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## 10.0 ARRESTS

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**10.01 DOCUMENTATION**

- A. All arrests are to be documented with an arrest report.

**10.02 DECISION TO ARREST**

- A. The decision to make an arrest is to be based upon professional judgment and reasonable, articulable probable cause and not on emotion or coercion. Arrests may also be based on a valid arrest warrant. All arrestees are to be treated as humanely as circumstances will allow.
  1. Probable cause may be based on any combination of a member's observations, information gathered from a citizen if the citizen is deemed by the member to be credible, information obtained by other law enforcement sources, or information gathered during an investigation.
  2. Prior to making an arrest based on an arrest warrant, a member must first verify the warrant is valid, that the issuing jurisdiction will extradite the suspect from this jurisdiction and that reasonable efforts have been made to ensure the person to be arrested is the same as the person the warrant is issued for. The member must take care to follow any restrictions placed on the warrant such as time and place the warrant can be served.

**10.03 SECURING ARRESTEES**

- A. Generally, all arrestees are to be handcuffed behind their backs and transported in a secure manner to prevent escape, prevent injury to the arrestee or officer, and to prevent the destruction of evidence.
- B. The Department recognizes there may be unique circumstances with some arrestees that require that alternative methods of handcuffing be considered. Sick, injured, previously injured, frail, or disabled arrestees (i.e., those with casts, prosthetic devices, etc.) shall be handcuffed in a manner deemed appropriate by the arresting officer to accommodate the unique circumstance the arrestee may have. In these unique circumstances, additional methods of handcuffing may be considered (i.e., handcuffing in the front; no handcuffing of the very elderly if thoroughly searched and appropriate; use of additional pairs of handcuffs to lengthen restraint distances, second officer observation in cage). The arresting officer is responsible for giving due consideration to the totality of the circumstances when deciding if additional methods of handcuffing are necessary or not in any given case.
- C. Handcuffs shall be double locked and checked for proper tightness (per training standards) at the time they are placed on a subject or as soon thereafter as it can be safely achieved.
- D. The use of belly chains and/or ankle irons is permitted for prolonged transports or for court, medical care, in custody interviews, or other unique circumstances as approved by a supervisor.
- E. Members shall be required to re-evaluate any restraints used for proper fit, as necessary, during prolonged transports or if the arrestee complains of pain from the restraints. Members shall document in their arrest report if restraints are adjusted and the reason for adjusting them. As a standard practice, anytime handcuffs are applied to an arrestee, members shall note in their arrest report that the handcuffs were double locked and checked for proper tightness.

**10.04 RESTRAINT DEVICES**

- A. Only Department approved restraint devices will be utilized when available.

**10.05 SEARCHING ARRESTEE**

- A. Reasonable efforts will be made to search arrestees and those taken into protective custody prior to being transported by or under the supervision of Department members. If the transporting officer is different from the arresting officer, the transporting officer shall also conduct a search of the arrestee prior to transport.
- B. All searches will meet best practice standards based upon the member's training and experience. More than one search may be necessary as determined by the situation and the member. Members should video record searches when practical.

**10.06 CAVITY SEARCHES**

- A. Cavity searches are prohibited unless there is a substantial risk of harm to the member or others. If the member suspects an arrestee has concealed contraband within the arrestee's body and the arrestee refuses to surrender the contraband or it is not feasible to allow the arrestee the freedom to retrieve it, the member shall:
  - 1. Obtain a search warrant, and
  - 2. Utilize appropriate medical personnel to retrieve the suspected contraband.

**10.07 TRANSPORTATION OF ARRESTEES**

- A. The arrestee should be seat belted while in the patrol vehicle, if their behavior will allow.
- B. An officer may transport more than one arrestee.
- C. The transporting officer(s) shall supervise the arrestee at all times.
- D. For all transports, the officer shall advise communications that he or she is in route and give the destination. Upon arriving at the destination point, the transporting officer shall advise the communications center of his/her arrival.
- E. All officers shall search their assigned unit prior to and immediately after transporting an arrestee.
- F. Officers shall activate the in car video or officer worn video cameras during all transports to record audio/video and to provide an accurate account of the transport.

**10.08 EMERGENCY SITUATION WHILE TRANSPORTING ARRESTEES**

- A. While transporting an arrestee, the officer shall not respond to calls for service unless the transporting officer witnesses an emergency situation and swift, immediate action is necessary to protect life.
- B. Even in an emergency situation, the transporting officer must ensure that the safety and security of the arrestee being transported is maintained.

**10.09 ESCAPE OF ARRESTEE BEING TRANSPORTED**

- A. Any time an arrestee escapes from the custody of a Department member, the member shall immediately notify the communications center.
- B. The involved member shall also immediately notify or request communications to immediately notify the shift supervisor of the circumstances surrounding the incident.
- C. The member shall prepare all necessary crime/supplemental reports documenting the incident prior to the end of his/her shift.

**10.10 TRANSPORTATION OF DISABLE, SICK OR INJURED ARRESTEES**

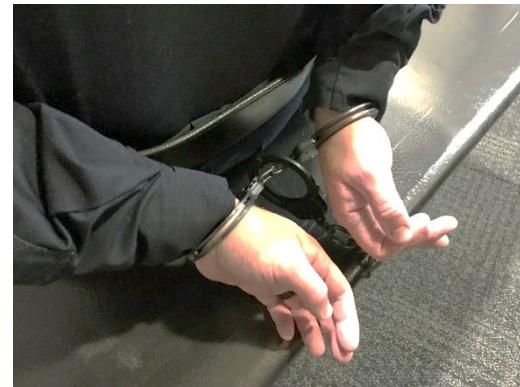
- A. If the arrestee's handicap is such that he can be safely transported in a police vehicle, then the transporting officer can do so. If the handicap is such that special transportation is required, an ambulance shall be utilized.
- B. If an arrestee is sick or injured and requires immediate medical treatment, an ambulance shall be called to the scene. If the arrestee is transported by the ambulance, a member should accompany the arrestee.
- C. If the arrestee requires non-emergency medical treatment, the transporting officer shall take the arrestee to a medical facility. The transporting officer shall maintain custody/control of the arrestee at all times while at a medical facility.
- D. If the arrestee's illness or injury requires hospitalization, the arrestee should be served a citation in lieu of arrest, if appropriate. If the arrest is for an offense for which the arrestee cannot be served a citation, arrangements will be made to provide continued custody at the hospital. Arrangements will be made by way of coordinating with hospital staff and Teton County Detention staff.

**10.11 OFF-DUTY ARRESTS**

- A. Members have arrest authority, within our area of primary jurisdiction, 24 hours a day, whether they are on or off-duty. It is not recommended a member make an arrest when off-duty. However, a member may encounter criminal activity and they may take enforcement action while off-duty. A member should take all information into account before deciding to make an arrest or to summon on-duty law enforcement when practical.
- B. If an off-duty member observes criminal activity that does not pose an immediate threat to public safety, the member should act as a professional witness and summon on-duty law enforcement.
- C. Members are permitted to carry department approved firearms while off-duty. If a member is carrying a firearm off-duty, they should have a badge and Department credentials in their possession before attempting to affect an arrest. If a member does not have these items, they should not make an off-duty arrest.
- D. If a member takes enforcement actions off-duty, they should display their badge in a conspicuous manner so as to identify themselves to the public and responding officers. Once an arrest is made, the member should summon on-duty law enforcement to assist. (This should be done prior to taking enforcement action if possible.) If an off-duty member is approached by an officer in uniform, the off-duty member is to submit to the commands or direction given by the officer in uniform.
- E. If an off-duty member is in another jurisdiction and observes criminal activity, they should not take enforcement action. However, this does not preclude an off-duty member from choosing independently to take actions that may be permitted by the laws of the state. If the violation does not meet this standard, on-duty law enforcement should be summoned. If the member decides they must act, the member should detain the suspect(s), summon on-duty law enforcement, and relay all pertinent information to them so they can make the final judgment on what enforcement action should be taken.
- F. If off-duty enforcement action is taken in any jurisdiction, the member should notify an on-duty Supervisor as soon as possible.

**10.12 USE OF AIRPORT CUSTODY BENCH**

- A. The airport custody bench, located in the airport law enforcement officer (LEO) office, is intended to provide an alternative holding position for an arrestee when it is inadvisable to place the arrestee in a patrol vehicle.
- B. It is the decision of the arresting officer when to utilize the airport custody bench. Use of the airport custody bench is optional. Factors to consider when deciding if use of the airport custody bench is necessary include:
  - 1. Amount of resistance and compliance from the arrestee
  - 2. Likelihood of attempted escape
  - 3. Number of officers on scene
  - 4. Time until backup arrives
  - 5. Severity of crime
  - 6. Ability of officer to maintain control
  - 7. Amount of time until it is safe to transport arrestee
  - 8. Likelihood of injury to officer and/or arrestee
  - 9. Probable interference while moving the arrestee through the terminal
  - 10. Extreme weather conditions
  - 11. Whether the arrestee needs medical attention
- C. When the decision is made to use the airport custody bench:
  - 1. Clear the area around the bench of any objects which could become projectiles/weapons
  - 2. Have the arrestee sit in the middle of the bench with their back toward the wall
  - 3. While controlling the arrestee, apply the bench cuff around the middle portion of the handcuffs.



- 4. Ensure the bench cuff is secure and double locked around the middle portion of the handcuffs.
- 5. Do not leave the arrestee unattended or unsupervised.
- D. When utilizing force, including handcuffing and securing an arrestee, the arresting officer shall apply the objectively reasonable standard and follow current policy and procedure (see sections 10.03 Securing Arrestees and 11.02 Force Response Policy).