

Transporting Non-Patients in Custody

901.1 PURPOSE AND SCOPE

Best Practice MODIFIED

This policy provides guidelines for transporting non-patients who are in the custody of the California Department of State Hospitals (DSH) Office of Protective Services (OPS). OPS sworn personnel shall have the primary responsibility for transportation.

See the Handcuffing and Restraints Policy for additional guidance.

901.2 POLICY

Best Practice MODIFIED

It is the policy of the California Department of State Hospitals to provide safe, secure, and humane transportation for all persons in custody and to take every precaution, according to this policy, to prevent the escape of persons that are being transported by OPS personnel. The transporting of persons in custody within hospitals, to and from DSH facilities, Community Hospitals, court appointments, as well as other locations within the State of California, must be in accordance with this policy.

901.3 OPERATIONS OR TRANSPORTATION LIEUTENANT RESPONSIBILITIES

Best Practice MODIFIED

The Operations or Transportation Lieutenant should ensure related procedures are established for:

- Safely transporting persons who have their legs restrained.
- Seating placement of persons being transported in vehicles with and without safety barriers.

901.4 OFFICER RESPONSIBILITIES

Best Practice MODIFIED

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

Only OPS members who have completed the Field Training Program (FTP) and department-approved training on the transportation of persons in custody shall be assigned transportation duty. A trainee may transport persons in custody but only under the direct and immediate (physical presence) of a qualified Field Training Officer (as described in Cal. Code Regs. Tit. 11, section 1004(a)(4).) All members who operate OPS transportation vehicles shall hold a valid driver's license for the type of vehicle being operated.

Officers transporting a person in custody should:

- (a) Search all areas of the vehicle accessible to a person in custody before and after each transport.

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- (b) Verify and ensure handcuffs, waist chains, or leg irons, when utilized, are double locked to avoid any tightening or injury.
- (c) Immediately search persons in custody after arrest, when receiving the person from the custody of another officer, and before transferring the person. Refer to the Custodial Searches Policy before conducting any search other than a field search.
 - 1. Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, a witnessing officer should be present during the search.
- (d) Provide the Communications Center with any required notifications (e.g., start time, mileage, end time, how many persons are being transported, and destination).
- (e) Properly secure all personal property and/or documentation related to the transport.
- (f) Use audio video equipment (when properly equipped) to observe and record any person in custody during transport (see the Portable Audio/Video Recorders policy for additional guidance).
- (g) 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.
- (h) Plan travel times and routes to avoid situations that might impede transportation (e.g., heavy traffic, unfavorable road conditions, extreme weather) when reasonably practicable.
- (i) Make a verbal welfare check with a person in custody at least every 10 minutes. 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.
- (j) Verify that the vehicle's security devices (e.g., window and rear-door child-safety locks) are activated.
- (k) Members involved in the transporting of a person in custody, who is hostile or combative, should notify the receiving facility personnel of the person's demeanor before and during the transport.
- (l) Assess uncooperative persons who cannot or will not sit upright for a medical condition (see the Medical Aid and Response Policy for additional guidance):
 - 1. If no medical condition exists, alternative transportation should be arranged (e.g., a special transport van).

901.5 TRANSPORT RESTRICTIONS

Best Practice **MODIFIED**

When transporting multiple persons, officers:

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- (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, shall not be transported together.
 - 3. Persons of different genders should not be transported together.
- (b) If segregating individuals is not possible, transporting officers should be alert to inappropriate physical or verbal contact and take appropriate action.
- (c) Shall not handcuff persons in custody to each other or to any part of the transport vehicle.

901.6 TRANSPORT VANS

Best Practice **MODIFIED**

The department should have available transport vans with a device, such as a ramp or a lift, to allow passengers using wheelchairs to board the vehicle, as well as securement devices for wheelchair.

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

901.7 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY

Best Practice

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

Officers 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.

901.8 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY

Best Practice **MODIFIED**

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

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Officers shall notify a supervisor as soon as practicable when transporting a person in custody to a community hospital.

An officer 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 Watch Commander.

Any person in custody suspected of having a communicable disease should be transported in compliance with the exposure control plan in the Communicable Diseases Policy.

See the Medical Aid and Response Policy for additional guidance on ill or injured persons in custody.

901.9 TRANSPORTING PREGNANT PERSONS IN CUSTODY

Best Practice

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 officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

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

901.10 MENTAL ILLNESS COMMITMENT TRANSPORTS

Best Practice **MODIFIED**

When transporting any individual not a DSH patient for a mental illness commitment (WIC 5150), the transporting officer should request that the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual, and whether any special medical care is needed.

Should the person require transport in a medical transport vehicle, and the safety of any person, including the person in custody, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

See the Mental Illness Commitments Policy for additional guidance.

901.11 INTERRUPTION OF TRANSPORT

Best Practice **MODIFIED**

Absent extraordinary circumstances, officers should not interrupt a transport to provide emergency assistance without supervisory approval. Officers encountering an emergency should notify the Communications Center and request an appropriate response. Officers will notify the Watch Commander as soon as practical of the reason for the interruption of the transport.

901.12 EXTENDED TRANSPORTS

Best Practice **MODIFIED**

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During transports for extended durations, transporting officers 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. Officers assigned to long distance transport (4 hours or more) should contact the Communications Center a minimum of three (3) times during the transport.

901.13 PROHIBITIONS

Best Practice **MODIFIED**

When transporting a person in custody, officers 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.
- (e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than OPS personnel or receiving agency personnel.
- (f) Allow any persons to stand or exchange seats while the transport vehicle is in motion.
- (g) Stop to conduct any personal activities.
- (h) Engage in a pursuit.
- (i) Take any law enforcement self-initiated action such as conducting traffic stops or take any other enforcement action. This applies whether or not an officer is transporting a person in custody.
- (j) Intentionally taking alternative routes for the sole purpose of extending the length and duration of a transport.
- (k) Lock themselves in the transport vehicles with persons in custody.

901.14 ESCAPES

Best Practice **MODIFIED**

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

The Hospital Police Chief shall be promptly notified via the chain of command. The Hospital Police Chief will notify the Chief of Law Enforcement and the Executive Director upon learning of an escape of a person in custody or a DSH patient.

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If the escape occurs outside the jurisdiction of the California Department of State Hospitals, the OPS Watch Commander should notify the appropriate agency or agencies within the jurisdiction where the escape occurred.

901.15 DOCUMENTATION

Best Practice **MODIFIED**

If a person is injured during transportation, officers should notify a supervisor as soon as practicable and 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 to include complaints of pain should be photographed and included with the report.

901.16 OTHER NOTIFICATIONS

Best Practice **MODIFIED**

Officers should notify a supervisor and any receiving facility of information regarding any circumstances the officer 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.

901.17 TRAINING

Best Practice **MODIFIED**

The OPS Training Coordinator or Hospital Police Chief should ensure periodic training is provided on this policy and procedures related to transporting persons in custody, restraint systems, and restraint devices.