

TRANSPORTATION OF OFFENDERS

AUTHORITY

Related Probation Officer Procedures:

- C6 Temporary Releases From a Juvenile Detention Facility
- E3 Arrest of Juveniles and Adults
- E7 Radio Procedures
- F2 Continuum of Force
- I1 Interstate Compact on Juveniles

Related Probation Officer Policies:

- IV31 County/Cellular Telephones
- IV32 Department (County) Vehicles

GENERAL TRANSPORTATION PROCEDURES

When in the course of performing duties it becomes necessary to transport offenders, probation officers shall carefully plan the circumstances of the transportation including assessing the potential for problems when dealing with unstable or dangerous offenders, the securing of an appropriate vehicle for transportation, and acquiring additional staff assistance as appropriate.

Any probation officer transporting offenders must have a valid California or Nevada driver's license in his/her possession. Further, probation officers and persons being transported shall always utilize seat belts. Lastly, the transportation vehicle shall be a County vehicle, licensed and maintained by the County. Probation officers are not authorized to use private vehicles to transport offenders. While using a department vehicle, the probation officer shall follow all traffic and parking laws during the pick-up and transportation of offenders.

Prior to transporting an offender, the County vehicle shall be checked for fuel level and filled whenever the fuel level is one-half full or less. The vehicle should also be checked for potential safety hazards such as low tire pressure, etc. Whether transporting an in custody or out of custody offender, the interior of the vehicle must be searched for contraband and damage prior to the transport, and searched again upon return after the offender has been removed from the vehicle. If contraband or damage is found after the offender has been transported, a Probable Cause and Probation Violation Incident Report (form #256), a Post Release Community Supervision Incident Report (form #340), or a Mandatory Community Supervision Incident Report (form #339), whichever is appropriate, must be written by the probation officer and submitted to his/her supervisor as soon as possible, but no later than the end of the following workday. If contraband or damage is found prior to transporting an offender, the probation officer must determine if driving the vehicle remains appropriate, and whichever report is appropriate, as listed above, is completed as soon as possible, but no later than the end of the following workday, and submitted to the supervisor.

A probation officer shall not transport an offender of the opposite gender alone. Arrangements must be made for the assistance of another officer of the same gender as the offender to accompany them. If such assistance is unavailable, two male officers can transport a female offender, or two female officers can transport a male offender, following supervisory approval. The only exception is a probation officer may transport a group of minors who are out of custody, such as a prison tour. Any questions about this exception should be presented to the

supervisor. Further, male and female offenders should never be placed together in a vehicle seat, unless a probation officer is positioned between them.

GENERAL IN CUSTODY TRANSPORTATION PROCEDURES

Offenders under arrest or being transported in custody shall be secured using handcuffs or belly chain handcuffs, and secured with additional restraints, when necessary, pursuant to Probation Officer Procedures Sections E3 and F2. Offenders are never to be handcuffed to or in any way connected to the vehicle so that emergency removal is inhibited.

The most direct route shall be taken when transporting offenders in custody. There should be no side trips or stops, except for fuel, meals when approved, or emergency repairs. If it becomes necessary for the probation officer to leave the offender in the vehicle, the offender must remain within direct view of the probation officer at all times, and the temperature inside the vehicle shall be appropriate for the season. When necessary, a probation officer transporting an offender in custody has the discretion to make telephone calls at the time of departure, the time of arrival at the destination and at the times of any stops along the way (both when the officer stops and when he/she resumes the transport). These telephone calls may be made to the Juvenile Hall or JTC, or local law enforcement dispatch, depending on the officer's worksite, and should include the officer's mileage.

GENERAL OUT OF CUSTODY TRANSPORTATION PROCEDURES

Offenders not in custody should be transported without the use of restraints unless there is some compelling reason to use restraints. Supervisory approval is required if restraining an out of custody offender is deemed necessary. Further, the most direct route shall be taken when transporting offenders not in custody.

SCHEDULING PUBLIC TRANSPORTATION OF IN CUSTODY MINORS

When the transportation of a minor necessitates the need to utilize alternative methods of transport (i.e. airline, bus, train), the probation officer must obtain prior supervisory approval. A written memo detailing the minor's full name and date of birth, circumstances of the case, the specific travel needs being requested, and the agency that is to be held financially liable for the transport is to be submitted by the probation officer to his/her supervisor. Parental reimbursement for costs incurred should also be addressed if it is an issue. The Division Manager, Assistant Chief Probation Officer, or the Chief Probation Officer must give final approval for these transports.

The probation officer shall be responsible for determining the following and including the necessary information in the written memo:

1. Compliance with Interstate Compact Procedures, if applicable.
2. Schedule the day of the week and time of day that is most convenient for transport with the sending/receiving county probation officer or state Interstate Compact representative. Determine the exact name of the airport, bus station or train terminal that the sending/receiving county/state will be utilizing.
3. Contact the appropriate Juvenile Detention Facility (JDF) and speak to a shift supervisor to verify that JDF staff will be available to conduct the transport to/from the EDC JDF.
4. Contact the Transportation Security Administration (TSA) and/or the airport police if a minor is to be restrained when proceeding through the airport, if applicable.

The probation officer will provide the designated Fiscal Unit employee with a copy of the approved written memo for transport. The designated Fiscal Unit employee will schedule the transportation and secure the necessary tickets.

Once the transport schedule and tickets have been confirmed, the designated Fiscal Unit employee will advise the probation officer via e-mail of the arrangements. The probation officer is responsible for providing the sending/receiving county probation officer or state Interstate Compact representative and the JDF shift supervisor with the transportation details. It may be necessary to arrange for the tickets to be picked up at the point of origin by the sending/receiving county probation officer or state Interstate Compact representative. In this situation, the transporting JDF staff will be required to provide the carrier with identification and verification in order to obtain the pre-paid ticket.

For a minor who is in custody and is being transported to El Dorado County from another California county, or from another state, it is the responsibility of the sending county, or state Interstate Compact representative, to schedule transportation. The assigned probation officer shall provide whatever assistance is necessary to ensure transportation occurs.

EMERGENCY PROCEDURES

In the event an emergency occurs while any type of transport is in progress, procedures shall be followed for each type of emergency, as described below:

Vehicle accident

If a vehicle accident occurs, the probation officer conducting the transport shall follow the procedures explained in Probation Department Policies Section IV32.

Mechanical problems with the transport vehicle

If the probation officer experiences a mechanical problem with the vehicle during a transport and is unable to continue safely, the procedures explained in Probation Department Policies Section IV32 shall be followed.

Escape of an in-custody offender

If the probation officer is unable to immediately apprehend the offender, professional judgment and evaluation of the circumstances shall guide any attempt to pursue the offender. If the probation officer believes his/her safety, the safety of the offender, or the safety of others is in serious jeopardy, or apprehending the offender will significantly increase the safety hazards, the probation officer may terminate efforts to apprehend the offender.

If an in-custody offender escapes, the probation officer shall:

1. Immediately notify law enforcement via dispatch and give a physical and clothing description of the offender.
2. Immediately notify his/her supervisor (or the shift supervisor at the JDF if after normal business hours) of the circumstances surrounding the escape.
3. Remain at the scene until law enforcement arrives and all necessary information is provided.

Upon return to the worksite, a Probable Cause and Probation Violation Incident Report (form #256), a Post Release Community Supervision Incident Report (form #340), or a Mandatory Community Supervision Incident Report (form #339), whichever is appropriate, must be written by the probation officer and submitted to his/her supervisor as soon as possible, but no later than the end of the next business day.

GENERAL TRANSPORT RESPONSIBILITIES

JDF staff have the responsibility for the routine transport of juveniles in custody. On occasions, JDF staff will also be called upon to transport out of custody wards such as assisting in placement changes that require unusual transportation needs. Alternatively, probation officers may be called upon to assist with transports of minors incarcerated in a JDF.