

Policy 13000 - Conservatee Transportation Procedures

13001 – Introduction

In 1984, the former Orange County Marshal's Department entered into an agreement with the County Public Guardian and the County Public Defender's office for the transportation of Conservatees to the Superior Court from their respective mental health facilities. Under this agreement, the Juvenile Court was responsible for transporting these Conservatee Patients between the various mental health facilities and the court. Conservatorship is now under direction of the Probate Court. The Public Defender's office and the Public Guardian's office are now responsible for issuing and delivering transportation orders to the Orange County Sheriff's Department in a timely manner as well as updating these orders when necessary.

The Conservatee Transportation Team is a detail within the Orange County Sheriff's Department at the Lamoreaux Justice Center. The Transportation team is comprised of four Sheriff's Special Officer II's, from the Orange County Sheriff's Department. The Conservatee Transportation team's duties are to pick up, deliver to the court and return all Conservatees clients or patients for which transportation orders have been received. [REDACTED]

13002 – Uniforms and Attire

- a) Non-Uniform
 1. Standards for non-uniformed law enforcement personnel may be modified on an individual basis by the Captain with approval of the Division Commander.
 2. Clothing and grooming standards per section 1044 and 1046 of the Department Rules and Regulations [\[1\]](#) (Lexipol) shall be adhered to.
- b) Uniforms
 1. Officers may wear class "A" or "B" uniforms. "Polo" type shirts and 5.11 type pants are authorized.

13003 – Client and Patient Procedures

- a) Conservatee Transportation
 1. No firearms are permitted inside the mental health units. The officer loading and unloading the patients from locked units will either secure their firearm in the van's gun locker, the facility bus bay or the trunk of their vehicle prior to handling the patients at the facility.
 2. Both officers will exit the vehicle and take positions that will ensure the safety of the officers and the patients.
 3. Upon arrival the team will notify the Detention Deputy and park their vehicle inside the secured bus bay. All loading and unloading of patients shall be done inside the secured bus bay (Unless failure of the Detention bus bay door necessitates an alternative plan). The patients will be escorted by both team members to the courtroom using the elevator.
 4. The patients will be escorted single file into the client holding room. The lead officer shall inspect the locks on both doors of the holding room and also inspect the room for any dangerous items before the patients are allowed to enter. The bailiff will also conduct a thorough search of the holding room before the arrival of the patients each day.

5. Patients who commit an assault upon another patient or upon an officer while in the Sheriff's care and custody shall be restrained and separated from the other patients. Paramedics shall be called if an injury is sustained. The On-Duty Sergeant shall be notified and a report will be written. The appropriate agencies/facilities responsible for the patients involved must be notified.

b) Meals

1. The Conservatee Team will be responsible for picking up all client meals from the client's care facility before departing the facility. All client meals are to be dispensed and eaten inside the holding room at the courthouse. Some clients because of the distance traveled cannot be transported without a sack lunch. If the facility cannot provide a lunch on the morning of the pick-up the team may refuse to transport the patient.
2. The lunches should be checked for items which could cause harm to an officer or to another patient.

c) Medications

1. All medication will be administered to the client by the medical facility staff prior to their departure with the Sheriff's Department. No medication will ever be received or dispensed by Sheriff's Department personnel.
2. Any violations of this policy shall be documented on the log and submitted to the On-Duty Sergeant at the end of shift. The On-Duty Sergeant will investigate the incident and notify the appropriate care facility.

d) Restricted Items

1. Generally clients from the health care facilities are not permitted to possess matches, lighters, cigarettes/cigars, tobacco, pens, pencils or any other sharp objects while in the care and custody of the transportation team.
2. Some clients are permitted to possess the above items at their facility, but under no circumstances should they be transported with any of these items in their possession. .
 - i. Instruct the nurses or caregivers to tell the clients to leave these items behind.

13004 – Vehicle Procedures

a) Transport Vehicles

1. The Conservatee Transportation Team has three vans assigned to the team.
 - i. It is the responsibility of all team members to ensure that all vehicles are in proper working order and the required scheduled maintenance is completed at the appropriate intervals.
2. All vans shall be inspected each day prior to departing for their daily assignment.
 - i. An unmarked car (white unit), equipped with a safety cage may also be utilized in cases of emergency or mechanical failure to the vans. Unmarked cars can transport up to two clients.
 - ii. Any vehicle used to transport clients should have the passenger cabin inspected for items that could be used as weapons.
3. Each van has a Voyager gas card for use when a county gas facility is not available.

b) Disabled Vehicle Procedures

1. Vehicle breakdowns occur from time to time. The most important consideration taken by the Transportation Team should be for the safety of the team as well as the patients.

- [REDACTED]
3. If possible, attempt to stop in a safe place. Contact the Sheriff's Emergency Communication Bureau dispatcher and advise them the vehicle number, location and type of problem.
 - i. Sheriff's dispatch will dispatch a tow truck to the location if needed.
 - ii. Contact your Sergeant at the Central Justice Center in order to have a replacement vehicle brought to your location.
 4. Never permit clients to leave the vehicle unless it is safe to do so and there are adequate personnel to ensure their safety or to prevent escape. If assistance is needed, notify dispatch to send a Sheriff's patrol unit or local city police unit to your location.

c) Vehicle Accidents

1. In the event that a minor traffic accident occurs, notify the Emergency Communications Bureau (Loma Ridge) Department Commander immediately.
 - i. The Department Commander will dispatch a Sheriff's Sergeant to your location.
 - ii. In the event an injury traffic accident occurs, call 911 or use the emergency "Red" channel.
2. Immediately render any necessary emergency first aid and assess the victim(s) condition.
 - i. The patient's facility should be notified of any illness or accident at the deputy's / S.S.O's earliest convenience.
3. Deputy Sheriff's/Sheriff Special Officers will make no comments or statements regarding the traffic incident to anyone except the investigating officer and the Patrol Sergeant.
4. For additional information see Policy Manual [\[1\]](#) (Lexipol) Section 502.

13005 – Transportation Orders, Logs and Scheduling

13005.1 - Receiving Orders

- a) Transportation orders are submitted to the department C-9 court clerk by the Public Defender's Office, The Public Guardian's Office and County Counsel. The Court Clerk will verify, stamp and copy the orders. The approved orders will be returned to the issuing agency and placed on the court clerk's desk in department C-9.
- b) The orders will be picked-up daily by the Transportation team. If transportation orders are received after the team's departure from the courthouse, the bailiff in department C-9 will deliver the orders to the transportation team. All transportation orders should be available for pick-up by the Transportation team by [REDACTED] for the following days run. This is necessary because certain facilities have cut-off times to schedule patients for transportation. Transportation orders may also be delivered to the Transportation team by fax [REDACTED]
- c) All requests for changes to Transportation Orders require a new Order to be drafted with a new date and time for the pickup. In cases of short notice, the transportation team may accept, approve and note the order changes. Cancellation of transportation orders may be received in writing, fax or by telephone [REDACTED] Only the originating agencies (i.e. Public Guardian, County Counsel or Public Defender's Office) authorized to initiate transportation orders can cancel a transportation order.
- d) Transportation Orders for inmates in the custody of the Sheriff's Department will be referred to the On-Duty Sergeant. The Sergeant will notify OCSD Transportation to make arrangements for transportation to the courthouse

13005.2 - Conservatee Logs and Scheduling

a) Logs

Sheriff's Special Officers will use the Conservatee Bureau Transportation Log to document their field activity during a shift of duty.

1. The report acts as a minute-by-minute accounting of each officer's activity.
2. Each team will complete their own Transportation Log.
3. The Transportation Log will be turned in at the end of the shift.
4. Log entries should include but are not limited to:
 - i. Any transportation assignment (court run, hospital pick-up, medical appointments, etc.)
 - ii. Admin Time (DMV, Medical appointment, etc.) Range Qualification, Court Time, and C-7
 - iii. Report writing
 - iv. Special assignments or unusual occurrences.
 - v. Transportation refusals.
 - vi. Each entry must be completed as any other report but written as a brief account of what happened at an event.
5. The log will be kept for five years and is subject to subpoena, review by all members of the Department and can be released to the public under certain circumstances.
6. For additional information on completing the log see POST Order number (TBD or CJC 14-002).

b) Scheduling

1. The scheduling officer is responsible for:
 - i. Notifying each facility regarding pick-up dates and times.
 - ii. Arranging the pick-up orders by date and routing the pick-ups for the various facilities.
2. Inquiries into any physical, mental or behavioral problems will be made and noted prior to picking-up the subject.
 - i. Patients with physical disabilities that require the care of a skilled nurse will not be transported by Sheriff's Personnel.
 - ii. Patients listed as "one-on-one" supervision (i.e. violent, suicidal or danger to other patients) by their respective medical facilities will not be transported by Sheriff's Personnel.
 - iii. Other arrangements for transportation shall be made by the appropriate agency.
3. Sheriff's personnel have the discretion to refuse transportation of any patient they believe to be unsafe to the officers, themselves or other patients.
 - i. A notation will be made on the Conservatee Log outlining the reason for the refusal and the Hospitals staffers' name.
 - ii. The Sergeant will be notified of any refusal.

13006 – Conservatee Escorting

a) Facility Pick-up

1. Firearms are not permitted inside any mental health unit.
2. Patients are never on or off loaded at a hospital without hospital staff being present.
3. Hospital Staff will escort all patients to and from Sheriff Department Vehicles.

- i. Officers will exit the vehicle and ensure the safety of hospital staff, the officers and patients.
 - 4. Patients will be secured in the vehicle and restrained if necessary.
 - i. High risk patients or patients that are restrained by their facility prior to the transportation team's arrival will remain restrained while in Sheriff's Department care.
 - 5. Sheriff's personnel have the discretion to refuse transportation of any patient they believe to be unsafe to the officers, themselves or other patients.
- b) Arrival at Court
 - 1. Upon arrival at the Central Justice Center, the team will notify the Detention Deputy and park their vehicle inside the bus bay.
 - i. All loading and unloading of patients will be done inside the secured bus bay.
 - ii. If necessary an alternate unloading site may be determined by the Detention Deputy.
 - iii. Patients will be escorted by both team members to the courtroom using the south elevators.
- c) Courtroom / Holding Area
 - 1. The lead officer will inspect the holding room for any unauthorized items as well as inspect the locks on both doors of the holding room.
 - i. The Bailiff assigned to C-9 will also inspect the holding room at the beginning and end of each shift.
 - 2. It is the responsibility of the transportation team to respond to all incidents inside the holding area and in the courtroom concerning the patient.
 - 3. The Bailiff assigned to C-9 will be responsible for viewing the patients on the video monitors located on the bailiff's desk.
 - i. In the event the Bailiff must leave, he/she should have a member of the transportation team watch the monitors.
 - 4. In addition to the Bailiff, there will always be at least one member of the Conservatee Team in the courtroom during hearings.
 - 5. Attorneys or Doctors wanting to enter the patient holding area shall request and receive permission from Sheriff's Department personnel prior to making entry.
 - 6. At no time shall a patient be escorted from the holding room without Sheriff's Department personnel present to assist.
 - 7. Only one patient will be escorted into the courtroom at a time.
 - i. If a judge orders more than one patient into the courtroom an additional officer/Deputy will be requested.
 - 8. At the conclusion of the court hearing, the transportation team will perform a head count of all the patients in the holding room. The head count will be compared to the transportation log prior to escorting the patients back to the bus bay.
 - 9. Patients will be recounted again as they are loaded into the Sheriff's vehicle inside the bus bay.
- d) Patient Released from Court
 - 1. At the direction of the court, a patient whose voluntary hold has been terminated may be released from court. In addition to the procedures in CCOM Section 11002.8 the officer will:

- i. Receive a copy of the signed order from the court requiring the release.
 - ii. The officer will note the release on the transportation log as “Released from Court”.
 - iii. The officer will contact the facility which housed the patient.
 - iv. Direct the patient or the patients support person back to the hospital to check them out.
- e) Medical Aids
 - 1. See CCOM Section 11004.1 for details
- f) Escapes / Attempted Escapes
 - 1. The conservatee transportation team may pursue a patient if the team member is in uniform and there is a criminal want for the person. If a foot pursuit is initiated, officers will follow the guidelines in OCSD Policy Manual 458 (Lexipol) [\[1\]](#).

13007 – Types of Facilities and Staff Relations

13007.1 - Facility Types

- a) Board and Care
 - 1. This type of facility is typically unlocked. These are private facilities contracted by the Public Guardian’s Office to house higher functioning patients. The patients housed here may come or go as they please during the day. Meals are provided for the patient and medications are distributed to them daily.
 - 2. Patients in B&C facilities have the means to pick-up and carry restricted items and should be “searched” before placing them in the van.
- b) Room & Board
 - 1. This type of facility is typically unlocked. The patients housed here generally rent a room and may come or go as they please. Meals are provided for the patient and medications are distributed to them daily.
 - 2. Patients in Room and Boars facilities have the means to pick-up and carry restricted items and should be “searched” before placing them in the van.
- c) State
 - 1. This type of facility is locked. The patients are housed according to their illness type and its severity. These facilities are secured by the State Department of Corrections and are very secure.
 - 2. The Public Guardians Office and various other state agencies house patients in these facilities. These patients are usually the extreme cases. (The most violent or sexually deviant.) Private facilities can refuse to house individual patients based on past behavior. When this occurs these patients end up in state hospitals.
- d) Private
 - 1. This type of facility is locked. The patients are typically housed together on large units and share semi-private rooms.
 - 2. The Public Guardians Office and private conservators house patients in various stages of their illness in these facilities.
 - 3. Many of these facilities have both acute (intensive care) wards and high functioning (day pass) wards.

13007.2 - Staff Relations

a) Hospital Staff

1. Doctors, nurses and mental health workers make up the majority of the staff at facilities that Officers will communicate with daily.
 - i. They will prepare the patients for court, provide meals and medications and will notify officers of any problem behavior.

b) Court Staff

1. Court staff is responsible for ruling on hearings, maintaining the court calendar and coordinating the efforts of numerous agencies and individuals to get their clients and cases before the court on a daily basis.

c) Public Guardian

1. Deputy Public Guardians are assigned by the court to ensure a patient is housed, clothed and fed. They also rate care facilities and contract with them to house Orange County patients. They act as case workers for the patients who are assigned to them. They also investigate families or private persons who offer to act as a conservator (care giver) to persons on conservatorship.

d) Public Defender

1. The public defender's office is assigned to represent all patients who cannot afford or choose not to engage private counsel.
 - i. The court does not allow persons with mental illness to represent themselves.

e) County Counsel

1. They are County of Orange Lawyers. They represent every county agency in one capacity or another. In this instance, they represent the Public Guardian's Office on matters pertaining to involuntary confinement, conservatorships and medical petitions.