



JPATS

16 Justice Prisoner Alien Transportation System (JPATS)

SPECIAL MOVEMENTS

A. Juvenile

1. **Prosecution:** A juvenile is an individual under 18 years of age (also included is anyone less than 21 who has committed an act of juvenile delinquency before turning 18; see 18 USC 5031). Federal juveniles are prosecuted as juveniles unless, upon motion of the Attorney General, the court orders the juvenile (who must be more than 15) to be tried as an adult. In such cases the juvenile is transported for adult prosecution (18 USC 5032).
2. **Special Handling:** Juveniles will receive special handling according to the Federal Juvenile Delinquency Act, 18 USC 5031-5042.
3. **Detention:** 18 USC 5035 requires that unadjudicated juveniles be confined in detention facilities where they will not have regular contact with adults and will be separated from adjudicated juveniles whenever possible. When juveniles must be moved, prior arrangements must be made to ensure that youthful offenders remain separated from adults at all destination points. To reduce the possible detrimental influence of adult prisoners while in transit, the following procedures are in effect:

a. In-District Transportation

- (1) **Separation:** Juvenile prisoners will be transported and handled separately from adult offenders unless specifically authorized by U.S. Marshals in unusual circumstances.
- (2) **Short Trip:** When a prisoner trip is for less than a day, adults and juveniles may be transported in the same vehicle if a juvenile is a relative or close associate of an adult offender or it is determined that the adult offenders would not detrimentally influence the juveniles. Longer trips generally require that juveniles and adults be transported separately.
- (3) **Other:** In certain emergencies it may not be possible to separate the two classes of prisoners during transit. In such situations, on trips exceeding a day, USMS personnel must ensure minimum contact between juveniles and adults by closely observing them and providing separate overnight lodging.

b. Transportation via JPATS

- (1) Juveniles requiring out-of-district transportation via JPATS must be identified as such and whether or not they are adjudicated. A copy of the order of incarceration must accompany adjudicated juveniles. A completed USM Form 130, *Prisoner Custody Alert Notice*, is mandatory.
- (2) JPATS Scheduling will review requests and decide the method of transportation. Juveniles will not be transported by bus but by other means that comply with the Federal Criminal Code and 18 USC 5031-5042.

B. Female

Special Movements

1. **Transportation:** Female prisoners normally should not ride in the same vehicle as male prisoners. At the discretion of the U.S. Marshal, male and female prisoners may be transported together for trips not longer than one day.

b2 2. **Separation:** To the extent possible, USMS personnel should separate female and male prisoners within a vehicle. [REDACTED] personnel/guards, one of whom should be female, must be present when women inmates are being transported.

3. **Exceptions:** When conditions such as distance, time and staffing make it necessary [REDACTED] male deputies to transport a female prisoner, the DIC must notify his or her supervisor immediately. If not successful, the DIC should communicate by radio or phone the place and time of departure, odometer reading, persons in the vehicle, estimated time of arrival, and location, as well as request that all information be recorded on the USMS radio log before the trip.

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C. **Incompetent or Mentally Impaired Persons:** The following procedures apply to the proposed transportation of all incompetent or mentally impaired persons:

1. **Physician's Statement:** The U.S. Marshal should obtain a written statement from the medical staff at the sending institution/facility reflecting: (The opinions of medical personnel on these issues will be carefully considered when planning the movement.)

a. The physical and emotional state of the impaired person.

b. Special requirements for moving or caring for the impaired person, such as isolation or special medication.

c. Recommendations on the use of additional restraining devices (the DIC will apply restraining devices that are necessary to ensure the impaired person is transported in a safe and secure manner).

d. Whether an attendant is needed to assist in transporting and watching over the impaired person.

2. **Separation:** Whenever possible, impaired prisoners will not be housed, transported or put in the company of other offenders. Every effort should be made to find housing that is of the same type as the facility in which the impaired person was permanently housed. Regular detention facilities will be used only when no other housing is available. The holding institution will be informed of the prisoner's special condition. The delivering deputy and the receiving official at the institution will fill out a Form USM-130, *Prisoner Custody Alert Notice*.

D. **Witness Security:** JPATS Scheduling will coordinate Witness Security movements through the headquarters case manager and the JPATS Chief of Operations.

E. **Prisoners Charged with Unlawful Flight to Avoid Prosecution:** These prisoners are to be turned over to local authorities for transportation unless the Attorney General or Deputy Attorney General approves, in writing, prosecution in federal court (18 USC 1073). The USMS can provide transportation under the JPATS *Cooperative Prisoner Transportation Agreement*, Form USM-105.

F. **Indigent Travel and Reimbursement:** Districts may use JPATS services for scheduling travel and transporting indigent defendants on bond (IDOB)

1. **Procedures:** After receiving a court order stating that the defendant is indigent and directing travel and subsistence payments in compliance with 18 USC 4285, the following steps are to be taken:

a. The district that receives the court order will electronically transmit the Form 106, *Request for Prisoner Movement*, to JPATS, and provide copies of the court order and Form 106 to the district in which the individual is located. After JPATS receives the court order and Form 106, Centralized Ticketing will arrange for non-custodial transportation to the court of appearance.

Special Movements

- b. JPATS will provide commercial air trip schedule to all involved districts. Tickets, although ordered round trip, will be issued one-way only. Subsistence payments, if ordered, may be provided by the district for the travel period.
 - c. The local district should instruct the individual receiving travel or subsistence funds to obtain receipts to substantiate expenses and submit such records so he or she can be reimbursed by the USMS.
 - d. The individual's local district will advise the court-ordered district of the arrival date and the amount of funds provided.
2. **Requirements:** A trip number cannot be generated for an IDOB through JPATS unless an electronic Form 106, *Request for Prisoner Movement*, is submitted.
- a. For Process Code use CO.
 - b. For Location and Destination use the respective district codes.
 - c. The court order, to be faxed, should specify the court date and time, the location and destination of the IDOB, and should cite 18 USC 4285 or other pertinent legal references justifying the travel. It must be one-way travel only.
3. **Reimbursement of Funds:** Per USMS regulations, JPATS does not reimburse per diem costs, but it does reimburse districts for any travel expenses for IDOBs, such as public transportation fares and parking and tollbooth fees.

Note: Minor change - grammar (capitalizations). Per email dated 9/29/08 from JPATS. Archived Policy: [Special](#)