



## JPATS

### 16 Justice Prisoner Alien Transportation System (JPATS)

#### JPATS SCHEDULING, PRISONER TRANSPORTATION

- A. Proponent:** JPATS Scheduling - Kansas City: (816) 467-1900; FAX, (816) 467-1981. Nothing in this directive will supersede applicable sections of the negotiated master agreement pertaining to the International Council of U. S. Marshals Service Local (ICUSMSL), American Federation of Government Employees (AFGE).
- B. Purpose:** This directive establishes policy and procedures for prisoner or alien movements scheduled by the Justice Prisoner & Alien Transportation System (JPATS) at least 50 miles outside a district.
- C. Authority:** The Director's authority to supervise the United States Marshals Service (USMS) and issue written directives is set forth in 28 CFR 0.111 and 28 USC 561(g). The authority to maintain custody of federal prisoners is found in 28 CFR 0.111(k) and 28 USC 566.
- D. Policy**
1. **Justice Prisoner and Alien Transportation System (JPATS)** authorizes and schedules transportation for prisoners and aliens within the United States and overseas. It serves the U.S. Marshals Service, Federal Bureau of Prisons, Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), the U.S. military, and state and local law enforcement organizations.
  2. **JPATS Prisoner Transportation Scheduling**, in Kansas City, Missouri, determines the method of transporting prisoners. The operation selects from the following most common options:
    - a. Sedans
    - b. Vans
    - c. Buses
    - d. Commercial aircraft
    - e. Charter aircraft
    - f. JPATS large aircraft, called "Airlift"
    - g. JPATS small aircraft, called "SOAP" (currently a generic term for small aircraft that formerly stood for Service Owned Aircraft Program)
  3. The USMS may receive, process, transport, handle property for, and maintain custody of all federal prisoners in the custody of a Marshal or the Bureau of Prisons (BOP), aliens who have been charged with criminal offenses, and aliens in the custody of the Attorney General.
  4. JPATS chooses transportation methods based on cost, safety, time, distance, reliability and other considerations. Prisoner/Alien movements are authorized for the following:
    - a. Pretrial hearings and competency examinations

- b. Trial
- c. Pre-sentence study and observation
- d. Delivery to an institution to serve sentence
- e. Transfer between institutions
- f. Criminal alien delivery to a deportation center
- g. Removal of aliens
- h. Nonfederal detainees
- i. Military prisoners
- j. Other missions that support JPATS

**E. Procedures**

**1. JPATS**

**a. Prisoner Transportation Scheduling (“JPATS Scheduling”):**

- (1) Establishes, issues, and updates policy and instructions to field offices concerning prisoner transportation programs, ensuring that USMS policies and procedures meet federal statutes, departmental directives and applicable federal regulations issued by other agencies.
- (2) Develops, assists in negotiations, and administers contracts and interagency agreements for transporting prisoners.
- (3) Guides other headquarters staff on program policies, and monitors, advises and assists field offices in prisoner-movement matters.
- (4) Serves as liaison on prisoner transportation to other departmental offices, federal agency task forces and professional associations.
- (5) Provides a centralized service to USMS districts for making commercial airline reservations and acquiring airline tickets for JPATS-scheduled prisoner trips and 18 USC 4285 travel.
- (6) Reimburses districts for JPATS-related activities.

**b. Operations**

- (1) Issues and updates policy and guidance to field offices concerning ground security for JPATS aircraft.
- (2) Provides guidance/procedures to field offices on prisoner restraints, property, medical issues, etc. when JPATS aircraft is used.

**2. USMS District**

- a. **U.S. Marshal or Designee:** The U.S. Marshal of the district assigned a trip authorization will ensure that the correct location of the prisoner and his or her availability for movement is established and proper authorization to remove the prisoner from his or her place of detention is obtained.

- (1) [REDACTED] USMS personnel will transport the prisoner; [REDACTED]

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Operational employees, hereafter referred to as deputies in charge (DICs), are assigned by district management. If necessary, district management may use contract guards, one of whom is designated the officer in charge (OIC), to move prisoners.

- (2) The U.S. Marshal will ensure that prisoner movements that are most cost-effective in terms of salaries and travel expenses are completed as soon as possible.
- (3) The U.S. Marshal will make sure that all required reports are submitted.

b. **The District DIC or OIC** of a prisoner trip is responsible for:

- (1) **Travel Arrangements:** The District DIC or OIC must contact institutions holding prisoners to be moved, arrange release times and reserve overnight housing space for prisoners at contract jails en route.
- (2) **Required Documents:** The DIC or OIC will provide forms containing the prisoner's identification, medical and security data to the administrator of any detention facility used to house the prisoner en route and at the final destination. He or she must immediately notify JPATS Scheduling when appropriate papers do not accompany the prisoner.
- (3) **Security Levels and Escape Risks:** These are determined for each prisoner before the movement.
- (4) **Reporting Changes to the Trip:** The DIC or OIC is responsible for promptly notifying his or her district, the destination point (USMS district, BOP institution or jail) and JPATS Scheduling of any deviations from the authorized itinerary, including prisoners not available for pickup, accidents or illness en route, the addition of prisoners en route when space is available (must be approved by JPATS Scheduling), and delays in scheduled arrival times. The district with custody must transmit a completed Form 106 to JPATS Scheduling for each prisoner added to the trip. The form must include a statement in the remarks section that the prisoner was added to the trip. When inmates are scheduled for an Airlift/SOAP trip, it is imperative that the district or BOP institution verify the inmates' location and readiness for movement. Inmates transported on SOAP aircraft normally have short deadlines or require special handling. JPATS Scheduling must be notified immediately if an inmate or his/her paperwork is missing.
- (5) **Daily Reporting to Office:** The DIC or OIC will contact his or her office each duty day to receive supplemental trip information and other instructions or messages. On trips of less than a day, the DIC or OIC will contact his or her office before leaving the final destination point.
- (6) **Delivery at Institutions:** The DIC or OIC must call the federal institution in advance to coordinate the trip, with prisoners being delivered during the normal workweek whenever possible. Prisoners will be delivered directly to the receiving office at the institution. The DIC or OIC will not ask institution officials to pick up USMS prisoners anywhere else.
- (7) **Prisoner Meals**
  - While being transported, prisoners will receive meals appropriate for time of travel. They must remain in their assigned seats, with restraining devices on, while eating and will use only a spoon (this utensil will be taken back immediately after the meal). Depending on the season, cool or moderately warm beverages will be provided.

- Trips should normally be scheduled so that prisoners arrive at the institution before mealtime. When this is not possible, the DIC or OIC will provide meals in transit or will arrange in advance for the receiving institution to serve a late meal.
  - If meals are necessary in transit, deputies will request bag lunches, etc. from the detention facility, but if they cannot acquire them, deputies are authorized to purchase prisoner meals and be reimbursed for them. The maximum percentages that may be spent on prisoner meals from the local meal and incidental expense (M&IE) are as follows: 15 percent for breakfast, 20 percent for lunch and 30 percent for dinner. District management may approve deviations from these rates, which must be documented and filed with the trip voucher and reimbursement from the prisoner appropriation account. **Note:** JPATS does not reimburse districts for prisoner meals.
- (8) **Temporary Trip Termination:** If the DIC or OIC reasonably believes that continuing the prisoner movement will result in imminent danger to life or serious bodily injury to himself or herself, or there is a mechanical breakdown, the trip may be halted temporarily. The DIC or OIC must notify his or her supervisor, JPATS Scheduling and the district duty officer to receive operational instructions, including where to house the prisoners. The DIC or OIC may contact the USMS headquarters duty officer for assistance in making appropriate notifications.
- (9) **Allegations of Misconduct:** Any allegation of abuse or mishandling of prisoners or their personal property will be promptly reported, in writing, to the U.S. Marshal, the Assistant Director for Prisoner Operations, and the Assistant Director for JPATS.
- c. **General/District**
- (1) Prisoners will not be permitted to have any say in the travel itinerary
- (2) USMS personnel will be alert for conversation among prisoners that provides investigative leads or indicates that an escape will be attempted, and will promptly report this to their immediate supervisor.
- (3) Prisoners will not be permitted to possess or spend any funds while in transit.
- (4) Prisoners will not be permitted to converse with anyone except other prisoners and custodial authorities while in transit.
- (5) Prisoners will not be permitted to place telephone calls while in the custody of USMS personnel.
- (6) Prisoners will not be permitted medication except that prescribed by a physician or as indicated by the institution. Medication that must be administered by hypodermic syringe will be injected only by medical personnel.
- (7) Handcuff and leg iron keys will not be carried on the same key ring as motor vehicle ignition keys or other general-use keys.
3. **Form USM-40/41 (*Prisoner Remand or Order to Deliver*)**
- a. The Form USM-40/41 notifies a U.S. Marshal that a prisoner has been housed in, or delivered to, his or her district.
- b. The DIC or OIC of the prisoner trip is responsible for the following:
- (1) Keeping all Forms USM-40/41 up-to-date during the trip.

## Scheduling, Prisoner Transportation

- (2) On the day of departure from a holdover jail, delivering or mailing one copy of the Form USM-40/41 to the U.S. Marshal of each district where the prisoner is housed overnight. When a prisoner is being dropped off at a USMS district's local contract jail, a Form USM-40/41 will also be provided to the receiving U.S. Marshal.
  - (3) Submitting all completed Forms USM-40/41 to the U.S. Marshal of his or her district immediately after the trip.
4. **Incident Reports:** Report any serious incident involving a prisoner in USMS custody. Serious incidents include escape, escape attempts, the use of force against prisoners, death or injury of prisoners, significant delay of prisoner movement, vehicle accidents, hijacking and attempted hijacking of vehicles, and threats and actual attacks on prisoners or escorting personnel.
  - a. **Reporting Responsibility:** The DIC or OIC is responsible for reporting prisoner incidents, in writing, to his or her district office, to the Assistant Director for JPATS and to the Assistant Director for Prisoner Operations Division.
  - b. **Reporting Procedures:** The DIC or OIC will make the initial report by telephone as soon as possible; this is to be followed by a written report that fully describes the circumstances of the incident.
5. **General/JPATS Prisoner Transportation Scheduling**
  - a. Prisoners whose movements will be coordinated nationally include:
    - (1) Those transferred between the USMS and a BOP institution that is more than 50 miles outside the originating U.S. Marshal's district. JPATS Scheduling will establish transportation priorities based upon the needs of the USMS and BOP.
    - (2) Those who are being transferred to a district that is more than 50 miles away.
    - (3) Aliens requiring transportation to a Service Process Center (SPC), to the southern border or to an overseas location.
  - b. Prisoner movements that will not be nationally coordinated but are covered by this directive include:
    - (1) Transfers of unsentenced prisoners between detention facilities within the district.
    - (2) Transfers of prisoners to medical facilities within the district.
    - (3) Movement of prisoners from detention facilities for court appearances or interviews within the district.
    - (4) Movement of prisoners within districts or less than 50 miles to other districts.
  - c. **Established Priorities:** JPATS provides the scheduling and movement of federal prisoners according to the following priorities:
    - (1) **USMS/BOP:**
      - **Priority No. 1:** court-directed movements, i.e., writs of habeas corpus, warrants of removal, competency studies (and returns), Assistant U.S. Attorney's requests, medical emergencies.
      - **Priority No. 2:** BOP transfer priorities in the following priority order of BOP transfer codes: 331, 333, 335, 321, 322, 309, and 323. Prisoners with transfer code 316 become first priority No. 2 when requested in the

remarks column of Form 106. Also included are nonfederal movements, return writs, return U.S. Attorney's requests, parole violators and escapees.

- **Priority No. 3:** judgment and commitments, BOP routine prisoner transfers and ICE voluntary returns.

(2) **ICE:** ICE aliens should be moved as expeditiously as possible due to the lack of jail space for these individuals and their high housing expenses.

- (a) Other-than-Mexican repatriations
- (b) Mexican repatriations
- (c) Internal transfers

## F. Responsibilities

### 1. JPATS

a. **JPATS Transportation Scheduling:** JPATS transportation specialists are available for aircraft information, schedule changes, prisoner/alien issues and district problems relating to the boarding of prisoner/aliens for all JPATS missions. Each trip manifest will include the name and telephone number of the JPATS transportation specialist responsible for the mission. A Duty Officer is available after hours at (816) 467-1900.

b. **JPATS Aviation** manages the JPATS-owned-and-operated aircraft.

(1) **Flight Officer in Charge (FOIC):** The FOIC is responsible for the following activities:

- All matters concerning prisoners and aliens aboard USMS-owned or leased aircraft;
- All ground operations performed within the secure perimeter at JPATS prisoner/alien exchange locations;
- All ground-security functions, such as maintaining communication with airport security personnel and identifying and directing all officials arriving, bring prisoners and/or aliens to the JPATS prisoner/alien exchange location; and
- All ground-security perimeters are set.

(2) **Pilot in Command (PIC):** The PIC is responsible for all flight operations, including all matters pertaining to the servicing, safety and ground operation of USMS aircraft.

(3) **Flight Following Unit:** Flight Following Unit personnel will monitor the status of all JPATS missions while USMS-owned or leased aircraft are operational. Located in Oklahoma City, Oklahoma, the unit may be contacted at (405) 680-3468 or (405) 680-3429.

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Note: Minor changes - updated delegation of authority, telephone numbers, the name of ICE from Bureau, etc. Per email dated 9/29/08 from JPATS. Archived Policy: [Scheduling](#)