

CONTROL OF PRISONERS

36417

CONTROL OF PRISONERS

The preparation of this booklet was financially aided through a federal grant from the Law Enforcement Assistance Administration and the California Office of Criminal Justice Planning. The opinions, findings, and conclusions in this publication are those of the author and are not necessarily those of COCJP or LEAA.

Court Support Personnel Project
Skyline College
San Bruno, CA 94066
Douglas C. Oliver,
Project Director

NCJRS

SEP 14 1976

ACQUISITIONS

Writer/Researcher: Jim Golfos
Editor/Layout: Theani Louskos
Graphics: Jan Kirkpatrick
Manuscript Typing: Donna Hughes

Prepared with the assistance of
The San Francisco Sheriffs Department
Dr. Stanley Kim, Training Officer
and
Lt. Terry White, Personnel and Training

CONTENTS

| | PAGE |
|---|------|
| INTRODUCTION | 1 |
| OBJECTIVES | 3 |
| COMMENTARY | 4 |
| Prisoner Transportation and Control: The San Francisco Model | 4 |
| Transportation Principles and Procedures | 6 |
| <i>Attitudes (6); Selection and Training (8);</i> <i>Equipment (8); Constant Alertness (8);</i> <i>Maintaining Psychological Advantage (9);</i> <i>Carelessness (10); Harsh Treatment (10);</i> <i>Preparation and Planning (11); Transportation</i> <i>Vehicles (12); Use of Restraint Equipment (12);</i> <i>Use of Firearms: Special Cautions (14)</i> | |
| Assisting Bailiffs with Security of the Courthouse | 15 |
| Special Problems | 17 |
| <i>Highly Publicized Trials (17); Women</i> <i>Prisoners (18); Juvenile Prisoners (18);</i> <i>Mentally Ill Prisoners (19)</i> | |
| CONCLUSION | 20 |
| SELF-REVIEW TEST | 21 |
| SUGGESTED READINGS | 22 |

INTRODUCTION



This booklet examines the modern role of the transportation officer. It also examines how he or she divides responsibilities in order to assist the bailiff. As already noted in "The Bailiff in Criminal Court" ... "The presence of in-custody prisoners and accused persons makes special demands upon those officers who have these assignments."

Each day, the role of the transportation officer is becoming more complex and diversified. In order to keep pace with the constant changes of modern courtroom and correctional practices, the transportation officers will be called upon to expand their job knowledge, skills and responsibilities.

The transportation of prisoners from their holding facility to the courthouse and back has never been simple or easy. It has always demanded expertise and skill from the officers in charge. But even more so today, with the increasing demands of courthouse security, the transportation

officer must be professionally trained in all aspects of prisoner transportation and control, including:

- COURTHOUSE PROCEDURE
- EQUIPMENT AND FACILITY USE
- PRISONER ATTITUDES, BEHAVIOR, AND MOTIVATION

Perhaps the key to on-the-job success in each of these areas is awareness; particularly of the obligations and responsibilities of the officer to maintain the security and protection of the prisoner, the courthouse, and everything else in between.

Whenever security breaks down, the consequences are obvious. It is important, therefore, that the transportation officer acquaints himself with the diverse functions of the job.

For example, when one thinks of "controlling" prisoners, it is useful to keep in mind that our common understanding of the term may not evoke the same image in the enforcement officer's mind as it does in the prisoners'. In the sense we mean here, this booklet views "control" as a transaction; a transaction (within the court context) involving successful techniques by officers in transporting prisoners. Successful techniques mean successful security. And successful security means a job properly done.

Beyond this general introduction to the responsibilities of the enforcement officer for the transportation and control of prisoners, the purpose of this booklet is to present some basic principles and guidelines that both new and veteran officers can apply on the job.

OBJECTIVES

After reading this booklet you should be able to:

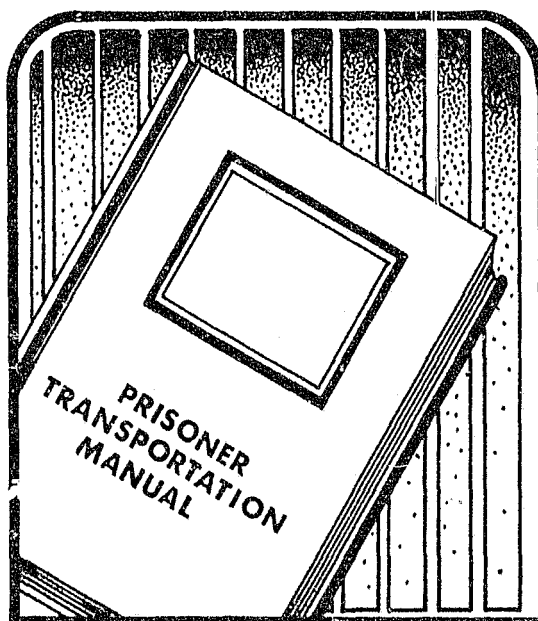
1. Describe the general duties and responsibilities of the transportation officer.
2. List and describe the ten general principles of prisoner transportation.
3. Discuss the shared responsibilities of the transportation officer and the bailiff for maintaining security of the courthouse.
4. Describe the four "special" transportation and control problems and how the officer should handle each.

COMMENTARY

To help the transportation officer successfully carry out his assignment, the State Board of Corrections has outlined the basic laws and guidelines relevant to transporting and controlling prisoners.¹ While the laws to

protect the rights of both the prisoner and the transportation officer are uniform statewide,

guidelines for procedures are not. As a result, actual transportation policies and procedures may vary widely from county to county. For example, the situation in San Francisco County is unique.



PRISONER TRANSPORTATION AND CONTROL: THE SAN FRANCISCO MODEL

The city and county have combined both city and county jails and municipal and superior criminal courts in one building, the Hall of Justice, thus eliminating many of the problems faced in other counties. With all segments in one convenient location, prisoners are easily located and transported to the proper courts, and security risks have

¹ Prisoner Transportation Manual, pamphlet prepared by the California Board of Corrections, December, 1971.

been minimized. Although San Francisco has no transportation detail officers per se, they assign a staff of senior deputies to all municipal and superior courts. Each court is supplied with two officers (bailiffs). One acts as a transportation officer, while the other always stays in court (unless it's an extreme emergency).

Their system of security is simple. One half hour before court convenes, one bailiff makes up the day's calendar. Then both bailiffs get their prisoners from the jails (city and county) upstairs. The prisoners are taken out of detention shackled, placed in the court security elevator, and brought to the holding facility adjoining the court. The court elevator stops only on jail and court floors, thus limiting escape opportunities. With two bailiffs working in the court, one bailiff is allowed to wear a weapon. However, he does not come in contact with custody cases.

The Sheriff's Department has a two-man transportation detail that brings in from ten to twenty prisoners from a jail farm located in nearby San Bruno. These are sentenced prisoners who have other court actions pending. The responsibility of the transportation officer is to bring the prisoners to the jail in the Hall of Justice and to assist the bailiff in taking the prisoner to the court. When the prisoners have made their court appearances the transportation officers return them to the jail farm along with any court orders or new commitments issued.

Keep in mind that while these procedures work in San Francisco, the sheriffs or marshals in a neighboring county might handle their prisoners very differently. This lack of standardization has both positive and negative aspects.

First, as each county is unique in terms of size of enforcement staff, number of courts and number of prisoners, there should be some flexibility to establish procedures most appropriate, given the resources and needs of that county. However, lack of uniform procedure may create problems for individual transportation officers who may have to make on-the-spot decisions about policy and procedure without the benefit of statewide guidelines or standards.

Until such guidelines are established for all enforcement agencies throughout the state, the only alternative is to provide individual officers with the training they need to successfully transport prisoners between the courthouse and detention facilities as well as within the courthouse itself.

TRANSPORTATION PRINCIPLES AND PRECAUTIONS

The professionalization of the transportation officer is in line with the State Board of Corrections trend toward "...better understanding of human and criminal behavior" in correctional planning.

ATTITUDES

"The transportation of prisoners is a highly specialized function which should only be performed by personnel whose mental, emotional, and physical capabilities are adequate to successfully complete such an assignment."

The way an officer feels about transporting prisoners under restraint is very important. He must be aware at all times of his own feelings and

those of the prisoner(s) being transported. If not, his own life as well as the security of the court personnel may hang in the balance.

Personal attitudes affect security. There have been far too many tragic incidents where the officer was lax and allowed his feelings to interfere with exercising good judgment. Unchecked and disinterested feelings about the nature of proper humane control when transporting prisoners can only lead to an eventual lapse of security...and possible tragedy.

Make note of the following mishap:

"A constable was assigned to transfer a 20-year-old prisoner from a small city jail to the county. The prisoner was charged with armed robbery and was to be tried in the superior court in the county seat.

An automobile sedan was used for transportation. The constable drove, with the prisoner seated alongside him on the front seat. The constable carried a gun, but did not place any restraining equipment on the prisoner. Before leaving, the constable told the city jailer that handcuffs would not be necessary since the prisoner was young and of slight build. Besides, he had explained, handcuffs have a bad psychological effect on a young man.

When the constable did not arrive at the county jail at the expected time, a search was initiated. Several hours later, the body of the constable was found in his wrecked car alongside the highway."

Attitudes are the way a person feels about something. The way an officer feels about transporting persons under restraint is very important. Similarly, the way the persons feel who are being transported also is important. These feelings can help to make transportation easy or, again they can make it very difficult, dangerous, and sometimes impossible. The constable, in the above case, was not able to deliver his charge to his destination. His feelings interfered and, in addition, they cost him his life.

SELECTION AND TRAINING

Since the transportation of prisoners is "...a highly specialized function", the selection of suitable personnel is only the beginning. Although thorough training and guidance in the use of equipment is essential, one must be emotionally, mentally, and physically capable to complete such an assignment.

EQUIPMENT

Standard equipment that is essential to the job of the transportation officer falls into two distinct yet interdependent categories:

1. PHYSICAL EQUIPMENT: Restraint Equipment and Transportation Vehicles.
2. PERSONAL EQUIPMENT: Attitudes, Emotions, Professional Knowledge and Skills.

CONSTANT ALERTNESS

Even the best equipment may prove useless if a constant alertness is not maintained at all times. It is always necessary when transporting prisoners to expect the unexpected. Never underestimate the possibility of an escape attempt. For utmost security, assume that any person who is physically confined will think of escape at one time or another. Transportation presents a unique opportunity for a prisoner to escape. There is no cell or wall to insure his custody.

The transportation officer is a substitute for the prisoner's confinement with his own personal equipment and constant alertness. That is why

prisoners being transported should be kept in the necessary restraint equipment at all times to prevent escapes.

The transportation officer and the bailiff must learn to work closely together to prevent escapes. Develop a mutual understanding by passing the word to one another about your prisoner(s) attitudes. If the unexpected happens...it can make or break the situation.

MAINTAINING PSYCHOLOGICAL ADVANTAGE

Why invite trouble when you can avoid it? The simplest way is to keep on top of the situation from the very first moment you meet your charge(s). How you handle the first moment will largely determine the success of transportation. Remember, the first impression is a lasting one. To maintain that all-important psychological advantage:

- Exhibit confidence in ability.
- Make clear to the prisoner what you intend to do, and how he is expected to behave while in your custody.
- Be firm and fair with person(s) transporting.
- Don't hard-ass or build animosity.
- Continually demonstrate you know what you are doing.

There is a tendency for prisoners to be "defensively-aggressive". They'll use your weak areas to their advantage. This is another reason why setting the right tone with your prisoner(s) from the beginning is so important.

CARELESSNESS

The courts and the State Board of Corrections have gone to great pains to define the boundaries of "Carelessness". In general, carelessness is viewed as employee negligence which may create serious consequences for the prisoner, the public, and the offending officer.

Prisoner's Consequences:

Allowing a prisoner to escape through carelessness is actually unfair to the prisoner because he commits a felony for which he may serve additional time.

Public's Consequences:

Carelessness which results in an attempted escape is unfair to the public, whose life and property may be endangered.

Officer's Consequences:

For the offending officer, negligence may be a violation of Sections 4533 and 4534 of the California Penal Code, which makes "aiding or...voluntarily permitting escape of any prisoner in custody...punishable by imprisonment in the State prison...and fine not exceeding ten thousand dollars."

HARSH TREATMENT

The transportation officer has no license for rough treatment. Rough or harsh treatment does not result in better security. Often it serves only to aggravate feelings of hate which may bring desperate

attacks upon transporting officers.

Just as "carelessness" is viewed as a serious offense, the law specifically prohibits harsh treatment in sections 147, 149, 361, and 673 of the California Penal Code. Read these sections carefully and familiarize yourself with their intent. Harsh treatment is a serious offense.

PREPARATION AND PLANNING

Before undertaking a transportation assignment, the transportation officer must prepare all the vital information that will be necessary to complete the trip. Below is a checklist of basic information that an officer should have to insure safe transportation and control of prisoners.

Preparation and Planning Checklist

1. Who is to be transported? _____
2. From where and to where? _____
3. What is the schedule and time table for transport? _____
4. What documents and forms are necessary? _____
5. What type of restraints should be used? _____
6. What type of vehicle will be used for transport? _____
7. What escape and emergency procedures will be followed? _____

8. What special peculiarities should be noted about this particular prisoner? _____
9. What, if any, special precautions should be taken? _____

TRANSPORTATION VEHICLES

The following considerations are not miscellaneous, but just as vital to the planning for a safe transportation assignment. It is too easy to forget their importance for security, and perhaps take them for granted. But remember, everything must work properly to insure a safe trip.

The transporting officer should be able to answer each of the following questions:

- What type(s) of vehicles are available?
- How can each type of vehicle best be used for the given assignment?
- What risks are involved in the choice of vehicle?
- Is adequate security equipment provided within the vehicle?
- Is the seating arrangement safe?
- What equipment is needed for continuous communication for both routine transportation and emergencies?
- What procedures will be followed in case of emergency?

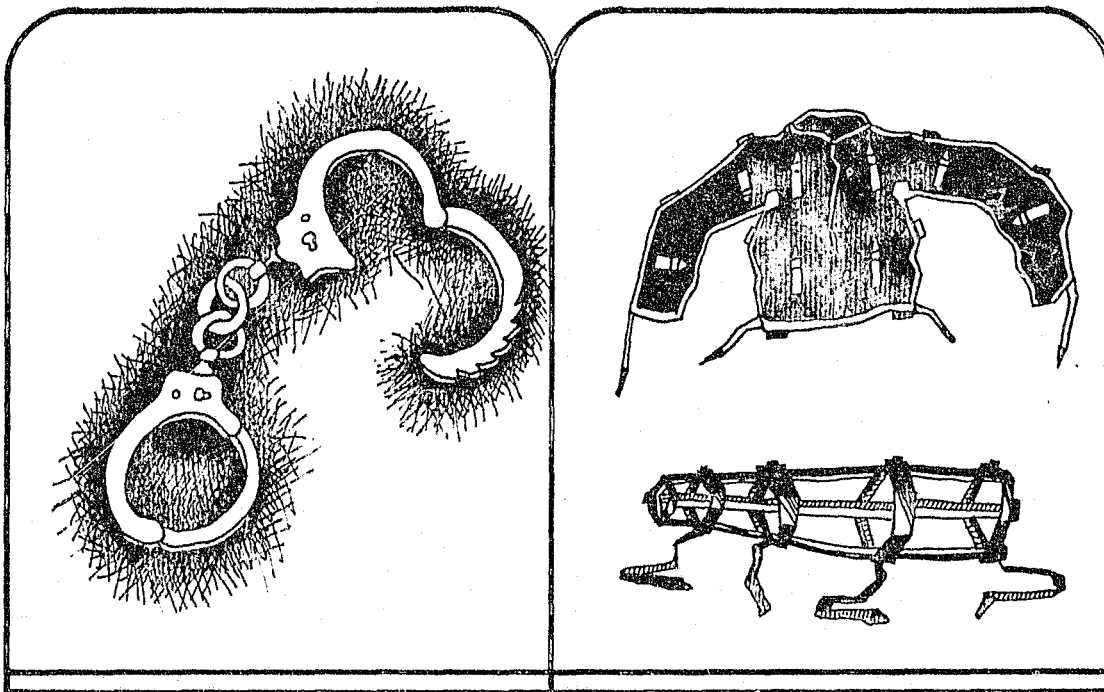
USE OF RESTRAINT EQUIPMENT

One of the most difficult guidelines for transportation officers to follow involves the use of restraint equipment. Even though guidelines have been established at the level of both state and local enforcement agencies, "when" and "how" to use restraints is still largely left to each officer's discretion and his sense of what is "safe" and "proper". As a result, relevant policies and procedures may vary considerably from agency

to agency, and even from one officer to the next.

For example, the California Highway Patrol always handcuffs behind the back. Most marshals in Contra Costa County wear their guns in court at all times, even when bringing prisoners to and from the courtroom. In contrast, some agencies do not allow their court personnel to carry firearms when they are in direct contact with prisoners.

Even though procedures for when and how to use restraint equipment are not uniform, the types of routine and special restraint equipment are fairly standard.



Standard Equipment

- Handcuffs
- Leg Irons
- Restraint Belt or Chain with Padlocks

Special Equipment

- Lead Chain
- Restraint Jacket
- Modified Orthopedic Leg Brace

Standard equipment is recommended as the minimum restraints to be used in transporting persons considered dangerous. Special equipment is used only when extra security precautions are required because of the nature of the prisoner or because of unusual transportation problems.

USE OF FIREARMS: SPECIAL CAUTIONS

Every transportation officer should always consider that the gun which he is carrying may take his own life. Therefore, where firearms are deemed necessary for security, a separate armed escort who never comes in direct contact with in-custody prisoners should be used.

The following story dramatically illustrates the dangers of firearms and the advantages of the separate armed escort when transporting prisoners.

Three bank robbers had just been fed lunch in a courthouse detention cell and were about to be returned to the courtroom for trial by a team of three officers. Two of the officers waited in the corridor while a lone officer, armed with a revolver, opened the cell door to let the prisoners out. Seeing an opportunity for escape, the prisoners threw a tray of dishes at the unsuspecting officer. In the struggle that followed, the prisoners wrestled the gun from the officer and escaped into the corridor. There they encountered the two waiting officers who were able to re-capture two of the escapees. But the man with the gun escaped down another corridor. It was in this corridor that the first officer, who was still unarmed, caught up with the prisoner, but only to find himself staring down the barrel of his own revolver.

Fortunately for the officer, his two partners arrived on the scene, and moved up on the fugitive from behind. Near tragedy was averted when the officer facing the drawn gun, ordered his partners to "fill the prisoner full of lead" if he did not immediately drop the gun. The prisoner did and was returned to his cell.

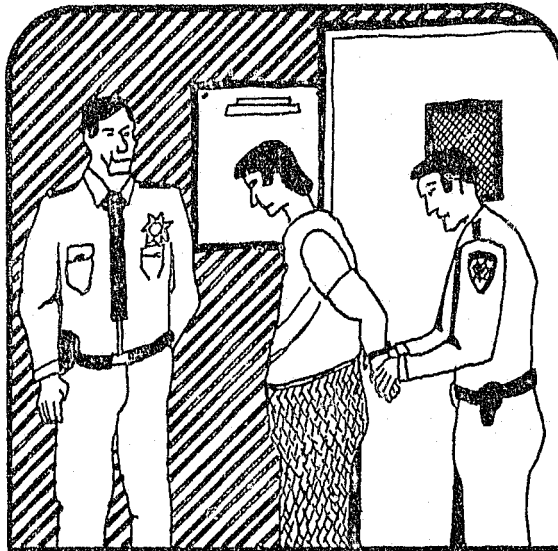
Once again, as this story dramatizes, the use of firearms in the transportation of prisoners is potentially so hazardous that it should be limited to only those instances when they are absolutely necessary.

ASSISTING BAILIFFS WITH SECURITY OF THE COURTHOUSE

In the introduction to this booklet, we touched on the importance of mutual cooperation between the transportation officer and the bailiff. Unfortunately, without standards or uniform policies to follow, there are no clear guidelines for the division of responsibility between the bailiff and the transportation officer.

Since each county and city is more likely to have their own policies and procedures, the best advice for the individual officer is to become familiar with local requirements before transporting prisoners.

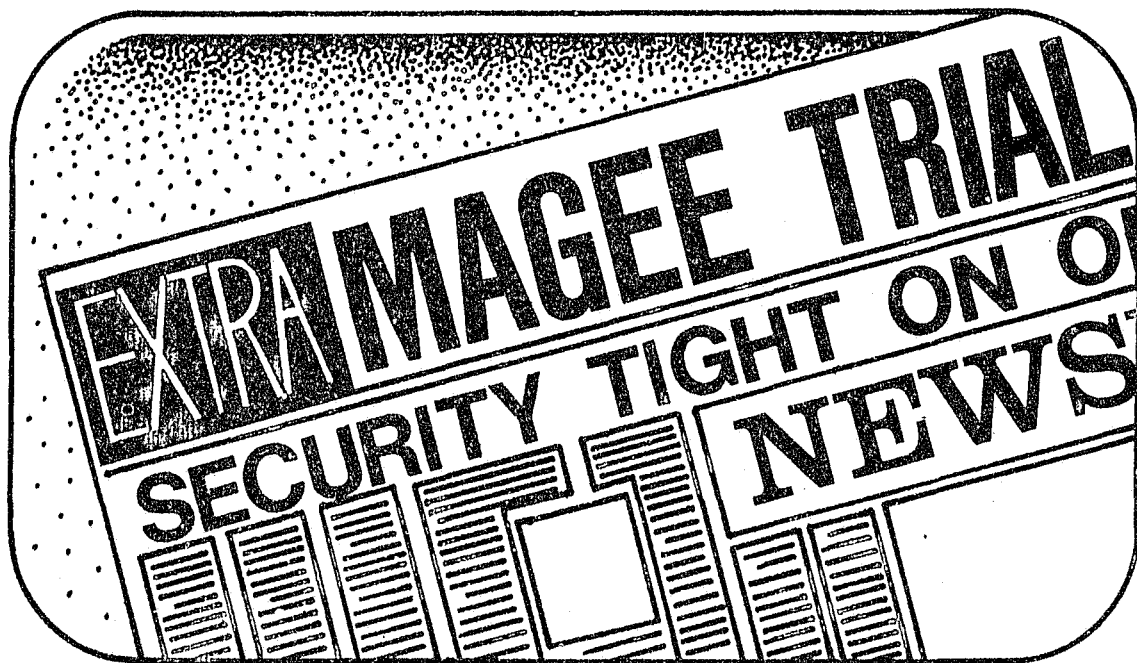
No matter what the policy is,



the transportation officer and the bailiff both have a common need for all available intelligence and information about the prisoner(s). Currently, the best method is strictly by word-of-mouth between the bailiffs and transportation personnel.

In the courthouse, the transportation officer must exercise the proper enforcement, precaution, and understanding necessary to insure security without disrupting the work of the court. Too many security precautions, such as restraints in the courtroom, may prejudicially influence the judicial process.

The quality and amount of restraints to be used is dependent upon the facilities. Almost all modern courthouses have holding cells, and the restraints should be removed just prior to court appearance.



SPECIAL PROBLEMS

In the broadest terms, special problems can be said to cover the unique forms of transporting prisoners. Examples of transporting 'special problems' usually involve extreme precautions for safe security.

HIGHLY PUBLICIZED TRIALS

In San Francisco, the Ruchell Magee trial, for one, required extreme security problems for transportation as well as in the courthouse. The presiding judge felt that elaborate measures were called for. To meet these special security requirements, the judge ordered an additional staff of 16 bailiffs to maintain proper security. Six of the 16 bailiffs were strictly transportation officers only. The remaining ten either worked in the court or on outside security.

There would have been too much risk involved in transporting Magee from San Quentin to the courthouse by normal transporting vehicles. So to minimize the security problems, Magee was flown in daily by use of a

Coast Guard helicopter from San Quentin to the roof of the courthouse. These elaborate precautions were deemed necessary.

Since the trial lasted for almost one year, the expense for such elaborate security soared over the one million dollar mark.

The "Zebra Trial", on the other hand, received a tremendous amount of publicity, but the security problems were deemed not as critical. The judge in the case ordered only the addition of four extra bailiffs to maintain proper and safe security.

Special problems, however, are not just limited to widely publicized cases. Women, juveniles, and mentally disturbed patients also present special problems.

WOMEN PRISONERS

Whenever women prisoners are to be transported, the degree of restraints for each case should be carefully determined by the transporting agency in advance. And no matter what the agency's determination, the transportation officer should always apply the general principles presented in this booklet to complete the assignment safely. One rule, however, specially applies to women prisoners being transported: A matron or female officer should accompany the necessary male officer complement.

JUVENILE PRISONERS

Those with long experience in the transportation of prisoners agree that juveniles require just as much restraint as adult offenders. This need apparently exists not only because juveniles may be just as dangerous

as some adult prisoners, but also because juveniles do not have mature judgment.

When transporting juveniles, there are two important things to remember:

1. Juveniles often try to escape when it is obvious to adults that such an attempt is foolish.
2. Juveniles do not realize the serious consequences of an escape attempt.

Therefore, it is believed that in order to protect juveniles from their own poor judgment, they should be transported in the same restraint equipment used for adults. Any exceptions to these policies should be decided by the transporting agency rather than by the individual transporting officer.

It is safe to assume that the officer must exercise a more precautionary manner in order to protect the juvenile from further jeopardizing his situation. As with adult prisoners, maintaining a good psychological advantage can minimize the risk involved in transporting juveniles.

MENTALLY ILL PRISONERS

The transporting of mentally ill persons probably requires the most special care and precautions. The officer must always be aware of the unpredictable nature of such a charge.

The best principle to follow is to check with the institutional official regarding the anticipated behavior of the patient(s). The type of case will determine what types of special equipment may be required. In any case, it is important that the personnel assigned are mature enough to cope successfully with unusual behavior.

CONCLUSION

It is a well known fact that transportation officers have the habit of relaxing somewhat as they near the end of their trip. This is a dangerous practice, for instead of relaxing, the transportation officer should become more alert as the point of destination is approached.

There are several good reasons to remain more alert than before. Many prisoners experience increased anxiety as they near the institution, and the possibility of an escape attempt becomes more real. It is certainly a serious mistake for the transportation officer to prematurely anticipate a completed job.

In conclusion, the responsibility of the enforcement officer to safely and effectively transport and control prisoners is a major one. It is imperative that all officers with this responsibility remain alert and aware of all possible dangers until custody of a prisoner is turned over to the institution's authorities.

SELF-REVIEW TEST

1. Describe the general duties and responsibilities of the transportation officer.
2. List and describe the ten general principles of prisoner transportation.
3. Discuss the shared responsibilities of the transportation officer and the bailiff for maintaining security of the courthouse.
4. Describe the four "special" transportation and control problems and how the officer should handle each.

SUGGESTED READINGS

Health and Welfare Agency, Laws and Guidelines for Local Detention Facilities, Part I, II, and III. This pamphlet was prepared by the California Board of Corrections and the Minimum Jail Standards Revision Committee, January, 1974. For copies and up-to-date revisions write to: State Board of Corrections, 1330 - 21st St., Suite 202, Sacramento, CA 95814.

Human Relations Agency, Prisoner Transportation Manual, pamphlet prepared by the California Board of Corrections, 714 P Street, Room 540, Sacramento, CA 95814, December, 1971.

*Court Support Personnel Project:

- 1) The System of California Courts
- 2) The Bailiff in Criminal Court
- 3) The Court Enforcement Officer, Module III: Segment 1
- 4) The Bailiff in Civil Court, Module III: Segment 4
- 5) Security of the Courthouse, Module III: Segment 5

*These pamphlets were prepared by the Court Support Personnel Project, Skyline College, 3300 College Drive, San Bruno, CA 94066.

END

7. 10. 1954