   d) Fire extinguishers;
   e) Security of doors/windows from incarcerated person/youth operation;

f) Biohazard clean up supplies;
g) First aid kit;
h) Chemical agent;
i) Decontamination aid (COOL IT, etc.):
j) GPS - Telematics;
k) Ignition override device; and
l) Security video recording system.

3. Transporting officers are also equipped with restraints, chemical agents, and a cell phone.

4. A search/physical examination of an incarcerated person is not conducted for the sole purpose of determining their gender. If the person's genital status is unknown, it may be determined during conversations with them, 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. (See Policy 301.010, "Searches.")

5. An unclothed body search must be conducted on each incarcerated person 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 incarcerated person/youth before transport.

6. Officers must place the incarcerated person/youth in a secure environment until the commencement of the transport.

7. Officers must search all transport vehicles for contraband before and after each transport.

8. Incarcerated individuals/youth are never allowed to sit in the front seat of a transport vehicle.

9. Officers and incarcerated individuals/youth must wear seat belts, when available, while the transport vehicle is moving.

10. Use of restraints (see C.11, below, for pregnant incarcerated people and incarcerated people during the three days after delivery)
    a) For all facility-to-facility transfers, incarcerated people are placed in full restraints. Staff may modify restraints based on the incarcerated person's/youth's condition. Exceptions are determined by the central transportation unit (CTU) captain/designee. If restraints are modified, the incarcerated individual/youth must be placed in a different partitioned area from full restraint incarcerated individuals/youth.

    b) When transporting an incarcerated person being released to supervised release status with other incarcerated people, the supervised releasee must be placed in full restraints. An exception may be made if using a partitioned transport vehicle.

11. Pregnant incarcerated people and restraints (see also Policy 301.081, "Response to Resistance, Restraint Systems, and Escape," procedure A.18, and Policy 301.096, "Medical Transportation")
    a) Incarcerated persons known to be pregnant, or individuals who have given birth within the preceding three days, must not be restrained unless an individualized

determination has been made that restraints are reasonably necessary for the legitimate safety and security needs of the incarcerated person, correctional staff, other incarcerated individuals, or the public. If restraints are determined to be necessary, the restraints must be the least restrictive available and the most reasonable under the circumstances. If the incarcerated person is receiving health services or is hospitalized, the treating medical care provider must be informed of their ability to remove the restraints when treating the incarcerated person. All uses of restraints on pregnant incarcerated people or individuals who have given birth within the preceding three days must be documented on the incident report and the Resistance Use of Force, Pinion Restraint, Canine Bite, and Chemical Irritant Review form.

b) When incarcerated persons known to be pregnant or individuals who have given birth within the preceding three days must be transported or hospitalized, restraints must not be used unless determined to be necessary according to the above requirements and the least restrictive available are used.
   (1) Waist chains or other devices that cross or otherwise touch the person's abdomen or handcuffs or other devices that cross or otherwise touch the person's wrists when affixed behind their back must not be used.
   (2) Wrist restraints, if used, should be applied in such a way that the pregnant person may be able to protect themselves and their fetus in the event of a forward fall.

c) Restraints must not be used on a person who is in labor or who has given birth within the preceding three days, unless all of the following apply:
   (1) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the incarcerated person, the staff of the correctional or medical facility, other incarcerated persons, or the public;
   (2) The DOC security staff person has made an individualized determination that restraints are necessary to prevent escape or injury;
   (3) There is no objection from the treating medical care provider, and they have been informed of their ability to remove the restraints; and
   (4) The restraints used are the least restrictive type and are used in the least restrictive manner.

c) When a pregnant incarcerated person is restrained, security staff must consult with available health services staff on the continued use of restraints.

12. Only necessary rest stops may be made.

13. 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 incarcerated person/youth and the obvious exits and must keep the incarcerated person/youth in view at all times. All rest stops must be documented on the Central Transportation Travel Log.

D. Escapes (see Policy 301.081, "Response to Resistance, Restraint Systems, and Escape")

1. Staff assigned to transportation or hospital coverage may attempt to stop an escape using approved response to resistance techniques as long as it is safe to do so. Staff should

coordinate their efforts with site security personnel when possible. Local law enforcement must be notified to assist.

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 OSI and the commissioner's office; and
   c) The nearest facility watch commander.

3. Transportation staff must write an incident report as prescribed in Policy 300.300, "Incident Reports."

E. Emergencies

In the event of a vehicle breakdown, accident, weather emergency, or medical emergency, transportation staff must:

1. Notify local law enforcement and/or 911;

2. Notify a central office transportation unit supervisor, who then notifies OSI and the commissioner's office;

3. Notify the nearest facility watch commander;

4. Administer first aid or seek medical attention at the nearest hospital, 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 incarcerated person;
   b) The incarcerated person's identification number (OID);
   c) Location of the incarcerated person;
   d) Name and phone number of a contact person;
   e) Location where the incarcerated person is to be transported;
   f) Timeframe deadline to pick up the incarcerated person;
   g) Papers necessary for transport staff to take custody of the incarcerated person;
   h) Papers necessary for receiving facility to take custody of the incarcerated person;
   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 incarcerated individuals/youth, the names of the transport officers, and the locations from and to which the incarcerated people/youth are transported are retained by the central transportation unit.

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 and Placement of Persons Who Are Transgender, Gender Diverse, Intersex, or Gender Nonbinary"
Policy 202.100, "Classification System"
Policy 203.110, "Interstate Corrections Compact (Facility)"
Policy 301.010, "Searches"
Policy 301.081, "Response to Resistance, Restraint Systems, and Escape"
Policy 301.147, "Security Video Recording Systems/Photographic Images"
Policy 303.300, "Incident Reports"
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," 11/5/19.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: MN Department of Corrections – Five-Level Classification System (301.095A)
Central Transportation Travel Log (301.095B)
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, Client Services and Supports
Assistant Commissioner, Agency Services and Supports
Assistant Commissioner, Facilities
Assistant Commissioner, Facilities

Assistant Commissioner, Community Services and Reentry
Assistant Commissioner, Health, Recovery, and Programming