
Transporting Detainees

904.1 PURPOSE AND SCOPE

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

904.2 POLICY

It is the policy of the Bozeman Police Department to make reasonable efforts to protect the safety of persons in custody while they are being transported.

904.3 DIVISION COMMANDER RESPONSIBILITIES

Division Commanders are responsible for reviewing the safety and restraint systems for all vehicles used to transport persons in custody. The review shall ensure the restraint systems comply with the law and shall determine whether they reasonably meet the needs of the Department. Safety systems should allow for transporting members to be in constant and reasonably clear audio contact with each person being transported.

The Division Commanders should establish related procedures for safely transporting persons who have their legs restrained in some manner other than leg shackles.

904.4 PROCEDURES

Members transporting a person in custody should ensure:

- (a) All persons are properly restrained by a seat belt or other approved safety restraint system.
- (b) All persons in custody remain in a seated or otherwise safely restrained position in the vehicle.
- (c) Alternative transportation is arranged for any person behaving in a manner so violent or uncooperative that he/she cannot or will not sit upright.
- (d) Persons in custody with special conditions (e.g., suicidal persons, persons wearing a spit hood) are monitored more closely as indicated in other parts of this policy and in the Handcuffing and Restraints and Temporary Custody of Adults policies.
- (e) All areas of the vehicle accessible to a person in custody are searched before and after each transport.
- (f) A person in custody is searched immediately after his/her arrest, and before transport in any department vehicle.
 1. Whenever practicable, the search should be conducted by a department member of the same sex as the person being searched. If a department member of the same sex is not reasonably available, a witnessing member should be present during the search.
 2. When safe to do so, searches should be recorded by Bozeman Public Safety Center surveillance video, body worn camera, and/or in-car video if the transport vehicle is so equipped.

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- (g) Transport is accomplished in a direct and timely manner.
- (h) Persons in custody are handcuffed with their arms behind their back while in transport, under normal circumstances. Additional restraints may be utilized, depending on the situation. All restraints must be utilized in accordance with the Handcuffing and Restraints policy.
- (i) The same consideration is shown to a person in custody as would be reasonably shown to any other passenger (e.g., avoiding loud or objectionable music, excessive heat or cooling).
- (j) The manner in which a person being transported is not used as a form of punishment or retaliation.
- (k) Persons in custody are transported individually when practical, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances:
 - 1. Juveniles are not to be transported with adults.
 - 2. Females are not to be transported with males. When possible, transgender or intersex persons should be transported with persons of the gender they identify with.
 - 3. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, are not to be transported together.
- (l) When practical, dispatch is advised of the custody of the person and transport location.
- (m) Reasonable efforts are made 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.
- (n) 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 person in custody is transported in the front passenger seat of the vehicle and restrained with a seatbelt.
 - 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 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.

904.4.1 TRANSPORTING PERSONS WITH SPECIAL NEEDS

When transporting a person with a special need, 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 or prosthetics) is transported in such a manner to not threaten the safety or security of the person or member and that such equipment is transported to the person's destination.

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Members transporting a person with a special need should use their judgment in determining what, if any, restraining devices may be appropriate based on the person's needs to ensure the security, safety and dignity of all persons.

904.5 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.

904.6 PROHIBITIONS

When transporting a person in custody members should not:

- (a) Leave the vehicle unattended with the person in the vehicle.
- (b) Stop to conduct any personal activities.
- (c) Respond to calls or engage in other enforcement activities except in exigent circumstances.
- (d) Engage in a pursuit.
- (e) Transport persons in a vehicle that is not equipped to safely transport prisoners except in an emergency, or as otherwise authorized by this policy. A properly equipped vehicle should be requested.
- (f) Drive in a manner intentionally designed to punish or make the person uncomfortable.

904.7 TRANSPORT VAN

A member trained on the safety and restraint systems of a transport van must be present during its use for transporting a person in custody. Training regarding the use of the van's safety and restraint systems shall be followed.

A member 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. Non-compliant persons will be transported in a patrol vehicle.

904.8 ESCAPES

In the event that a person in custody escapes while being transported, the member transporting the person 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 designee, upon learning of an escape.

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904.9 EXTENDED TRANSPORTS

Prior to leaving a facility on an extended transport, the member should allow the person to use the rest room and attempt to have the person fed to minimize the necessity of subsequent stops.

During transports, the member should use their best judgment to determine the best rest room to use if another stop is needed. The member must accompany the suspect inside to keep the suspect within the officer's view. Only members of the same gender as the person may accompany them to the rest room.

904.10 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.

904.11 DOCUMENTATION

Members should document, in the appropriate report, when a person is injured during transportation. 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 prisoners). Any visible injuries should be photographed and included with the report.

904.12 TRAINING

Each Division Commander should ensure that members receive training on detainee transportation policies and procedures, restraint systems and restraint devices.