

Policy 1300 - Court Transfer

Assembly and distribution of inmates will be conducted expediently and accurately to ensure a timely departure from the facility and a timely arrival at their destination. Upon return to the facility the re-entry process will be thorough, orderly and rapid to ensure a secure return to housing.

1300.1 – Overview

- a) The process of moving inmates to local courts will begin by [REDACTED] hours [REDACTED].
- b) The Daily Activity Roster will be distributed to all facilities and each housing unit therein by Inmate Records personnel before [REDACTED] hours.
 1. The Daily Activity roster will identify inmates by a court assigned, name and AKA, DOB, booking number, date booked, case or warrant number, arresting agency, additional charges pending and other appearances. The list will also identify each inmate's housing location, security status, and any special orders.

1300.2 - Court Transfer Guard Station / Departure

- a) The Court Transfer Guard Station Deputy will coordinate activities in the Court Transfer cell area.
- b) Each cell will be searched by the Court Transfer Deputy upon unlocking the cells in the morning.
- c) The Guard Station Deputy will predetermine each cell's use for the morning courts by court destination, inmate classification and number of inmates to be transported prior to the inmates' arrival in the Court Transfer area.
 1. Cells in the Identification area and Clothing Room corridor may be used to ensure complete separation of inmates or for overflow purposes.
- d) Court Transfer Prowlers will receive the first group of inmates (early courts) immediately following the completion of breakfast.
- e) As the inmates arrive, they will be restrained according to their classification level, if not already restrained (See CCOM section 1201.15).
- f) The inmates will be placed into cells by court destination and classification. Specialty Housing inmates will be kept separate from non-compatible inmates (refer to CCOM section 1200.2).
- g) General Population (GP) inmates may temporarily be placed into holding cells unrestrained for officer safety reasons. Whenever possible, GP inmate's level 6 and 7, should remain separate from GP 1 through 5 unless restrained.
- h) If an inmate bypasses or attempts to bypass waist or leg restraint locks, a handcuff cover Restraint-Box may be utilized to secure the inmate. (Refer to CCOM section 1800.4 for further details).
- i) The deputy will document the arrival of each inmate by placing a mark in the "OUT" column (next to the inmate's name) of the Daily Activity Roster. All "no shows" will be checked at this time.
- j) Each inmate will be identified by name and booking number as he/she enters a given cell.
- k) Clothing Exchanges
 1. The Court Transfer Guard Station Deputy will verify with the Clothing Room CST that street clothing for inmates going to court is prepared.
 2. Inmates approved to wear personal clothing to court will be identified on the Activity Roster under "Special Orders" (left side, bottom), by the notations:
 - i. JUTR: Jury Trial - Street clothes optional
 - ii. STCL: Must wear street clothes to court
 - A. However, an inmate may still refuse street clothing. If an inmate refuses court ordered street clothes, it will be documented in the Sergeant's Log.
 3. At no time will inmate workers be allowed in the clothing room without direct staff supervision.
 4. An inmate may inform the Court Prowler of his/her trial status. This will be verified via Inmate Records.

5. The Court Transfer Deputy will properly identify inmates authorized to wear personal clothing to court before the personal clothes are exchanged. Inmates will change clothes inside the cell designated by the Court Transfer Deputy.
6. It will be the responsibility of the Court Transfer Deputy to make appropriate clothing exchanges. For security reasons, only the plastic bag containing the inmates clothing will be given to the inmate. The clothing rack and the clothing bags with the metal hooks that attach to the rack will remain secured in court transfer.
7. If an inmate refuses to dress in street clothes, it will be documented in the dress out log. The inmate will sign the log acknowledging his/her refusal to dress out. The log will be faxed to the respective court.
- l) The Guard Station Deputy will ensure that no transporting officers enter the corridor while armed. (No firearms, ammunition)
- m) From the Guard Station, the deputy will control all sally port doors and intercom traffic.
- n) All required documentation will be provided to the transporting deputies by Inmate Records.
- o) Restraints
 1. Transportation Deputies will supply the necessary security/restraint devices for inmates going to court.
 - i. Proper restraints will be placed upon the inmate based upon their classification.
- p) Destination Activity Rosters will be used to determine which cells contain the inmates for the respective courts (i.e., Central, Harbor, North, and West). The Transportation Deputy will verify the inmate, and will mark "OUT" column when inmate has been handcuffed and prepared for entry onto the transportation vehicles.
- q) The Cook will ensure a correct number of lunches are prepared. The Transportation Deputies will ensure a proper number of lunches are on the respective court buses.
- r) As each individual court inmate is loaded into the transportation vehicles, the Court Prowler Deputy will provide the Court Transfer Guard Station Deputy the corresponding completed Destination Activity Roster.
 1. The Court Transfer Guard Station Deputy will be responsible for notifying Inmate Records of all "no shows" for court.

1300.3 - Transportation Deputies

- a) Department Transportation Deputies will ensure movement of inmates to and from local courts.
- b) Sheriff's Department transportation vehicles will be [REDACTED] and [REDACTED] in the [REDACTED] while not in service. [REDACTED] will be kept in the [REDACTED].
- c) At the time of the assignment, the Transportation Dispatcher will provide the Transportation Deputies a copy of the Destination Activity Roster for his/her assignment and [REDACTED].
- d) The Transportation Deputies will select the correct number and type of restraint devices from the storage room.
 1. Those inmates identified on the Activity Roster as requiring extra restraints will be restrained by the use of handcuffs, waist chain, and leg restraints.
 2. As inmates are summoned from the cells, Transportation Deputies will place proper restraint devices on the inmates.
- e) Transportation Deputies will search the interior of each vehicle before and after vehicle is used for court transport for contraband and/or stowaways.
- f) Vehicles will be parked for loading at the designated point in front of the Court Transfer sally port exterior door.
 1. Vehicles to be used to transfer inmates with the earliest arrival time or those going the greatest distance will have priority for parking at the loading point.
- g) [REDACTED]
- h) Transporting deputies will remain outside the sally port to carefully monitor the loading process. Transportation Deputies will call off the inmates' names as they enter the transportation vehicle.
- i) General population court inmates will exit the building single file and [REDACTED].

- j) [REDACTED] and will be secured in security compartments in the front of buses or front seat in the passenger compartment in vans. Security compartments will be locked prior to departure from the IRC.
- k) Early courts will have the sack lunches preloaded on the buses by the kitchen. Late courts will have lunches loaded on buses from the Court Transfer refrigerator by assigned inmate workers.
- l) [REDACTED]

1300.4 - Inmates Returning from Court

- a) [REDACTED]
- b) Transportation Deputies will walk court remand inmates to the Receiving area for the booking process.
 - 1. The Transporting deputy will submit the completed Pre-Booking Record, a copy of the court papers and the Intake Screening and Triage Form to the Receiving Deputy. All original court papers (e.g., remanding orders and commitment papers) will be submitted to the Commitment Clerk.
 - 2. When the inmate is medically unacceptable for booking, the Transportation Deputy will contact the Transportation Dispatcher. It will be the responsibility of Transportation to take the inmate to a treatment facility. When the treatment is completed, Transportation deputies will return the inmate to the respective facility and will complete the Pre-Booking process.
- c) The Transportation Deputy will deliver to Inmate Records the court papers for the returning inmates.
- d) A Court Transfer Deputy will be given the completed Activity Roster used that morning for the arriving court inmates.
- e) [REDACTED] inmates will be removed from the vehicles before general population court inmates.
- f) Inmates will be walked single file from the vehicles into the sally port and then into the Court Transfer corridor. All inmates returning from court shall be searched prior to being placed into holding cells to await return to housing.
 - 1. Transportation Deputies will remove handcuffs and other restraint devices as the inmates are placed into the Court Transfer corridor.
 - 2. When Special Housing inmates have been searched, each will be moved immediately to holding cells to await escort back to his/her housing location.
- g) The Court Deputy will verify the identity of each court returnee prior to him/her being placed into a holding cell. A check mark will be made in the "IN" column on the Activity Roster indicating the inmate's return.
- h) Court Clothing Return: Returning inmates will place all personal clothing in the provided bag. The Court Deputy will verify all returned clothing. Prior to returning inmate personal clothing to the clothing rack, the Clothing Room CST will re-inventory all personal clothing that was worn to court by the given inmates.
 - 1. The Operations Sergeant will be immediately advised of any discrepancies.
 - 2. Jail clothing will be returned to those inmates who wore personal clothing to court.
- i) Court Documents: The Transportation Deputy will ensure that each inmate returned to custody is accompanied by appropriate paperwork.
 - 1. Examples of appropriate paperwork are:
 - i. Remanding Order
 - ii. Release Order
 - iii. Commitment Order
 - 2. The Transportation Deputy, Inmate Records Supervisor and the appropriate court clerk will immediately resolve any court paper discrepancies.
 - 3. Stays of Execution on Sentences: These documents are to be separated from the rest and sent directly to Inmate Records. (These are documents which report a future self-booking).
 - 4. "No Body" papers will also be sent directly to Records.

- j) Return to Housing: The Court Transfer Guard Station Deputy will coordinate with housing areas before sending any groups of inmates.
 - 1. At least one female deputy must accompany any group of female inmates to housing.
 - 2. Deputies will escort Special Housing inmates at all times when the inmates are outside their housing areas.
 - 3. When escorting a group of inmates, one deputy will lead the inmate group and one deputy will follow.
 - 4. When the last inmate court returnee has been escorted out of the Court Transfer area, the Deputies will search the cells, have them properly cleaned, and lock the cells.

1300.5 - In-Custody Release

- a) In-custody releases will be processed at the Court Transfer Guard Station area.
- b) Scheduled In-Custody Releases will be included on the daily schedule Release Roster (SE List).
 - 1. The initials "I/C" followed by the anticipated release time will be used to identify each release.
 - 2. The SE list will be delivered to the Release Guard Station during the early part of shift one. Inmate Records will send copies of the SE list to all appropriate locations.
- c) Non-Scheduled In-Custody Releases will be processed at the time they are requested. Inmate Records will send computer notification to the appropriate location. Special notice will be made that the inmate is an "In-Custody" release. This will ensure that the inmate is sent to the correct release location.
- d) Inmate Records will gather the documents and files for in-custody releases and deliver the file to the Release Guard Station.
 - 1. Release CST's will pull the clothing inventory card, the inmate's clothing, and personal items.
- e) The Release Deputy will prepare the inmate file in the same fashion as regular releases except for the traveling documents.
 - 1. The left side of the file folder will contain:
 - i. A J-024 Inmate and Property Receipt (duplicate)
 - ii. Any warrants or teletypes to accompany the inmate
 - iii. Copy of commitment papers (if applicable)
 - iv. Probation report package (if applicable)
 - v. Orange County Sheriff's Department "Hold" Letter (if applicable)
- f) The Release CST will take the completed "In-Custody" file folder(s) and inmate personal property to Court Transfer.
 - 1. State Prison In-Custody Files must be in the Court Transfer Guard Station by 0400 on transfer days. The inmates will be ready to [REDACTED]
 - 2. All other In-Custody Release Files must be in the Court Transfer Guard Station as soon after notification as possible.
- g) State Prison "In-Custody" release inmates will be escorted from housing units to the Booking holding cell area [REDACTED] on the evening prior to their scheduled transfer date. Cells in Court Transfer may be used if there is no room in the Booking Loop. A Prowler Deputy must stay in Court Transfer if these holding cells are used.
 - 1. The Court Transfer Guard Station Deputy will designate the cell(s) to be utilized for "In-Custody" releases.
- h) The Court Transfer Guard Station Deputy will review each file to determine that the correct papers are included.
- i) Transporting officers will park their vehicles in the security parking yard.
 - 1. Buses will park in the spaces provided near the sally port entrance.
 - 2. Prior to entering the sally port, each officer [REDACTED] in the [REDACTED] at the side of the [REDACTED]
 - 3. [REDACTED] the [REDACTED] will verify that [REDACTED]

4. After [REDACTED] to the Guard Station Deputy, transporting officers may enter the sally port to provide security equipment to be used on the inmates. The transporting officer will place the equipment on the inmates as they exit the holding cells.
- j) The Release CST may stay temporarily during the "In-Custody" release to assist the Court Transfer Guard Station Deputy with any misplaced papers or property.
- k) File Close Out: The Guard Station Deputy will obtain the signatures of the transporting officers on the green Inmate and Property Receipt (J-024). The inmate will sign all required documents (except money) as in any other release.
 1. Verify Inmate's Identity: The Court Transfer Guard Station Deputy must make positive identification of the inmate prior to releasing him/her to the transporting officer. Positive identity of the inmate is aided by taking a flat right hand and thumb print on the lower left front side of the Booking and Property Record and then comparing the prints to the prints taken at the time of booking on the right side of the form. Signatures and electronic right thumbprint image will be compared, and the inmate's module card photograph will be compared with his/her actual appearance.
 - i. Further identifying information can be obtained by questioning the inmate from information contained in the file. Unresolved questions of the inmate's identity will be addressed with the Operations Sergeant prior to the inmate being released.
 - ii. Local documents previously listed by the Release Deputy, will be checked off by the Court Transfer Deputy as the forms are given to the transporting officer (e.g., warrants and commitments).
 - iii. Property items will be itemized in front of the inmate, and all bulk property identified by the inmate. The property is to be placed in a paper bag and given to the transporting officer at the time of release. The deputy will make a notation on the green inmate and Property Receipt forms stating the transporting officer accepted the property.
 2. Money will not be indicated on the Property Receipt form. The Release Deputy will complete a 4x5 blue color "Inmate Money Release Authorization" form. The transporting officer will sign for the money on the space marked, "inmate."
 - i. Transporting officers will take the blue form to the Cashier's Office in order to obtain the inmate's money. The officer will sign the Inmate Personal Funds Ledger and receive the inmate's money at the Cashier's Office.
 - ii. The Court Transfer Deputy of Prowler will escort the transporting officer to the Cashier's office.
 - iii. The Court Transfer Prowler will return files on released inmates to the Release Guard Station. The Release Deputy will release the inmate from the computer.
- l) After hours "In-Custody" releases will be conducted at the Receiving Guard Station.
 1. The Main Control Deputy will notify the Operations Sergeant of arrivals at the gate for "In-Custody" releases when Court Transfer Deputies are no longer on duty.

1300.6- Inmates refusing to go to Court

- a) Deputy responsibilities:
 1. When an inmate refuses to go to court, the deputy will make every effort to resolve the situation verbally.
 - i. The inmate should be notified that the refusal should be done in person to the judge.
 - ii. The inmate should be advised that he/she is being directed to go to court, and any refusal will be addressed as a major jail rule violation for Failure to Obey a Directive.
 2. If the refusal continues, the deputy will notify the sergeant assigned to the inmate's housing location of the refusal.
 - i. A refusal to attend court will be addressed as a major jail rule violation. The deputy will write the inmate up on a Major Jail Rule Violation for Failure to Obey a Directive. An entry will be also be made on the 24 Hour Log under "Court - Inmate Refusal to Attend."

3. If the inmate cites a medical or mental health-related issue for refusing to go to court, the deputy will contact CHS to determine if the inmate is physically and/or mentally able to attend court.
 - i. If CHS determines an inmate has a valid medical or mental health-related reason to refuse to go to court, the inmate will not be subject to discipline. The incident will be documented in a Jail Incident Report and an entry will be made on the 24 Hour Log under "Court - Inmate Refusal to Attend."
 - ii. If CHS determines an inmate has no medical or mental health-related reason to refuse to go to court, the deputy will write the inmate up on a Major Jail Rule Violation for Failure to Obey a Directive. An entry will be also be made on the 24 Hour Log under "Court - Inmate Refusal to Attend."
- b) Sergeant responsibilities:
 1. A dayshift sergeant will respond and speak directly with the inmate to verify the inmate is refusing to go to court.
 - i. A handheld video camera should be used to document the incident as well as the physical and mental state of the inmate.
 2. The sergeant should attempt to convince the inmate to voluntarily go to court.
 3. If the inmate continues to refuse, the sergeant will notify the watch commander and document the refusal to go to court and all other relevant details in the Custody Operations Supervisor's Log. The sergeant's documentation will include the following:
 - i. Reason for refusal
 - ii. Mental and physical state of the inmate
 - iii. Living conditions of the inmate
 4. The sergeant must be prepared to speak to a judge if contacted by the court regarding the inmate's refusal to go to court.
- c) Court Order:
 1. If a judge submits an order of the court directed to the inmate and the inmate refuses the order, staff will notify a supervisor and video record the refusal.
 2. A deputy can document the refusal to comply with the court order on an Initial Crime Report titled "C.P.C. 166.4 – Violation of a Court Order" as well as a Major Jail Rule Violation.
 3. If a judge submits an order of the court directing the Sheriff's Department to use force to bring the inmate to court, the Watch Commander will notify County Counsel immediately and no force should be used unless otherwise authorized by department policy and/or the Watch Commander.