



Policy Number: 900 – Transporting Detainees
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Approved By: Brandon Gatlin, Interim Chief of Police

900.1 PURPOSE AND SCOPE

This policy provides guidelines for the Montana State University Billings Police Department (Department) when transporting persons who are in custody.

Additional guidance can be found in Policy 412 - Medical Aid and Response.

900.2 POLICY

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

900.3 PATROL SUPERVIOR (SERGEANT) RESPONSIBILITIES

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

900.4 PROCEDURES

Officers transporting a person in custody should ensure:

1. All persons are properly restrained by a seat belt or other approved safety restraint system.
2. All persons in custody remain in a seated or otherwise safely restrained position in the rear of the vehicle.
3. The in-car Mobile Video/Audio recording (MVR) system is activated/utilized to record the transport.
4. Any person behaving in a manner so violent or uncooperative that s/he cannot or will not sit upright is:
 - a. Reviewed for a medical condition by an emergency medical services provider and if a medical condition exists, transported by ambulance for a medical examination.

- b. If no medical condition exists, or an ambulance is unavailable or unwilling to transport the prisoner, alternative transportation should be arranged.
5. A verbal welfare check is conducted on persons in custody every 10 minutes.
 - a. If a person being transported is not responsive or indicates a medical condition, the transporting member should advise dispatch and render aid as soon as practicable (see Policy 412 - Medical Aid and Response).
 - b. Special conditions (i.e. suicidal persons, persons wearing a spit hood) may require closer observations, or visual monitoring, as indicated in other sections of this policy.
6. All areas of the vehicle accessible to a person in custody are searched before and after each transport.
7. A person in custody is searched immediately after his/her arrest, before transport in any Department vehicle, and any time another person assumes custody.
 - a. Whenever practicable, the search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
8. Transport is accomplished in a direct and timely manner.
9. The same consideration is shown to a person in custody as would be reasonably shown to any other passenger.
10. The manner in which a person is being transported is not used as a form of punishment or retaliation.
11. Persons suspected of having a communicable disease are transported with standard precautions.
12. 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:
 - a. Juveniles are not to be transported with adults.
 - b. 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.
 - c. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, are not to be transported together.
13. Dispatch is advised of the following:
 - a. The time when a transport begins and the vehicle's mileage, and reason for any stops.
 - b. The time of arrival at the destination and the vehicle's mileage.
 - c. Reasonable efforts are made to prevent inappropriate conversations between persons being transported (i.e. demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
14. Direct visual observation and audio communication is provided during transport of:
 - a. Individuals in auxiliary restraints (see the Handcuffing and Restraints Policy).
 - b. Individuals in leg restraints.
 - c. Individuals wearing a spit hood.
 - d. Individuals who are a suspected suicide risk.

900.5 TRANSPORTING PERSONS WITH DISABILITIES

When transporting a person with a disability, officers should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment, (i.e. canes, wheelchairs or prosthetics) is transported in such a manner to not threaten the safety or security of the detainee or officer and that such equipment is transported to the person's destination.

Members transporting a person with a disability should use their 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.

900.6 PROHIBITIONS

When transporting a person in custody members should not:

1. Leave the vehicle unattended with the person in the vehicle.
2. Stop to conduct any personal activities.
3. Respond to calls or engage in other enforcement activities except in exigent circumstances.
4. Engage in a pursuit unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the person in transport.
5. Transport persons in a vehicle not equipped to safely transport prisoners.
6. Drive in a manner intentionally designed to punish or make the person uncomfortable.

900.7 ESCAPES

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

900.8 DOCUMENTATION

Officers should document, in an appropriate report, when a person is injured during transport. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (i.e. hitting head, struggling with restraints, fighting with other prisoners). Any visible injuries should be photographed and included with the report.

900.9 TRAINING

The Patrol Sergeant should ensure that officers receive annual training on detainee transportation policies and procedures, restraint systems and restraint devices.

(Cancels and Replaces 104.7 – Prisoner and Prisoner Transport)