



# United States Marshals Service POLICY DIRECTIVES

## JPATS

### 16.1 GROUND TRANSPORTATION SUPPORT

- A. Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. Purpose:** This directive establishes policy and procedures for the movement of prisoners by the United States Marshals Service (USMS) or the Federal Bureau of Prisons (BOP) using the aircraft prisoner exchange process for JPATS. This policy directive does not include prisoners moved by the USMS within a district, or up to 50 miles into a bordering district.
- C. Authority:** The Director's authority to supervise the USMS and issue written directives is set forth in [28 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#).
- D. Policy:**
1. The USMS may receive, process, transport, handle property for, and maintain custody of all federal prisoners who have been criminally charged and are being held in the custody of a United States Marshal or BOP. All prisoners transported by the JPATS program are under the custody of the USMS and the Attorney General.
  2. Unless instructed otherwise by the Deputy and Chief of Operations (DCO), JPATS, or the Assistant Chief Inspector (ACI), JPATS Security, male and female prisoners may be transported together on JPATS flights. When possible, female prisoners are under the visual surveillance of a female District Security Officer, Detention Enforcement Officer, or Deputy United States Marshal.
  3. Only people assigned to JPATS flight operations or air operation security duties are transported aboard JPATS aircraft unless otherwise approved by the DCO or his/her designee(s).
  4. Media requests for photographs and/or ride-alongs on JPATS aircraft are subject to USMS Policy Directive 1.3, [Media Policy](#). Only the Department of Justice, the Associate Director for Operations, DCO, or ACI may grant exceptions to this policy. Requests for exceptions are sent to the Chief, Office of Public Affairs.
- E. Responsibilities:** None.
- F. Procedures:** The procedures for properly transporting prisoners for USMS and BOP are provided in the [Cabin Security Crew Policy and Procedures Manual](#) and are incorporated into this policy by reference.
- G. Definitions:**
1. **Ground Transportation:** Ground transportation refers to the use of vans, buses, and/or sedans.





# United States Marshals Service POLICY DIRECTIVES

## JPATS

### 16.2 SCHEDULING PRISONER TRANSPORTATION

- A. Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. Purpose:** This directive establishes policy and procedures for prisoner movements at least 50 miles outside a district scheduled by JPATS.
- C. Authority:** The Director's authority to supervise the United States Marshals Service (USMS) and issue written directives is set forth in [28 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#). The authority to maintain custody of federal prisoners is found in [28 C.F.R. § 0.111\(k\)](#) and [28 U.S.C. § 566](#).
- D. Policy:**
1. JPATS authorizes and schedules transportation for prisoners within the United States and overseas. JPATS serves the USMS, Federal Bureau of Prisons (BOP), United States military, and state/local law enforcement organizations.
  2. JPATS Prisoner Transportation Scheduling (JPATS Scheduling) determines the method of transporting prisoners and selects from the following most common options:
    - a. Sedan;
    - b. Van;
    - c. Bus;
    - d. Commercial aircraft;
    - e. Charter aircraft;
    - f. JPATS large aircraft (Airlift); or
    - g. JPATS small aircraft (SOAP).
  3. The USMS may receive, process, transport, handle property for, and maintain custody of all federal prisoners in the custody of a United States Marshal (USM) or BOP. All prisoners transported by JPATS are under the custody of the USMS and the Attorney General.
  4. JPATS chooses transportation methods based on safety, cost, time, distance, reliability, and other considerations. Prisoner movements are authorized and established for the following reasons:
    - 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. Non-federal prisoners;
- g. Military prisoners; and
- h. Other missions that support JPATS, the Attorney General, and/or national emergencies.

**E. Responsibilities:**

**1. JPATS:**

- a. **JPATS Transportation Scheduling:** JPATS transportation specialists are available for aircraft information, schedule changes, prisoner issues, and district problems relating to the boarding of prisoner for all JPATS missions. Each trip manifest includes the name and telephone number of the JPATS transportation specialist responsible for the mission. A Duty Officer is available after hours
- b. **JPATS Aviation:** Manages USMS/JPATS-owned and -operated aircraft.
  - 1) **Security Officer In Charge (SOIC):** The SOIC is responsible for the following activities:
    - a) All matters concerning prisoners aboard USMS/JPATS-owned or -operated aircraft;
    - b) All ground operations performed within the secure perimeter at USMS/JPATS prisoner exchange locations; and
    - c) All ground security functions, such as maintaining communication with airport security personnel, identifying and directing all arriving officials, bringing prisoners to the USMS/JPATS prisoner exchange location, and ensuring 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 operations of USMS/JPATS aircraft.
  - 3) **Dispatch:** Dispatch personnel monitor the status of all USMS/JPATS missions while USMS-owned or -operated aircraft are operational. Located in Oklahoma City, Oklahoma, the unit may be contacted at (b) (7)(E)

**F. Procedures:**

**1. JPATS:**

- a. **JPATS Scheduling:**

- 1) Establishes, issues, and updates guidelines 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 U.S.C. § 4285](#) travel.
- 6) Reimburses districts for JPATS-related activities. The Prisoner Transportation reserve is managed by the USMS Prisoner Operations Division (POD) Inspector assigned to JPATS. The Inspector manages reimbursements and allocations to districts for JPATS-related activities.

b. **Operations:**

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

2. **USMS District:**

a. **USM or Designee:** The USM for the district assigned a trip authorization ensures that the correct location of the prisoner and his/her availability for movement is established and proper authorization to remove the prisoner from his/her place of detention is obtained.

- 1) In-district USMS prisoner transportations must be performed by a minimum of <sup>(b) (7)(E)</sup> [REDACTED] <sup>(b) (7)(E)</sup> [REDACTED] Operational employees, hereafter referred to as Deputies In Charge (DICs), are assigned by district management. If necessary, district management may use <sup>(b) (7)(E)</sup> [REDACTED] contract guards, <sup>(b) (7)(E)</sup> [REDACTED] whom is designated the Officer In Charge (OIC), to move prisoners.
- 2) The Chief Deputy United States Marshal (CDUSM) ensures prisoner movements are most cost effective in terms of salaries and travel expenses are completed as soon as possible.
- 3) The CDUSM ensures all required reports are submitted.

- b. **The District DIC or OIC:** For each prisoner trip this person is responsible for:
- 1) **Travel Arrangements:** The 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 provides 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. The DIC or OIC must immediately notify JPATS Scheduling when appropriate papers do not accompany the prisoner.
  - 3) **Security Levels and Escape Risks:** These are determined by the district/arresting agency when processing the intake information for each prisoner before the movement.
  - 4) **Reporting Changes to the Trip:** The DIC or OIC is responsible for promptly notifying his/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 contacts his/her office each duty day to receive supplemental trip information and other instructions or messages. On trips of less than 1 day, the DIC or OIC contacts his/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 are delivered directly to the receiving office at the institution. The DIC or OIC must not ask institution officials to pick up USMS prisoners anywhere else.
  - 7) **Prisoner Meals:**
    - a) While being transported, prisoners receive meals appropriate for time of travel. Prisoners are not removed from the vehicle (to include aircraft) and remain in their assigned seats while eating. Restraints remain in place while the prisoners are eating.
    - b) Trips are normally scheduled to allow for arrival at a detention facility or institution prior to mealtimes. When a travel day cannot be completed prior to established meal times, the DIC provides a meal from the prisoner's detention facility while in transit or makes arrangements in advance with the receiving

detention facility or institution for a late meal at the scheduled stop.

- c) If meals are required during transportation, attempts are made to obtain bag lunches, etc. from the detention facility. If meals are not available, DUSMs are authorized to expend funds to provide prisoner meals and be reimbursed. The maximum expended for prisoner meals are the following percentages of the local meal and incidental expense (M&IE) [rate](#): 15 percent for breakfast, 20 percent for lunch, and 30 percent for dinner. District management may approve deviations from these rates. Deviations must be documented and filed with the trip voucher and reimbursement from the prisoner appropriation account. 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 him/herself, or if there is a mechanical breakdown, the trip may be temporarily halted. The DIC or OIC must notify his/her supervisor, JPATS Scheduling, and the district Duty Officer to receive operational instructions, including where to house the prisoner(s). The DIC or OIC may contact the USMS Communications Center for assistance in making appropriate notifications.
- 9) **Allegations of Misconduct:** Any allegation of abuse or mishandling of prisoners or their personal property must be promptly reported, in writing, to the USM; the Assistant Director (AD), POD; and the AD, JPATS.

c. **General/District:**

- 1) Prisoners are not permitted to select places, routes of travel, rest stops, and/or influence the travel itinerary in any other manner.
- 2) USMS personnel must be alert for conversation among prisoners that provides investigative leads or indicates that an escape will be attempted, and must promptly report this to their immediate supervisor.
- 3) While in transit, prisoners are not permitted to possess or spend any funds.
- 4) While in transit, prisoners are not permitted to converse with anyone except other prisoners and custodial authorities.
- 5) Prisoners are not permitted to place telephone calls while in the custody of USMS personnel.
- 6) Prisoners are not permitted medication except that prescribed by a physician or as indicated by the institution. Medication that must be administered by hypodermic syringe is injected only by medical personnel.
- 7) Handcuff and leg iron keys are not carried on the same key ring as motor vehicle ignition keys or other general use keys.

3. **Form [USM-40/USM-41](#), *Prisoner Remand or Order to Deliver*:**

- a. Form [USM-40/USM-41](#) notifies a USM that a prisoner has been housed in, or delivered to his/her district.
  - b. The DIC or OIC of the prisoner trip is responsible for the following:
    - 1) Keeping Form [USM-40/USM-41](#) up-to-date during the trip.
    - 2) On the day of departure from a holdover jail, delivering or mailing one copy of the Form [USM-40/USM-41](#) to the USM of each district where the prisoner is housed overnight. When a prisoner is being dropped off at a USMS district's local contract jail, Form [USM-40/USM-41](#) is also provided to the receiving USM.
    - 3) Submitting all completed Forms [USM-40/USM-41](#) to the USM of his or her district immediately after the trip.
4. **Incident Reports:**
- a. A DUSM is responsible for reporting any prisoner incident to district management as soon as possible. District management immediately reports the incident to the USMS Communications Center and must comply with USMS Policy Directive 17.17, [Significant Incidents Reporting](#).
  - b. The initial notification is followed up with a detailed written incident report fully describing the events and any action taken within 1 business day. An electronic copy of the incident report is forwarded to the POD Regional Inspector or Assistant Chief, Office of Detention Management, POD, and to the Chief of Operations, JPATS. Significant incidents include but are not limited to:
    - 1) Escapes;
    - 2) Escape attempts;
    - 3) Use of force against prisoners;
    - 4) Vehicle accidents;
    - 5) Hijacking or attempted hijacking of any vehicle used for prisoner movement;
    - 6) Threats and actual attacks upon prisoners or escorting personnel by external sources;
    - 7) Suicides; and
    - 8) Attempted suicides.
  - c. **Escapes:** Prisoner escapes/attempted escapes are reported immediately to district management and the USMS Communications Center. The Communications Center notifies the Investigative Operations Division (IOD) and POD duty officers. An escape is classified as a major case investigation and is coordinated with and reported through IOD. District management must institute the following procedures:

- 1) Designate a supervisor to coordinate information gathering and search efforts;
- 2) Ensure other prisoner(s) are secured, then move them to their final destination or an available secure location (i.e., detention facility, police department); and
- 3) Provide descriptions, identities, mode and direction of travel, propensity for violence, and pending charges or known offenses of escapees to all USMS personnel and law enforcement authorities as soon as possible.

5. **General/JPATS Prisoner Transportation Scheduling:**

- a. Prisoners whose movements are coordinated nationally include:
  - 1) Those transferred between the USMS and a BOP institution that is more than 50 miles outside the originating USM's district. JPATS Scheduling establishes transportation priorities based upon the needs of the USMS and BOP.
  - 2) Those that are being transferred to a district that is more than 50 miles away.
- b. Prisoner movements that are not 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; and
  - 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:**
    - a) **Priority No. 1:** Court-directed movements (i.e., writs of habeas corpus, warrants of removal, competency studies (and returns), Assistant United States Attorney's requests, and medical emergencies).
    - b) **Priority No. 2:** BOP transfers BOP prisoners in the following order of priority based on the process codes: 331, 333, 335, 321, 322, 309, and 323 with the exception of a 316 process code. The process code 316 becomes a priority only when there is a large transportation movement of Special Housing Unit inmates. Also, included in this priority are return writs, return United States Attorney's requests, parole violators, and escapees.

- c) **Priority No. 3:** Judgment and commitments, BOP routine inmates, and non-federal inmates.

**G. Definitions:** None.

**H. References:**

- 1. GSA Meal and Incidental Expenses [breakdown](#).

**I. Cancellation Clause:** This policy directive supersedes USMS Policy Directive 16.2, *Scheduling Prisoner Transportation*.

**J. Authorization and Date of Approval:**

**By Order of:**

**Effective Date:**

          / S /            
Stacia A. Hylton  
Director  
U.S. Marshals Service

          07/31/12



# United States Marshals Service POLICY DIRECTIVES

## JPATS

### 16.3 REQUESTS FOR PRISONER MOVEMENT

- A. Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. Purpose:** This directive establishes policy and procedures for the movement of any prisoner by the United States Marshals Service (USMS) and the Federal Bureau of Prisons (BOP) that uses the aircraft prisoner exchange process for JPATS.
- C. Authority:** The Director's authority to supervise the USMS and issue written directives is set forth in [28 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#).
- D. Policy:** A Request for Prisoner Movement (Form-106) must be completed and forwarded to JPATS to initiate a prisoner movement.
- E. Responsibilities:** None.
- F. Procedures:**
1. **Form-106 (*Request for Prisoner Movement*):** The district with custody of the prisoner determines whether JPATS schedules the prisoner for transportation under the criteria outlined. If JPATS does so, Form-106 is sent electronically to JPATS Scheduling through the eDesignate/eMove System to the JPATS Management Information System (JMIS) once a location has been verified. BOP wardens and community program managers requesting prisoner movements must also submit Form-106. Form-106 is completed as follows:
    - a. From: District/Institution Submitting Request;
    - b. Prisoner Name: Last, First, Middle and any Alias;
    - c. Prisoner Number: Enter the federal register number assigned to the prisoner by the USMS;
    - d. Race Code: Only one letter (W, B, I, A, or U) may be entered:  
W – White,  
B – Black,  
I – American Indian or Alaskan Native,  
A – Asian or Pacific Islander, or  
U – Unknown; and
    - e. Age of Prisoner: Enter date of birth.

- f. Sex of Prisoner: Enter M (male) or F (female). One of these symbols must appear in order for the form to be accepted.
- g. Process Code: Only the symbols below are accepted. BOP institutions use a three-digit number as described in the BOP Custodial Manual.

ARMY	United States Department of the Army Transfer
ASR	United States Attorney Special Request
CO	Court Order (Use only when other process codes do not apply. Provide an explanation in the remarks section)
DEA	Drug Enforcement Administration
ESC	Escape
EXT	Extradition
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Administration
HO	Holdover
JC	Judgment and Commitment
JCB	Judgment and Commitment in BOP Facility
JUV	Juvenile
ME	Medical Emergency (Used only for unsentenced prisoners who must be moved due to emergency medical condition)
NAVY	United States Department of Navy transfers
NFD	Non-Federal prisoners moved under a Cooperative Prisoner Transportation Agreement
PBV	Probation Violator
PF	Program Failure
PV	Parole Violator
RASR	Return United States Attorney Special Request
RCO	Return Court Order
RNFD	Return Non-Federal Prisoner (Cooperative Agreement)
RSO	Return Study and Observation
RWT	Return Writ
RXWT	Return Independent Writ or Civil Writ
SO	Study and Observation
SRT	Supervised Release Team
USAF	United States Air Force
WHCAP	Writ of Habeas Corpus Ad Prosequendum
WHCAT	Writ of Habeas Corpus Ad Testificandum
WR	Warrant of Removal
WT	Writ
XWT	Independent Writ or Civil Writ

- h. Security: Enter according to the following abbreviations:
  - 1) Min – Minimum (camps);
  - 2) Low;
  - 3) Med – Medium; and
  - 4) Max – (federal correctional institutions and United States penitentiaries).
- i. Date Available: Actual date the prisoner may be removed from the holding facility for transport.
- j. Deadline Date:
  - 1) ASR: According to the United States Attorney's Administrative Manual and a memorandum from the Chairman of the Attorney General's Advisory Committee, a United States Attorney's request for production should be delivered to the United States Marshal (USM) at least 14 days in advance. The request should indicate a deadline of 1 day before the court date for all ASR movements.
  - 2) WHCAP and WHCAT: A deadline of 1 day before the court date is placed on all requests for writ movements. Every effort must be made to give JPATS Scheduling 14 days advance notice of the requested production date.
  - 3) SO and RSO: Should indicate the 10-day deadline.
  - 4) WR: Indicates an automatic 10-day deadline from date of appearance before the magistrate. To prevent the 10-day deadline from being abused, USMs must make sure that matters identified as warrants of removal actually fit this category and that [Speedy Trial Act](#) criteria apply. Form-106 submissions must include the charge and the date that the magistrate signed the order of removal.
- k. Jail Location: The actual or projected location of the prisoner on the date he/she is available for movement.
- l. Destination: The final destination, i.e., a USMS district and/or appropriate suboffice(s), a BOP or any other detention facility.
- m. Medically Cleared: Mark Y (yes) or N (no). Marking Y indicates a prisoner has documented TB clearance.
- n. Weight: Enter pounds in whole numbers.
- o. Remarks: This space is for additional information, such as escape risk, suicidal, and/or special medical requirements. Remarks must be concise. Indicate title, number, and section number for study cases.

2. **Trip Authorization:**

- a. JPATS Scheduling schedules all prisoner movements by reviewing Form-106.

- b. In an emergency, USMS districts and JPATS Scheduling may coordinate prisoner movements by telephone. Normal JPATS scheduling procedures then follow such coordination.
- c. JPATS Scheduling decides the most efficient and effective mode of travel based on the data on the request form, and issues a trip manifest to the district assigned to transport the prisoner(s).
- d. Overtime use must conform to the guidelines referenced in Policy Directive 3.2, [Law Enforcement Availability Pay \(LEAP\)](#), for GS-1811 operational employees. All other unusual circumstances must be approved by JPATS Scheduling prior to the trip.

**3. JPATS Trip Expenses and Prisoner Verifications:**

- a. All districts are provided a yearly allocation to fund their JPATS-scheduled prisoner movements. With the exception of a few districts with unique prisoner transportation requirements, these funds are not used for commercial airline tickets (acquired through JPATS Centralized Ticketing) or chartered aircraft. Those costs are reimbursed to districts through a special periodic distribution of funds by JPATS Scheduling.
- b. The Prisoner Transportation reserve is managed by the USMS Prisoner Operations Division Inspector assigned to JPATS. The Inspector manages reimbursements and allocations for districts for JPATS-related activities
- c. All districts are required to verify prisoners moved through JDIS within 5 working days of completing a trip.

**4. Temporary Custody and Transportation of Other Prisoners:** In cooperation with state/local governments, the United States military, and certain other government agencies, the USMS transports and houses prisoners who have been approved for extradition or transfer.

- a. Upon receiving a request to transport an “other category prisoner,” the USM:
  - 1) Determines whether all extradition proceedings have been successfully completed and all required court documents, warrants of removal, and all other required documentation are available to the transporting deputies.
  - 2) Determines that the requesting jurisdiction designate the USMS to assume temporary custody of the prisoner, and provide housing, transportation, and other necessities.
  - 3) Ensures the requesting jurisdiction reimburse the USMS for all expenses incurred in transporting the prisoner.
  - 4) Contacts JPATS Scheduling to determine if suitable transportation is available and obtain a cost estimate. After reviewing the request and other data provided, JPATS Scheduling approves or disapproves the request.
  - 5) If the request is approved, submits Form-106 to JPATS Scheduling identifying the movement as a non-federal (process code: NFD) prisoner movement. The location, destination, and any other pertinent

information regarding security and the prisoner's medical condition, including a Tuberculosis (TB) clearance, must be included.

- 6) Ensures the requesting jurisdiction understands and consents to the conditions in the JPATS Form [USM-105](#), *Cooperative Prisoner Transportation Agreement*, and signs it.
  - 7) Faxes a signed copy of the agreement, include the billing address, to JPATS Scheduling and the district initiating the move. The original is mailed to JPATS Scheduling.
- b. All movements of non-federal prisoners must follow USMS procedures governing prisoner transportation.
  - c. Since the USMS is acting as an agent of the requesting state/local agency, custody of the prisoner remains with that agency; thus the USMS does not accept responsibility for any liability arising from the custody, transportation, housing, and/or treatment of the prisoner. The requesting agency is responsible for any medical/death costs incurred.
  - d. JPATS Scheduling should be notified as soon as possible if a state/local prisoner has to be hospitalized while in USMS custody. JPATS Scheduling notifies the requesting USMS district, which must inform the requesting state/local agency of the prisoner's status. The state/local agency is responsible for contacting the hospital where the prisoner is confined to arrange for payment of medical costs.
  - e. The requesting jurisdiction is responsible for all trip costs incurred.
  - f. JPATS Scheduling coordinates transportation of the United States military and other agency prisoners.

**G. Definitions:** None.

**H. References:** None.

**I. Cancellation Clause:** This policy directive supersedes USMS Policy Directive 16.3, *Request for Prisoner Movement*.

**J. Authorization and Date of Approval:**

**By Order of:**

**Effective Date:**

          /S/            
Stacia A. Hylton  
Director  
U.S. Marshals Service

          07/31/12



# United States Marshals Service POLICY DIRECTIVES

## JPATS

### 16.4 SPECIAL MOVEMENTS

- A. Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. Purpose:** This directive establishes policy and procedures for JPATS-scheduled prisoner movements at least 50 miles outside a district in cases where the prisoner requires special provisions.
- C. Authority:** The Director's authority to supervise the United States Marshals Service (USMS) and issue written directives is set forth in [28 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#). The authority to maintain custody of federal prisoners is found in [28 C.F.R. § 0.111\(k\)](#) and [28 U.S.C. § 566](#).
- D. Policy:** Juveniles, females, incompetent/mentally impaired prisoners, Witness Security protectees, prisoners charged with Unlawful Flight to Avoid Prosecution, and Indigent Defendants traveling on bond may require special handling and/or movement.
- E. Responsibilities:** None.
- F. Procedures:**
- 1. Juvenile:**
    - a. Prosecution:** A juvenile is an individual under 18 years of age (also included is anyone younger than 21 who has committed an act of juvenile delinquency before turning 18; see [18 U.S.C. § 5031](#)). Federal juveniles are prosecuted as juveniles unless, upon motion of the Attorney General, the court orders the juvenile, who must be older than 15, to be tried as an adult. In such cases the juvenile is transported for adult prosecution ([18 U.S.C. § 5032](#)).
    - b. Special Handling:** Juveniles will receive special handling according to the Federal Juvenile Delinquency Act, [18 U.S.C. §§ 5031-5042](#).
    - c. Detention:** [18 U.S.C. § 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:
      - 1) In-District Transportation:**
        - a) Separation:** Juvenile prisoners will be transported and handled separately from adult offenders unless specifically authorized by the USMS in unusual circumstances.

- b) Short Trip: When a prisoner trip is for less than 1 day, adults and juveniles may be transported in the same vehicle if a juvenile is a relative or close associate of the adult prisoner(s) or it is determined that the adult prisoner(s) would not detrimentally influence the juveniles. Longer trips generally require that juveniles and adults be transported separately.
- c) 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.

2) **Transportation via JPATS:**

- a) Identify juveniles requiring out-of-district transportation via JPATS and whether or not they are adjudicated. A copy of the order of incarceration must accompany adjudicated juveniles and completed Form [USM-130](#), *Prisoner Custody Alert Notice*, is mandatory.
- b) 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 U.S.C. § 5031-5042](#).

2. **Female:**

- a. **Transportation:** Female prisoners should be separated from male prisoners unless the vehicle is appropriately equipped with separate compartments (as on a prisoner bus). However, district management may authorize female prisoners to be transported with other male prisoners, in the same vehicle, on trips that do not exceed 1 day.
- b. **Separation:** To the extent possible, USMS personnel should separate female and male prisoners within a vehicle. (b) (7)(E) USMS personnel/guards, (b) (7)(E) should be female (if available), must be present when female prisoners are being transported.
- c. **Exceptions:** When conditions such as distance, time, and staffing make it necessary for (b) (7)(E) Deputy United States Marshals (DUSMs) to transport a female prisoner, the Deputy in Charge (DIC) must notify his supervisor immediately. The DIC will communicate, by radio or telephone, the place and time of departure, odometer reading, persons in the vehicle, estimated time of arrival, and actual time of arrival. All information will be recorded on Form [USM-66](#), *Radio Log*.

3. **Incompetent or Physically/Mentally Impaired Prisoners:** The following procedures apply to the proposed transportation of all incompetent or physically/mentally impaired persons:

- a. If special vehicles are needed to transport the impaired prisoner, an ambulance or suitably equipped vehicle will be utilized and funded from the Federal Prisoner Detention Account, sub-object class code 2199: Miscellaneous.

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

- 1) The physical and emotional state of the impaired person;
- 2) Special requirements for moving or caring for the impaired person, such as isolation or special medication;
- 3) 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);
- 4) Whether an attendant is needed to assist in transporting and watching over the impaired person; and
- 5) If it may be necessary to transport medication with the prisoner (i.e., insulin, inhalers) or other special items needed for the prisoner's condition.

c. **Separation:** Whenever possible, impaired prisoners will not be housed, transported, and/or put in the company of other offenders. Every effort should be made to place the impaired prisoner in a facility that will meet the specific medical needs of the prisoner. The holding institution will be informed of the prisoner's special condition. The delivering DUSM and the receiving official at the institution will fill out a Form [USM-130](#), *Prisoner Custody Alert Notice*.

4. **Witness Security Program (WITSEC):** JPATS Scheduling will coordinate WITSEC movements through the Headquarters case manager and the JPATS Chief of Operations.
5. **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 U.S.C. § 1073](#)). The USMS can provide transportation under the JPATS *Cooperative Prisoner Transportation Agreement*, Form [USM-105](#).
6. **Indigent Travel and Reimbursement:** Districts may use JPATS services for scheduling travel and transporting indigent defendants on bond (IDOB).
  - a. After receiving a court order stating that the defendant is indigent and directing travel and subsistence payments in compliance with [18 U.S.C. § 4285](#), the following steps are to be taken:
    - 1) The district that receives the court order will electronically transmit Form 106, *Request for Prisoner Movement*, to JPATS, and provide copies of the court order and Form-106 to the district where 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.
    - 2) JPATS will provide a 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.

- 3) The court ordered 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.
  - 4) The court ordered district will advise the indigent defendant or counsel of the travel arrangements.
- b. A trip number cannot be generated for an IDOB through JPATS unless an electronic Form-106, *Request for Prisoner Movement*, is submitted.
- 1) For Process Code use CO.
  - 2) For Location and Destination use the respective district codes.
  - 3) The court order, to be faxed, specifies the court date and time, the location and destination of the IDOB, and cites [18 U.S.C. § 4285](#) or other pertinent legal references justifying the travel. It must be one-way travel only.
- c. Per USMS regulations, the Prisoner Operations Division does not reimburse per diem costs, but does reimburse districts for any travel expenses for IDOBs, such as public transportation fares and parking and tollbooth fees.

**G. Definitions:** None.

**H. References:** None.

**I. Cancellation Clause:** This policy directive supersedes USMS Policy Directive 16.4, *Special Movements*.

**J. Authorization and Date of Approval:**

**By Order of:**

**Effective Date:**

          /S/            
 Stacia A. Hylton  
 Director  
 U.S. Marshals Service

          07/31/12



# United States Marshals Service POLICY DIRECTIVES

JPATS

## 16.5 MODE OF TRANSPORTATION GUIDELINES

- A. **Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. **Purpose:** This directive establishes policy and procedures for prisoner movements scheduled by 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 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#). The authority to maintain custody of federal prisoners is found in [28 C.F.R. § 0.111\(k\)](#) and [28 U.S.C. § 566](#).
- D. **Policy:** JPATS Scheduling will evaluate the movement request (Form-106) and will choose transportation methods based on safety, cost, time, distance, reliability, and other considerations.
- E. **Responsibilities:** None.
- F. **Procedures:**
  - 1. **Mode of Transportation:**
    - a. **Transportation by Cars, Vans, and Buses:** USMS, Federal Bureau of Prisoners (BOP) institutions, and JPATS Scheduling must work closely to plan prisoner trips.
      - 1) **Loads:** The number of prisoners assigned to a vehicle will not exceed the designed passenger load of that vehicle.
        - a) **Automobile:** A full load for automobile trips is (b) (7)(E) in the rear section of a screened vehicle. In an unscreened vehicle, only (b) (7)(E) may be in the rear seat, (b) (7)(E)
        - b) **Van and Bus:** A full load for buses or vans is determined by the passenger-seating configuration for each.
      - b. **Escorts:** When prisoners are transported by bus or van, the United States Marshal (USM) will determine the number and type of security personnel, with at least one being the same gender as the prisoners.
      - c. **Vehicle Security:** A complete search of the vehicle's interior, front and back, will be done before and after each prisoner trip. If the trip is more than 1 day, this procedure will be completed daily.
        - 1) (b) (7)(E)

- 2) Inside rear door handles and rear seat belts will be removed or rendered inoperable on all motor vehicles used for prisoner transport.
- 3) The driver and guarding personnel will be separated from prisoners by plexiglass or steel-mesh security screens. If a screened vehicle is not available, a supervisor, Chief Deputy United States Marshal, or USM may authorize transport in an unscreened sedan, with the following procedures to be used:
  - a) (b) (7)(E) [REDACTED]
    - 1) (b) (7)(E) [REDACTED]
    - 2) (b) (7)(E) [REDACTED]
  - b) No prisoner will be transported in the front seat of any motor vehicle.
  - c) (b) (7)(E) [REDACTED]
  - d) Other Passengers: Individuals not serving in an official capacity or in USMS custody will not be permitted in vehicles while prisoners are being transported.
  - e) Rest Stops: Vehicles will be parked as close to the restrooms as possible, and police facilities should be used when feasible. Rest areas on interstate highways and facilities selected at random after departing the highway should be avoided.
    - i. Prisoners will not be left unguarded at any time and will be under close surveillance, both in the vehicle and in the restrooms.
    - ii. Before prisoners use them, rest stop facilities will be thoroughly searched for contraband and items that may be used either as weapons or in an escape attempt.
    - iii. Restraining devices will not be removed. Every time a prisoner is placed in or removed from a vehicle, all restraints will be thoroughly checked to determine that each device is secured.

**2. JPATS Air Transportation Options:**

- a. **JPATS Scheduling:** Can select from the following aircraft options:
  - 1) JPATS Aircraft Operations (Airlift);
  - 2) JPATS Service Owned Aircraft Program (SOAP);
  - 3) Commercial Aircraft; and
  - 4) Charter Aircraft.

- b. **JPATS Aircraft:** JPATS Air Operations is the primary resource for transporting prisoners by aircraft.
- c. **Alternative Aircraft:** If Air Operations resources are not available, JPATS Scheduling will consider arranging transportation by commercial or charter aircraft.

3. **Transportation by Commercial Aircraft:**

a. **Centralized Ticketing:** JPATS Scheduling offers a centralized ticketing service through a JPATS Transportation Specialist. Unescorted commitments and prisoners traveling on bond ([18 U.S.C. § 4285](#)) can also be coordinated through JPATS scheduling.

b. **Revisions to Itineraries:** Changes to the prisoner's status that affect the established itinerary, due to court order, medical problems, or security requirements, must be immediately reported to the appropriate JPATS Transportation Specialist. To make schedule changes after normal JPATS Scheduling business hours, call the JPATS Scheduling Duty Officer

c. **Procedures:** USMS procedures for transporting prisoners by scheduled air service are as follows:

1) Each armed law enforcement officer escorting a prisoner and each aircraft operator ensures the prisoner is restrained from full use of his/her hands by an appropriate device that provides minimum movement of the prisoner's hands, and ensures that leg irons are not used.

2) Commercial air trips require at least a <sup>(b) (7)(E)</sup> [redacted] ratio of security personnel to prisoners, <sup>(b) (7)(E)</sup> [redacted]

3) The air carrier will be notified at least 1 hour (or in an emergency, as soon as possible) before departure and given the following information:

a) <sup>(b) (7)(E)</sup> [redacted]

b) <sup>(b) (7)(E)</sup> [redacted]

c) <sup>(b) (7)(E)</sup> [redacted]

- 4) USMS personnel will make every effort to cooperate with airline ticketing and boarding agents and security officers at passenger screening points. Airline personnel may require USMS security personnel to do the following:
  - a) Board with prisoner(s) before other passengers and deplane after all other passengers;
  - b) Sit in the rear-most passenger seats with their prisoner(s);
  - c) Sit with prisoner(s) in seats that are not next to or directly across from an exit; and
  - d) Sit in a manner that positions the DUSM between the prisoner(s) and the aisle.
- 5) USMS personnel will thoroughly search the lavatory for contraband before the prisoner uses it. The prisoner will be escorted to and from the lavatory and observed while using the facility.

d. **Weapons Aboard Commercial Aircraft:** In addition to properly identifying themselves, USMS personnel will notify the airline that they are armed and follow these procedures:

- 1) (b) (7)(E) [REDACTED]
- 2) Armed USMS personnel will notify the airline 1 hour in advance of departure or, in emergencies, as soon as possible and display official USMS credentials. They will mention that they will be transporting a prisoner. If an airline or individual pilot refuses transportation to an armed DUSM, he/she should obtain the airline official's name, depart from the plane, and notify the district and JPATS Scheduling.
- 3) While aboard aircraft, armed USMS personnel will remain anonymous in terms of their position as armed law enforcement officers. Extreme care should be taken not to unnecessarily display firearms.
- 4) Consumption of alcoholic beverages while armed or while transporting prisoners is strictly prohibited.

e. (b) (7)(E) [REDACTED]

f. (b) (7)(E) [REDACTED]

(b) (7)(E)

4. **Transportation by Charter Aircraft:** The use of an air charter service to transport prisoners is limited to special situations, such as medical emergencies.
- a. JPATS Scheduling will supply procedures for obtaining charter aircraft on a case-by-case basis.
  - b. JPATS Scheduling and the district will coordinate the use of charter aircraft.
  - c. The district will issue a purchase order and pay for the services. JPATS/Prisoner Operations Division will reimburse the district.
  - d. Charter Aircraft Security: It is the responsibility of the Deputy In Charge (DIC) assigned to the trip to ensure the following:
    - 1) (b) (7)(E)
    - 2) (b) (7)(E)
    - 3) Prisoners will be watched by USMS security personnel at all times and remain in their seats with seat belts fastened. (b) (7)(E)
  - e. Charter Aircraft Cabin Crew: It is the responsibility of the transportation specialist to contact USMS district offices to arrange for DUSMs to escort prisoners transported by charter aircraft. The following escort criteria must be adhered to:
    - 1) (b) (7)(E)
    - 2) (b) (7)(E)
    - 3) (b) (7)(E)
    - 4) (b) (7)(E)
  - f. Charter Aircraft Prisoner Restraints: At minimum, prisoners will be restrained by handcuffs, waist chains, and leg irons. Special security cases will be transported in black/blue boxes.
  - g. Charter Aircraft Ground Security: It is the responsibility of the DIC or designee to ensure that security is provided and that prisoners are transported to detention facilities at each destination point.

- h. Charter Aircraft Flight Schedules: JPATS Scheduling will provide flight schedules to all involved districts and federal detention facilities. The charter aircraft representative will provide JPATS Scheduling with the following:
  - 1) The flight time between each airport used;
  - 2) The identity of airports and fixed-base operators providing ground services; and
  - 3) The locations of overnight stops and refueling points. These stops will be points of prisoner exchanges when possible.

6. **Completion of Trip:**

- a. After the commercial air and/or charter aircraft is selected and the trip is approved, JPATS Scheduling will provide the requesting district with a trip-assignment number. The trip-assignment is usually a message to the district authorizing the trip and payment; a copy is distributed to all other districts and institutions involved in the trip.
- b. The USM conducting a commercial air and/or air charter trip is responsible for making the arrangements for other district and institution personnel to meet the flight.

7. **JPATS Airlift/SOAPs:**

- a. The Memorandum of Agreement (MOA) between the USMS and the BOP states that the PIC of the aircraft is in charge of matters pertaining to the servicing, safety, and ground operation of the aircraft and the safety of flight operations. The Security Officer In Charge (SOIC) is in charge of all matters pertaining to the handling and exchange of prisoners aboard the aircraft and is responsible for ground security for the aircraft in the absence of required ground support. The SOIC manages all ground operations performed within the secured perimeter.
- b. **Restrictions:** Only those assigned to actual flight operations or transportation enforcement duties (i.e., crewmembers and prisoners) may travel on JPATS aircraft. Other individuals are not permitted without approval of the Deputy and Chief of Operations (DCO), JPATS, and/or designee.
- c. (b) (7)(E) 
- d. **Unscheduled Landings:** If the aircraft must make an unscheduled landing, the PIC will immediately notify JPATS Dispatch. Prisoners will remain in the custody of the aircraft crew until assistance arrives. JPATS Dispatch personnel will make every effort to secure needed assistance and ground support for the disabled aircraft to allow the SOIC to concentrate on prisoner security. JPATS Scheduling should be notified as soon as possible, after which it will, in coordination with the local districts and institutions, arrange for prisoner housing or alternate transportation. After the prisoners have been provided for, it will be the responsibility of the PIC and SOIC to secure transportation and lodging for the crew. The Chiefs of JPATS Aviation and the DCO will be kept informed of the mission's status.





# United States Marshals Service POLICY DIRECTIVES

## JPATS

### 16.6 CABIN SECURITY CREW POLICY & PROCEDURES MANUAL

- A. Proponent:** Justice Prisoner and Alien Transportation System (JPATS).
- B. Purpose:** The purpose of this policy directive is to establish policy and procedures for all cabin crew personnel for proper movement of prisoners for the United States Marshals Service (USMS) and the Federal Bureau of Prisons (BOP), while aboard JPATS owned and/or leased aircraft.
- C. Authority:** The Director's authority to supervise the USMS and issue written directives is set forth in [28 C.F.R. § 0.111](#) and [28 U.S.C. § 561\(g\)](#).
- D. Policy:** JPATS Personnel and Personal Services Contract personnel (Contract Guards) will comply with the procedures and guidelines set forth in the [Cabin Security Crew Policy and Procedures Manual](#).
1. The [Cabin Security Crew Policy and Procedures Manual](#) provides procedural standards to all USMS and BOP personnel concerning the aircraft prisoner exchange process.
  2. The JPATS Director (or his/her designee) is responsible for recommending USMS policies and issuing manuals, procedures, and guidelines for the efficient and effective operation of JPATS.
- E. Responsibilities:** None.
- F. Procedures:** The procedures for properly transporting prisoners and for USMS and BOP are provided in the [Cabin Security Crew Policy and Procedures Manual](#) and are incorporated into this policy by reference.
- G. Definitions:** None.
- H. References:** None.
- I. Cancellation:** This policy directive supersedes Policy Directive 16.6, *Cabin Security Crew Policy & Procedures Manual*.
- J. Authorization and Date of Approval:**

**By Order of:**

**Effective Date:**

\_\_\_\_\_  
Stacia A. Hylton  
Director  
U.S. Marshals Service

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