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| | TRANSPORTATION OF PRISONERS PROCEDURE | Date Approved: November 1, 2002 | |

A. AUTHORIZATION/REFERENCE


- THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451;
- PART 5, GENERAL POWERS AND DUTIES , as amended, BEING SECTIONS 324.501 TO 324.51514 OF THE MICHIGAN COMPILED LAWS ANNOTATED
- PART 89, LITTERING, as amended, being sections 8901 to 8907, MCL 324.8901 to MCL 324.8907.
- PART 515, BURN PERMITS, INTENTIONALLY CAUSING FIRE, as amended, being sections 51501 to 51514, MCL 324.51501 to MCL 324.51514.
- PART 742, CAMP REGISTRATION CARD, as amended, being sections 74201 to 74207, MCL 324.74201 to 423.74207.
- PART 811, ORV, as amended, being sections 81101 to 81150, MCL 324.81101 to MCL 324.81150.
- PART 821, SNOWMOBILES, as amended, being sections 82101 to 82160, MCL 324.82101 to MCL 324.82160.
- PART 831, FOREST RECREATION, as amended, being sections 83101 TO 83109, MCL 324.83101 to MCL 324 .83109.
- THE REVISED JUDICATURE ACT, 1961 PA 236, as amended by 2000 PA 80, BEING SECTION 600.8801 OF THE MICHIGAN COMPILES LAWS ANNOTATED.
- State land use rules provided in R 299.921 through R 299.933 of the Michigan administrative code.
- MICHIGAN VEHICLE CODE, 1949 PA 300, Sections 255, 311, 624a, 674, 904, 904a, MCL 257.255,257.311,257.624a, 257.674, 257.904, 257.904a.
- MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, Section 703, MCL 436.1703
- THE MICHIGAN PENAL CODE, 1931 PA 328 Chapter 48, MCL 750.335 to 750.347, Chapter 52, MCL 750.356 to 750.367c, Sections 377a, MCL 750.377a, Section 243a to 243e, MCL 750.243a to 750.243e., and Section 167, MCL 750.167
- THE PUBLIC HEALTH CODE, 1978 PA 368, Sections 7403 and 7404, MCL 333.7403 and 333.7404.
- FMFM Policy 700 - General State Forest Officer and Enforcement Procedure
- FMFM Policy 701 - Law Enforcement Administrative Procedure
- FMFM Policy 702 - Use of Force by FMFM State Forest Officers Procedure
- FMFM Policy 703 - Handling Intoxicated Individuals Procedure
- FMFM Policy 704 - Impoundment of Personal Property Procedure
- FMFM Policy 705 - Eviction from Department Facilities Procedure
- FMFM Policy 706 - Incidents, Property Damage and Larceny Procedure
- FMFM Policy 707 - Disposal of Alcoholic Beverages and Narcotics Procedure
- FMFM Policy 708 - Transportation of Prisoners Procedure

B. POLICY

The transportation of prisoners presents a unique set of dangers and responsibilities to the transporting State Forest Officer(s). This function will be performed in a structured and uniform manner, which protects the State Forest Officer(s) and the prisoner(s) from physical harm.

C. PROCEDURE

A. TRANSPORTING PRISONERS


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1. Whenever possible, State Forest Officers shall seek other agencies to provide prisoner transportation.
2. If State Forest Officers transport prisoners, two State Forest Officers shall work together if possible.
3. Prior arrangements with receiving agencies and the local courts must be made.
4. State Forest Officers are the only FMFM staff authorized to transport prisoners.
5. Incidental to a lawful arrest, State Forest Officers shall search the prisoner(s) for weapons, potential weapons, and contraband. Items discovered as a result of searches shall be properly secured and maintained by the State Forest Officer(s) in accordance with FMFM Policy 704. Nothing other than these items shall be removed from the prisoner(s); all personal property other than the above listed items shall remain in the possession of the prisoner(s) until incarcerated.
6. All prisoners, with the possible exception of physically handicapped individuals, shall be handcuffed, behind their backs, unless unusual circumstances dictate otherwise.
7. The transporting vehicle shall be inspected to ensure all weapons and potential weapons are secured from the prisoner(s).
8. Prisoner seating within the transport vehicle shall be at the discretion of the State Forest Officer(s). Each State Forest Officer shall at all times maintain a visual awareness of the location and activity of each prisoner.
9. The receiving agency shall be notified that the State Forest Officer(s) are ready to begin transporting the prisoner(s).
10. The State Forest Officer(s) will log:
 - a. The time each prisoner was taken into custody.
 - b. The time the local agency was contacted.
 - c. The time of departure.
 - d. The vehicle odometer reading upon departure.
11. If radio contact with a DNR base station is available, that station operator should be asked to record the starting time and the starting odometer reading.

B. AT THE RECEIVING AGENCY

1. The State Forest Officer(s) will log:
 - a. The time of arrival at the agency.
 - b. The odometer reading.
2. If radio contact with a DNR base station is available, that station operator should be asked to record the arrival time and the odometer reading.
3. The State Forest Officer(s) should inspect the vehicle interior thoroughly for any personal items, which may have been left by the prisoner(s). Any found items shall be conveyed immediately to the agency which is receiving the prisoner(s).

C. TRANSPORTATION OF MINORS

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If the person or persons are under 17 years of age, the law imposes some very strict rules on the State Forest Officer. When a juvenile is taken into custody, immediate attempts will be made to contact the parents or legal guardian of the juvenile(s). These attempts should be documented in writing in the State Forest Officer's log.

Juveniles must be placed in the parent or guardian's care as soon as possible when they are apprehended for misdemeanor violations. If a parent or guardian cannot be contacted and a local law enforcement agency cannot transport the individual, then the juvenile will be transported to the local law enforcement agency in accordance with the procedures outlined in this policy. The Judge of Probate then determines the action to be taken. The State Forest Officer should consult with the Probate Court of jurisdiction as well as the County Prosecutor in advance, for guidance on working with juvenile offenders.