

Purpose

The purpose of this policy is to give EMS guidance for patients who are in police custody, restrained, and/or protective custody is required.

Protective Custody

Protective custody is a civil status in which an incapacitated person is detained by a peace officer for the purposes of:

- (a) Assuring the safety of the individual or the public or both; and
- (b) Assisting the individual to return to a functional condition.

- Patients with evidence of suicidal ideation who refuse care may be placed into protective custody under [RSA 135C:28 III](#).
- Patients who present with an altered level of consciousness, diminished mental capacity, or evidence of impaired judgment from alcohol or drug use may be placed into protective custody under [RSA 172](#) and [172:B3](#).
- If law enforcement refuses to place a patient into protective custody at the request of EMS, on-line medical control must be contacted and a law enforcement supervisor should be requested for further guidance.

Police Custody

- Police custody for this policy, shall mean a person under arrest.
- Patients who EMS believe require medical care should be transported to a medical facility. If police and EMS disagree about whether a patient in police custody requires transport to a medical facility for further assessment or treatment, on-line medical control must be contacted and a law enforcement supervisor should be requested for guidance.

EMS Initiated Restraints

For any patient potentially requiring restraints by EMS, see the [Restraints Procedure 6.5](#).

Police Restraint Devices

Patients transported by EMS who have been restrained by law enforcement devices (e.g., handcuffs) should be accompanied, in the patient compartment, by a law enforcement officer who is capable of removing the device. If this is not feasible, the officer MUST follow directly behind the transporting ambulance to the receiving hospital.

Tasers[®] (Conductive Electrical Weapon)

Patients who have been subdued by a Taser device, see [Tasers Procedure 6.6](#).

Pepper Spray

Patients who have been subdued by pepper spray, see [Eye and Dental Protocol 4.2](#).

Excited Delirium

Excited/Agitated Delirium is characterized by extreme restlessness, irritability, and/or high fever. Patients exhibiting these signs are at high risk for sudden death, see [Restraints Procedure 6.5](#).