

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
430**

TRANSPORTATION OF INMATES

Supersedes: AR 430 (03/19/13); AR 430 (10/02/13, Temporary); 10/15/13;
(07/20/17, Temporary); 8/30/17; (09/16/17, Temporary)
Effective Date: 03/09/18, Temporary

AUTHORITY

NRS 209.131, NRS 209.261; NRS 209.274; 42 U.S.C. § 15601, *et seq.* and 28 C.F.R § 115

PURPOSE

To provide clear guidance in compliance with Adult Correctional Institution best practices for the transportation of inmates that emphasizes safety.

RESPONSIBILITY

The Director of Corrections is responsible for the implementation of this AR through the Deputy Director of Programs and Operations.

The Deputy Director of Programs and Operations is responsible through the Offender Management Administrator for overall implementation and compliance regarding this regulation.

The Central Transportation Lieutenant is responsible to ensure compliance with this regulation relative to the operations of the transportation unit and his/her staff.

Designated transportation correctional officers are responsible to comply with this regulation.

430.00 TRANSPORTATION PERSONNEL

1. Transportation correctional officers and/or supervisors will have current driver's licenses and a copy of their driver's license will be maintained in a supervisor's file that is secure and not accessible to other staff and or inmates.
2. Transportation correctional officers operating vehicles that require Commercial Driver's License (CDL) will have a current CDL and a copy of their driver's license will be maintained in a supervisor's file that is secure and not accessible to other staff and/or inmates.

3. The maximum driving time will comply with the United States Department of Transportation (DOT) maximum driving time limits.
4. Transportation correctional officers will have completed the annual training including NDOC's ARs regarding transportation of inmates, use of force, use of restraints and driver's safety.
5. Transportation correctional officers will familiarize themselves with their equipment, vehicle and destination prior to commencing the transport.

430.01 VEHICLES USED TO TRANSPORT

1. Inmates will be transported in vehicles approved by the Department.
2. Privately-owned vehicles may be used only in cases of extreme emergency when state vehicles are not available.
3. Inmates may be transported by private sector transport contractors described in section 430.03.
4. The transportation vehicle will be thoroughly searched and inspected for cleanliness before any inmates are loaded for transport. The vehicle will be searched and cleaned on the end of each transport.
5. Vehicle records will be maintained which include mileage logs and vehicle maintenance records.

430.02 TRIP PREPARATIONS

1. Transportation preparations shall be limited to those which are required to conform to law, policy, and for the safe and secure operation of the transport vehicle and necessary medical activities.
2. The transportation correctional officers will inspect the vehicle to ensure that the lights, horn, brakes and other essential functions are in good working order prior to initiating the transport.
3. The transportation correctional officers will inspect the vehicle to ensure that safety equipment such as a fire extinguisher, flashlight, and emergency restraint gear is available and, if necessary, an emergency medical kit is available and emergency telephone numbers are in the vehicle.
4. Transportation correctional officers will ensure that meals (sack lunches) are provided for each inmate on long distance transports and that any "keep on person" medications are provided by health care staff for chronic conditions.

5. Staff travel authorization and per-diem advances shall be completed prior to the departure of overnight transportation activities unless the transport is as a result of an emergency situation. In emergency situations, the travel authorization will be completed as soon as possible after staff has returned to their home base.
6. If a chase vehicle is included as part of the transport, the correctional officers will discuss the transport plans with each other to include destination, number of inmates in the transport vehicle, identification of the inmates, any inmate medical conditions that may affect the transport and any other information pertinent to the transport.
7. A Transportation Order (DOC 2042) must be completed for all transportation trips except those for the purpose of transporting inmates to and from scheduled work assignments such as the transport of camp/minimum custody inmates to their work assignments.
8. The approving authority should take reasonable steps to ensure that each transportation order is justified on the basis of supporting documentation. Supporting documentation includes but is not limited to:
 - A. Completed classification action sheets;
 - B. Court orders to produce;
 - C. Physicians orders;
 - D. Orders approved through NOTIS.
9. The approving authority for transportation orders is the Warden, Associate Warden, or Facility Manager.
 - A. This responsibility cannot be delegated.
 - B. If transport must occur after normal business hours, the shift supervisor will contact the duty administrator for verbal approval. If verbal approval is obtained by the shift supervisor, the approving authority will be noted on the order.

430.03 TRANSPORTATION OF INMATES

1. A positive face-to-photo identification will be made of each inmate and the face-to-photo identification will match the documents authorizing the transport of each inmate such as court order, etc., prior to the inmate being loaded in the vehicle.
2. Restraint equipment should be used only for the purpose of control and should never be used as punishment or in any way that causes undue physical pain or restricts the blood circulation or breathing of the inmate. The inmate will be in restraints before they enter the vehicle and restraints will not be removed while the inmate is in the vehicle.

3. If a medical emergency arises during the transport, the inmate will be transported to the nearest medical facility and the restraint gear will be removed only at the direction of the medical staff. Transportation correctional officers will immediately notify the sending or receiving facility that a medical emergency has occurred, and provide the location of the medical facility, the name of the inmate with the medical emergency, and the names of the transport staff and names of any additional inmates in the transport vehicle. The facility contacted will dispatch staff to assist the transportation correctional officers.
4. If a natural disaster, road blockage or other impediment to the transport occurs, the transportation correctional officers will immediately notify Central Transportation and the nearest facility for assistance.
5. Unless special circumstances dictate otherwise, inmates should be transported in groups to avoid unnecessary expense. The number of inmates transported has to be consistent with the load or passenger specifications for the transport vehicle.
6. Transportation correctional officers will not place themselves in a position where the inmate has access to their weapon.
7. Restraints, security equipment, and staff for maximum and close custody inmates are as follows:
 - A. Transportation will be conducted in security vans or buses.
 - B. Maximum and close custody inmates will be transported in waist and leg restraints.
 - C. Maximum and close custody inmates must be transported by at least two (2) correctional officers, one (1) of whom will be armed.
 - D. A chase vehicle with at least one (1) armed correctional officer should be utilized for all inmates considered high escape risks.
 - E. A chase vehicle, additional correctional officers and added security equipment may be requested by the approving authority.
8. Restraints, security equipment, and staff, to be used for medium custody inmate transportation are as follows:
 - A. The approving authority will have the discretion to determine the level of security to include the number of correctional officers, type of vehicles, and weapons to be used in the transportation.
 - B. Waist and leg restraints are required.

9. Minimum custody inmates may be transported by a single (1) correctional officer or state employee. Restraints are not required.
10. Transitional Housing (TH) inmates may travel on routine or emergency trips outside of the facility without escort or restraints.
 - A. TH inmates may use public transportation.
 - B. TH inmates may be transported in private vehicles related to their employment.
11. When transporting inmates with mixed custody levels, all inmates will be restrained according to the transportation requirements of the inmate in the vehicle with the highest custody level.
12. Operational Procedures should include provisions for medical conditions which prevent the employment of conventional restraint practices.
 - A. Medical conditions, which do not permit the full utilization of routine restraint apparatus, will be evaluated on a case-by-case basis. To the extent possible, the arrangement of restraints will be modified to accommodate the medical condition. In any event, public safety will remain the overriding concern.
 - B. Pregnant inmates shall not be transported in waist or leg restraints. Refer to the provisions in AR 407, Use of Handcuffs and Restraints.
13. Operational Procedures should make provisions for the employment of enhanced restraint devices in the event an inmate presents a significant control or behavioral problem.
 - A. These enhanced restraints may include, but are not limited to, handcuff covers, a control chain, or restraint belt.
 - B. Institutions may utilize restraint belts for transporting high risk inmates at the discretion of an Associate Warden or higher.
14. Unclothed body searches are required for persons being transported for any reason other than scheduled outside work for minimum inmates.
 - A. Persons being transported for any reason, other than scheduled outside work (minimum), must submit to an unclothed body search prior to transport. In addition to the general provisions outlined below, the specific requirements of the Department's Administrative Regulation 422 should be followed.
 - (1) All unclothed body searches will comply with the Prison Rape Elimination Act (PREA) standard requirements. The unclothed body search will be conducted by a staff member of the same gender as the inmate being searched.

- (2) After the unclothed body search, the inmate shall be isolated from other inmates being transported that have not had an unclothed body search and will remain under direct supervision. If any contact is made between the searched inmate and any other inmate who has not been searched, a second search will be conducted.
 - (3) If the transporting correctional officer(s) is different from the correctional officer who conducted the search, a second search will be conducted at the discretion of the transporting correctional officer. Inmates shall have nothing in their pockets nor be in possession of any personal property before being presented to the transportation correctional officer for search and placement in restraints.
 - (4) During transportation, articles that may be in an inmate's possession are limited to Keep on Person (KOP) medications, approved medical appliances, (no canes, crutches, etc.), and wedding rings. Use or possession of tobacco products is prohibited. Inmates are not allowed to carry lighters or matches.
 - (5) Legal papers being transported with the inmate for court hearings will be inspected (not read) for contraband by the transporting correctional officers in the presence of the inmate and will be carried in the driver's compartment of the transportation vehicle.
 - (6) All other property to be transported will be thoroughly searched and appropriately boxed (in accordance with Administrative Regulation 711) prior to being placed in the vehicle. All property will be stored separately in the transportation vehicle and under no circumstances will an inmate be allowed access to any property. The inmate's property will be re-issued at the receiving institution.
15. Operational procedures will conform to the specific requirements of AR 422.
 16. Minimum inmates should receive a clothed body search prior to departing for their work assignments and when returning from their work assignments.
 - A. Random unclothed body searches of minimum inmates may be conducted.
 17. Inmates will generally be transported using the following clothing requirements:
 - A. Blue issue shirt;
 - B. Denim blue jeans;
 - C. Appropriate underwear;
 - D. Appropriate footwear; and

- E. Jacket or outside coat appropriate to the weather.
- 18. Maximum security inmates who are transported outside of an institution should be dressed in orange coveralls in lieu of shirts and denim trousers.
- 19. Inmates of the Department may be transported using the services of a private sector transportation contractor for interstate movement.
- 20. Male and female inmates may be transported in the same vehicle.
 - A. When possible and when transporting female inmates, a female correctional officer shall be present unless extenuating circumstances prevent a female correctional officer to conduct the transport.
 - B. Two (2) male correctional officers may transport numerous female inmates at the same time, if a female correctional officer is not available to be a member of the transport team.
 - C. Two (2) male correctional officers or a single (1) male correctional officer cannot transport a single (1) female inmate.

430.04 TRANSPORTATION OF NDOC ESCAPEES

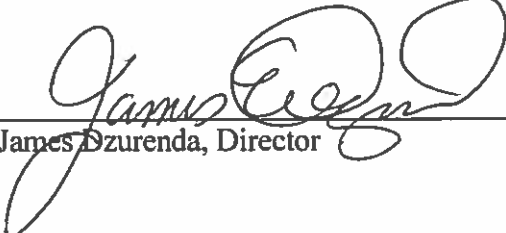
- 1. After the recapture of an escaped inmate by authorized agents of the Office of the Inspector General, (OIG), and only from point of recapture to a secure facility by OIG Criminal Investigators, the following transportation guidelines apply.
 - A. Transportation of the recaptured inmate may occur in any state vehicle.
 - B. Two (2) qualified peace officers must be present in the transporting vehicle.
 - C. The inmate may be transported in wrist restraints when waist and leg restraints are not practical or available.
 - D. All transporting peace officers may be armed.
 - E. The transportation order (DOC 2042) is not required for this transportation of recaptured inmates.
 - F. The requirement for the unclothed body search prior to transportation is waived, however, a clothed body search (pat-down) will be performed before the beginning of transport, and the unclothed body search should be performed as soon as possible after reaching a secure facility.

APPLICABILITY

1. This regulation requires an Operational Procedure for the Central Transportation Division and for all institutions and facilities.
2. This regulation requires an audit.

REFERENCES

ACA Standards 4-4005; 4-4188-90; 4-4389; 4-4349; 4-4012; and 4-4014; 4-4206; 4-4225;



James Dzurenda, Director

3/1/18

Date