
Transporting Persons in Custody

905.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Bozeman Police Department.

See the Handcuffing and Restraints Policy for additional guidance.

905.2 POLICY

It is the policy of the Bozeman Police Department to provide safe, secure, and humane transportation for all persons in custody.

905.3 OFFICER RESPONSIBILITIES

Persons in custody should be transported in a vehicle properly equipped to transport passengers. They should be appropriately restrained and positioned during transport.

Members transporting a person in custody should:

- (a) Search all areas of the vehicle accessible to a person in custody before and after each transport.
- (b) Immediately search persons in custody after arrest, when receiving the person from the custody of another member, and before transporting the person.
 1. Whenever practicable, a search should be conducted by members of the same gender as the person being searched. If the same gender is not reasonably available, a witnessing member should be present during the search.
- (c) Properly secure all property.
- (d) Use audio/video equipment (when properly equipped) to observe and record any person in custody during transport (see the Mobile and Portable Audio Video Recorders policy for additional guidance).
- (e) Make a reasonable effort to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
- (f) Plan travel times and routes to avoid situations that might impede transportation (e.g., heavy traffic, unfavorable road conditions, extreme weather) when reasonably practicable.
- (g) Provide sufficient visual observation and audio communication during the transport of:
 1. Individuals in auxiliary restraints.
 2. Individuals in leg restraints.
 3. Individuals wearing a spit hood.
 4. Individuals who are a suspected suicide risk.
- (h) Assess uncooperative persons who cannot or will not sit upright for a medical condition

Bozeman Police Department

Policy Manual

Transporting Persons in Custody

1. If a medical condition exists, alternative transportation should be arranged (e.g., a special transport van).

905.4 TRANSPORT RESTRICTIONS

When transporting multiple persons, members:

- (a) Should not transport persons in custody together. Persons in custody should be transported individually when practicable, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
 1. Juveniles and adults shall not be transported together.
 2. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, shall not be transported together.
 3. Persons of different genders should not be transported together.
- (b) If segregating individuals is not possible, transporting members should be alert to inappropriate physical or verbal contact and take appropriate action.
- (c) In the event that a person in custody is transported in a vehicle without a protective barrier, the following additional guidelines are utilized:
 1. The transporting department member must keep the person in custody under observation at all times, being aware of any changes in their behavior, demeanor, or positioning.
 2. A minimum of two members are present within the vehicle during transport, with the second member seated directly behind the person in custody.
 3. The person in custody is transported in the front passenger seat of the vehicle and restrained with a seatbelt.

905.5 TRANSPORT VANS

Members who are trained on the safety and restraint systems of a transport van should be present during the transport van's use for transporting a person in custody.

Members should assist persons getting into and out of the transport van to avoid falls.

Transport Vans may not be used to transport more persons than the number of designated seats with available seatbelts.

Only compliant and non-combative persons will be transported in the transport vans. Combative persons will be transported in a patrol vehicle.

905.6 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY

When transporting a person in custody who has a disability, a transporting member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment (e.g., canes, wheelchairs,

Transporting Persons in Custody

prosthetics) is transported to the person's destination in a way that does not threaten the safety or security of the person in custody or the member.

Members transporting a person who has a disability should consult with the person in custody and use good judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety, and dignity of all persons.

905.7 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons in custody who are unconscious, have serious injuries, or who may be seriously ill. EMS personnel should be called to handle such transportation.

Members should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a Shift Supervisor.

905.8 TRANSPORTING PREGNANT PERSONS IN CUSTODY

Persons in custody who are known to be pregnant should be restrained during transport in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the member has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, damage property, or to be in compliance with a detention center's restraint requirements.

Absent exceptional circumstances, persons in labor or delivery should not be transported by members. EMS personnel should be called to handle transportation.

905.9 EMERGENCY EVALUATION TRANSPORTS

When transporting any individual for an emergency evaluation, the transporting member should request that Dispatch notify the receiving facility, the level of cooperation of the individual, and whether any special medical care is needed.

905.10 COURTESY TRANSPORTS

At their discretion, members may provide courtesy transports for persons who are not in police custody. All persons transported shall be restrained with a seatbelt during transport.

All persons should be pat searched in the same manner as those in custody.

905.11 INTERRUPTION OF TRANSPORT

Absent extraordinary circumstances, members should not interrupt a transport to provide emergency assistance without supervisory approval. Members encountering an emergency should notify Dispatch and request an appropriate response.

Transporting Persons in Custody

905.12 EXTENDED TRANSPORTS

During transports for extended durations, transporting members may be required to make necessary stops. With supervisory approval and due consideration for security risks and the in-custody person's health and well-being, these stops should be limited to fuel, meals, bathroom breaks, and other purposes reasonably necessary for the continuation of the transport.

905.13 PROHIBITIONS

When transporting a person in custody members should not:

- (a) Use transport as a form of punishment or retaliation (e.g., intentionally rough rides, excessive heat or cold, obnoxiously loud music).
- (b) Handcuff a person to any part of a vehicle.
- (c) Leave the vehicle unattended with the person in custody in the vehicle.
- (d) Allow any person who is not in custody (e.g., friend, family member) to have contact with or be in close proximity to the person in custody unless the member is present and gives the person permission.
- (e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.
- (f) Stop to conduct any personal activities.
- (g) Engage in a pursuit.

905.14 ESCAPES

In the event that a person in custody escapes while being transported, the transporting member should immediately advise Dispatch and other units of the escape, provide a description of the escapee, notify the Shift Supervisor, and submit a written report as soon as practicable describing the circumstances of the escape and any recapture.

The Shift Supervisor should notify the Chief of Police or the authorized designee upon learning of an escape.

If the escape occurs outside the jurisdiction of the Bozeman Police Department, the Shift Supervisor will notify the appropriate agency or agencies within the jurisdiction where the escape occurred.

905.15 DOCUMENTATION

If a person is injured during transportation, members shall document the injury in the appropriate report. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other persons in custody). Any visible or reported injuries should be photographed and included with the report.

Bozeman Police Department

Policy Manual

Transporting Persons in Custody

905.16 NOTIFICATIONS

Members should notify a supervisor and any receiving facility of information regarding any circumstances the member reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

905.17 TRAINING

The Training Sergeant should provide periodic training on this policy and procedures related to transporting persons in custody, restraint systems, and restraint devices.