



IC40

**TRANSPORTATION OF PERSONS  
IN CUSTODY**

IC40

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**Contents**

POLICY..... 1

REASON FOR POLICY ..... 1

RELATED POLICIES..... 1

DEFINITIONS ..... 2

PROCEDURES..... 2

    Responsibilities ..... 2

    Patrol Vehicle Transportation ..... 3

    Medical Concerns & Assessments ..... 4

    Accommodations for Disabilities..... 5

    Aircraft Transportation..... 5

    Escape of Person Being Transported..... 6

**POLICY**

1. The Chief Constable shall provide Procedures, pursuant to this Policy, that seek to ensure the safe and secure transportation of persons in custody.

**REASON FOR POLICY**

2. To seek to ensure the safe and secure transportation of persons in custody.

**RELATED POLICIES**

- EA30 – Reportable Incidents of Injury or Death (Police Act)
- IC30 – Detention, Arrest & Post-Arrest Processing
- IC32 – Search of Persons
- IC50 – Cell Block Detention Facilities (Delta & Surrey)
- IR30 – Mental Health & Crisis Response



## DEFINITIONS

3. For the purposes of this Policy, the following definitions will apply:

**Transgender:** umbrella term for individuals whose gender identity or expression differs from societal expectations of the sex they were assigned at birth. It includes diverse groups of people: pre-operative, post-operative, and non-operative people.

**Gender Queer/Non-Conforming:** umbrella term for someone who identifies or expresses themselves outside of the gender binary, which may include another gender, somewhere in between/beyond genders, or a combination of genders.

## PROCEDURES

### Responsibilities

4. Persons in custody shall not be left unsupervised, i.e., without member presence or video recording, at any time during transport, and members shall monitor the physical and mental well-being of the person periodically, especially if the person claims or appears to be under the influence of drugs and/or alcohol or has a history or propensity for violence.
5. The transporting member shall conduct a safety search of the person in custody prior to transport, and any member who subsequently assumes custody shall again search the person.
6. Members shall not handcuff a person in custody to another person or any part of a vehicle or object.
7. Members shall utilize the 'Change Status' option on their MDT to stamp the date and time of the transport and the mileage reading before and after transport, and if unable to do so, advise E-Comm to log the information.
8. Members shall not engage in unrelated enforcement activities while transporting persons in custody, unless failure to act would risk death or serious bodily injury to another person.



### Patrol Vehicle Transportation

9. Whenever practicable, members shall transport a person in custody using a patrol vehicle modified to include a security compartment, or use a designated transport van, and:
  - a) secure every person with a seatbelt during transport, if the member can safely fasten the seatbelt; and
  - b) in a patrol vehicle, seat the person in the back seat on the passenger side.
10. A member transporting a person in custody in a patrol vehicle without a security compartment shall notify their supervisor and:
  - a) where there is one transporting member, place the person in the front passenger seat and secure them with a seatbelt; or
  - b) where there are two transporting members, place the person in the back seat on the passenger side, with the second member in the back seat on the driver side.
11. Unless otherwise authorized by their supervisor, members shall not transport more than one person in custody in a vehicle, except in a multi-compartment patrol van.
12. If using a multi-compartment patrol van to transport more than one person in custody, the member shall:
  - a) not place a young person and an adult in the same security compartment;
  - b) not place persons of different genders in the same security compartment; and
  - c) if the person identifies themselves as transgender or gender queer/non-conforming, or the member has reasonable grounds to believe such:
    - i) notify any member to whom control or custody of the person is given, and
    - ii) transport the person in accordance with the gender in which they identify, except if the member determines it is unsafe to



do so or the person requests to be transported separately, in which case the person shall be transported in a separate compartment.

13. Members shall search a vehicle before and after using it to transport a person in custody, and remove and submit any found property to the Exhibits & Property Unit and note the same in their notebook.
14. Members using a patrol vehicle to transport a person having or suspected of having a communicable disease, or who has contaminated the vehicle with any bodily fluids, must withdraw the vehicle from use and request Fleet Services to decontaminate the vehicle.

### **Medical Concerns & Assessments**

15. If a person in custody claims or appears to:
  - a) have consumed large amounts of drugs and/or alcohol;
  - b) has a serious or significant injury; or
  - c) be unconscious or of questionable consciousness,

the transporting member shall contact British Columbia Ambulance Service (BCAS) to assess the need for treatment or transport the person to a hospital.

Note: Refer to Policy IR30 – *Mental Health & Crisis Response* if transporting a person under the *Mental Health Act*.

16. If transport of a person in custody by ambulance is necessary:
  - a) one member shall accompany the person in the ambulance, with the second following in a patrol vehicle;
  - b) the person shall be restrained at all times, unless such restraint would interfere with medical treatment; and
  - c) members shall guard the person at the hospital until such time as an Information has been sworn, and security of the person is taken over by Provincial Corrections.
17. If a person in custody requires transportation to the Surrey cell block after release from hospital and/or is approved for transport by a medical



practitioner, the transporting member shall inform the cell block Duty Sergeant of the situation and any treatment instructions or medication directions.

Note: Refer to Policy IC50 – *Cell Block Detention Facilities (Delta & Surrey)* for further directions on medical assessment and treatment if transporting a person to Surrey cell block.

### **Accommodations for Disabilities**

18. If transporting a person with a disability in a patrol vehicle would cause undue discomfort or injury, members shall notify their supervisor and:
  - a) secure an alternative method of transport, including an unmarked unit, transport van, HandyDART, or request of BCAS; and
  - b) have one member accompany the person in the designated vehicle, with a second member following in a patrol vehicle if the person in custody is displaying or has displayed a potential for violent behaviour.
19. Prosthetic devices shall be searched by members, and shall remain with the person, but wheelchairs, crutches and medication shall be transported with, but not necessarily in the possession of, the person.

### **Aircraft Transportation**

20. If a person in custody requires air transportation, the members intending to escort the person must first:
  - a) obtain approval from the Superintendent i/c Community Policing Bureau;
  - b) provide airline personnel with a written overview of the situation and risk assessment of the person in custody at least 24 hours in advance of the scheduled flight, and receive approval; and
  - c) if unable to provide 24 hours advance notice, contact Transport Canada directly to facilitate their request.
21. Two members are required to escort a person in custody aboard an aircraft, and at least one member must be of the same gender as the person.

Note: If the person identifies themselves as transgender or gender queer/non-conforming, members shall allow the person to choose the gender of one of the escorting members,



document the person's preferences in their notes, and if the members have any concerns, consult with their supervisor who shall decide on the gender of the escorting members.

22. If the person in custody has any mental or physical health concerns, as identified by a medical examiner, a medical escort may be required.
23. The escorting members shall:
  - a) follow the directions of airline security personnel and the pilot of the aircraft at all times while in the airport and aboard the aircraft;
  - b) upon arriving at the airport, present their identification and the required documentation to the Canadian Air Transport Security Authority (CATSA);
  - c) be equipped with a restraint device and restrain the person as necessary, in accordance with Policy IC10 – *Use of Force*;
  - d) carry only an unloaded firearm, if approved by CATSA and in accordance with the *Canadian Aviation Security Regulations* (s. 531) and the airline's policies; and
  - e) not carry intermediate weapons.

### Escape of Person Being Transported

24. Members shall immediately notify their supervisor and E-Comm if a person in custody has escaped, and request assistance in re-apprehending the escapee from Lower Mainland Integrated Police Dog Services and other resources, as required.
25. If the person is not immediately re-apprehended, members shall request E-Comm to notify surrounding jurisdictions and, if necessary and in consultation with their supervisor, request assistance from those jurisdictions.
26. The member must document the details of the escape in the associated PRIME file, and if the person is not re-apprehended, they shall also provide a report to Crown counsel to request a warrant for escaping lawful custody.

\*Revised Dates:  
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11 October 2012  
21 January 2015



## Delta Police Department Policy

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03 March 2021  
04 August 2022