5-09/520.10 - Backseat Detentions

A backseat detention occurs when an individual's freedom is restrained by placing that individual in the backseat of a patrol car for investigative purposes for any period of time. Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat. Backseat detentions are not permitted when based on unreasonable or factually unsupported assertions of deputy safety. Deputies shall not conduct backseat detentions as a matter of course during routine traffic stops or domestic violence situations.

In instances where an individual is provided the option of sitting in the backseat due to weather conditions or the individual's desire for privacy, the deputy will make clear this placement is a courtesy, and that the individual is free to exit the patrol car at any time.

Deputies shall explain to the individual, in a professional and courteous manner, why they are being detained in the backseat of a patrol car. If an individual complains about being detained in the backseat of a patrol car, the deputy shall call for a field sergeant to respond to the scene to address the individual's complaint. If the individual does not want to wait for the field sergeant to respond to the scene, the deputy shall provide the individual with a business card or equivalent identifying information.

Deputies shall not attempt to dissuade any individual from making a complaint with a supervisor about a backseat detention, whether through their words, actions, or by delaying the notification to, or the response from, the supervisor.

The backseat detention contact type codes shall be used as the primary code in the contact type field to document all backseat detentions on the deputy's daily work sheet. The length of time, in approximate minutes of the backseat detention, shall be documented in the "BSDLEN" field of the Mobile Digital Computer (MDC). The factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.