9.21 IN-DISTRICT PRISONER MOVEMENTS

A. Proponent: Prisoner Operations Division (POD).

B. Purpose: Establish policy and procedures for the movement of prisoners by the United States Marshals Service (USMS), either within a district or up to 50 miles in a bordering district. These policies and procedures do not apply to prisoners moved by the Justice Prisoner and Alien Transportation System (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 (q).

D. Policy:

1. Persons in the operational custody of the USMS will be fully restrained during transportation. Arrest situations may be an exception to prisoners being immediately placed in full restraints.

2. Female prisoners will be transported and handled separately from male prisoners unless specifically authorized by USMS district management. Reference section E.5.d in this policy directive.

3. Juvenile prisoners will be transported and handled separately from adult prisoners unless specifically authorized by USMS district management. Reference section E.5.c in this policy directive.

4. Vehicles used primarily to transport prisoners will be equipped with between the operator compartment and the prisoner compartment. Windows of the prisoner compartments will be equipped with . Unauthorized persons will not be permitted in prisoner transport vehicles.

5. USMS personnel will perform in-district USMS prisoner transportation. of the personnel will be an operational employee (GS-1811, GS-082, or GS-1802), hereafter referred to as deputies, and may be a District Security Officer (DSO), or other sworn Law Enforcement Officer. Operational personnel are assigned at the discretion of district management.

E. Procedures:

1. Transportation by Vehicle:

   a. Restraints: Prisoners will be fully restrained when transported by the USMS. Full restraints consist of . It is recommended that be supplemented with the use of . District management may approve prisoner(s) being of or less (commonly referred to as ). The practice of is an exception, not an alternative to full restraints.
b. Screened Vehicles: [b (7)(E) deputies will perform prisoner movements by [b (7)(E) plus a driver will be used when [b (7)(E) is used to transport prisoners. District management may approve the following:

1) On a case-by-case basis, [b (7)(E) and

2) [b (7)(E) deputies may be used to transport prisoners [b (7)(E) in unusual circumstances.

c. Unscreened Vehicles: Prisoner transportation in an unscreened vehicle, other than in an arrest situation, will be approved by district management. When authorized, such movement is to be accomplished according to the following procedures:

1) No more than [b (7)(E) prisoners will be transported in an unscreened vehicle;

2) [b (7)(E)

3) [b (7)(E)

4) No prisoner will be transported in [b (7)(E) of any motor vehicle.

d. [b (7)(E)

e. Transporting deputies will maintain visual contact of prisoners.

f. Vehicles will be searched for contraband [b (7)(E) each prisoner movement. The search will encompass the entire vehicle. If a prisoner trip is [b (7)(E) in duration, this procedure will be completed [b (7)(E). Discovered contraband will be handled and disposed of per Policy Directive 8.6, Evidence.

g. Physical Security: Vehicles used primarily to transport prisoners will be equipped with [b (7)(E) to separate USMS personnel from the prisoners. In addition [b (7)(E) of sedans will be equipped with [b (7)(E) of prisoner vans will be equipped with [b (7)(E) Prisoner van compartment doors may be secured with [b (7)(E) on all vehicles used for prisoner transport. [b (7)(E) may be activated in lieu of [b (7)(E) door handles.

h. Loads: [b (7)(E) sedan is [b (7)(E) prisoners in [b (7)(E). In an [b (7)(E) vehicle, [b (7)(E) prisoners may be in [b (7)(E) (with [b (7)(E)
deputy). A full load for buses or vans is in accordance with the passenger seating configuration or designed passenger load for each vehicle type.

i. Rest Stops: If a rest stop is necessary (b) (7)(E) should be used when possible.

1) Rest areas along the highways should be avoided. Facilities are to be (b) (7)(E) after departing the highway. Vehicles will be parked as close to the restrooms as possible.

2) Prisoners will not be (b) (7)(E) at any time, and all prisoners will remain under close surveillance while in the restrooms and the vehicle.

3) A thorough search of rest stop facilities will be conducted for contraband, weapons, and any item that may be used in an escape attempt prior to a prisoner's use of the facility.

4) (b) (7)(E) . Each time a prisoner is placed in or removed from a vehicle, (b) (7)(E) .

j. Seat Belts: Executive Order 13043, Increasing Seat Belt Use in the United States, requires all federal employees occupying (b) (7)(E) of government-owned vehicles (GOVs) to have safety belts fastened at all times while the vehicle is in motion. With respect to prisoners, (b) (7)(E) .

k. Vehicle Accidents: In the event a USMS vehicle is involved in an accident while transporting prisoners, deputies will notify district management immediately. If there is no articulable reason to believe the accident (b) (7)(E) . If there are injuries, or if the USMS vehicle is rendered inoperable, USMS resources will be dispatched to the accident scene. Local law enforcement may be requested to assist with the security of prisoners while the deputies are waiting for additional USMS support.

l. (b) (7)(E)

2. District Movements:

a. Districts are responsible for the safe planning, scheduling, and movement of all prisoners in their custody. District management will ensure the following:

1) Proper USMS personnel assignments are made for prisoner movements;

2) Detention facilities or institutions holding the prisoner(s) identified on the court schedule (or to be transferred) are contacted to arrange release/booking dates and times;

3) The prisoner's identity is verified prior to transporting by name recognition, photograph, detention facility number, arm band, or name tag;

4) (b) (7)(E)
5) Prisoners are searched and restrained in a professional, systematic, and consistent manner prior to transportation (reference Policy Directive 9.17, *Body Searches*);

6) **(b) (7)(E)**

7) All prisoner records/documentation are signed, dated, and delivered to the receiving official.

b. Districts may authorize the movement of a prisoner for one or more of the following reasons:

1) Appearance at scheduled court proceedings, attorney/client interviews, pretrial/probation interviews, or investigative interviews upon request/approval of the United States Attorney's office;

2) Compliance with Writs of Habeas Corpus;

3) Commitment to an institution pursuant to a court order or transfer between institutions as requested/authorized by the Federal Bureau of Prisons (BOP);

4) Medical or health care treatment and services;

5) Attendance at a private viewing of a deceased relative or deathbed visits pursuant to a court order, and/or

6) Transfer from one detention facility to another to alleviate overcrowded conditions or for the protection and safety of the prisoner or others.

c. **Prisoner Conversations: (b) (7)(E)**

d. While in transit, prisoners will not be permitted to:

1) Select places, routes of travel, rest stops, or influence in any other manner the travel itinerary;

2) Possess or expend any funds, consume tobacco products, or place telephone calls;

3) Converse with anyone except other prisoners and custodial personnel; or

4) Have medication except that prescribed by a physician or as indicated by the institution. Medication that must be administered by a hypodermic syringe will be injected only by medical personnel.

e. **Trip Reporting Process**: Districts will establish a trip reporting process for communicating the movement of prisoners. This will include the means of
f. Deputies will maintain communication with the district at all times and immediately report a prisoner illness, prisoner injury, disruptive prisoner, vehicle accident or breakdown, prisoner escape, or attempted escape. The communications staff will then immediately notify the district management and local law enforcement if assistance is needed. In the event the district does not have a communication center, district management will be contacted directly.

g. Contingencies: Districts will plan and prepare for potential emergencies encountered during transportation.

h. Deputies will not engage in any unauthorized activities or unscheduled stops while transporting prisoners. District management will be notified immediately for guidance or assistance. Under no circumstances will a prisoner or prisoners be left out of visual contact of the transporting deputies.

3. Escapes: Prisoner escapes/attempts will be reported immediately to district management and the USMS Communications Center. An escape is classified as a major case investigation and will be coordinated with and reported through IOD. District management should institute the following procedures:

   a. Designate a supervisor to coordinate information gathering and search efforts;
   
   b. 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
   
   c. 

4. USMS Arrestees Requiring Medical Attention: If a prisoner is injured or becomes sick following an arrest, the prisoner will be transported to a medical facility or examined by a medical professional prior to processing. The following security, control, and transportation procedures will apply:

   a. Prisoners will be searched. Control over the prisoner will be maintained at all times. The prisoner will be restrained unless there are compelling medical reasons; and

   b. If emergency medical technicians (local public safety EMT/EMS) respond to the scene, the deputies may request the EMT/EMS transport the prisoner to an appropriate medical facility, if necessary. At least one deputy will remain with the prisoner during transportation by ambulance. If an ambulance is not required, deputies will transport the prisoner to and from a medical facility, if necessary, and remain with the prisoner during treatment.

5. Special Transportation Movements:
a. **Physically, Mentally, and / or Medically Impaired Arrestees:** USMS prisoner transportation procedures, including the use of restraining devices, will be followed when arresting a person believed to be impaired.

1) If special vehicles are needed to transport the impaired prisoner (i.e., to court productions, a medical appointment, or to meet JPATS), an ambulance or suitably equipped vehicle will be utilized and funded from the Federal Prisoner Detention (FPD) appropriation, sub-object class code [D003].

2) It may be necessary to transport medication with the prisoner (i.e., insulin, inhalers) or other special items needed for the prisoner’s condition.

b. **Movement of Impaired Prisoners:** The following procedures apply to the transportation of physically, medically, and / or mentally impaired prisoners (male, female, adult, or juvenile):

1) Obtain a written statement from the medical staff of the sending institution/facility. The statement will include:
   a) The prisoner’s physical and emotional state;
   b) Special requirements for movement or safekeeping, such as isolation or special medication(s);
   c) Recommendations concerning the use of additional restraining devices (USMS personnel will apply those restraining devices that are necessary to ensure the impaired person is transported in a safe and secure manner); and
   d) Requirement for an attendant(s) to assist in the transportation and safekeeping.

2) Whenever possible, impaired prisoners will not be housed, transported, or commingled with other prisoners. 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. A Form will be executed and presented to the receiving official.

c. **Juveniles:** Juveniles will be provided special handling in accordance with the Juvenile Justice and Delinquency Prevention (JJDPA) Act, and 18 U.S.C. §§ 5031-5042.

1) Juvenile prisoners will be transported and handled separately from adult offenders, unless specifically authorized by the district management in unusual circumstances.

2) For short duration trips transportation of both adults and juveniles may be scheduled in the same vehicle. Longer trips generally require that juveniles and adults be transported separately.
3) In certain emergencies, it may not be possible to separate the two classes of prisoners during transit. In such situations, on trips exceeding USMS personnel must ensure minimum contact between juveniles and adults by closely observing them and providing separate overnight lodging.

d. **Females:** 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 prisoners, in the same vehicle, on trips that do not exceed

1) To the extent possible, female prisoners will be separated from male prisoners within the vehicle. Each female trip will be handled by a USMS personnel of whom may be a contract guard of the transporting personnel should be a female, if available.

2) When conditions such as distance, time, and staffing make it necessary for male deputies to transport a female prisoner, the deputies will immediately notify their supervisor. The deputies 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.

**Medical Appointments:** The following requirements apply:

1) Medical appointments should not be known to the prisoner(s);

2) The minimum staffing required for medical appointments is plus to prisoners;

3) when there is believed to be a heightened security risk;

4) The detention facility staff or a hospital guard service may move a prisoner to the hospital when emergency medical conditions exist or for routine outpatient care. The district will be notified when a move has been made by the detention facility or guard service;

5) Removal for routine medical care may not be initiated without prior approval of the district management; and

6) Visual contact with prisoners will be maintained at all times.

**Deathbed Visits, Private Viewings and Other Special Situations:** Deathbed visits, private viewings, and other special situations are prohibited unless a court order directing the USMS to produce a prisoner has been obtained by the prisoner or prisoner’s attorney prior to the production. Prisoner attendance at funerals is strictly prohibited. The USMS will notify BOP prior to producing a prisoner for a special situation when the prisoner is on a Writ of Habeas Corpus or an Attorney Special Request (ASR) from BOP. When a special production of a prisoner has been ordered by the courts, the procedures below will be followed:
1) The United States Marshal’s (USM’s) office will perform a security check before using local or noncommercial charter companies for prisoner transport. At a minimum the following should be performed:
   a) 
   b) Inquiries should be made to the

2) of a charter plane will be searched by a deputy for contraband before executing the move.

High-Threat or High-Profile Movements: When deemed necessary by district management, will be prepared for high-threat prisoner movements within district. Any movement or treatment that could be construed as “special” should be documented to have a record of activity. The documentation and procedure will include, but not be limited to, The United States Attorney/Assistant United States Attorney and judge involved with the case will be informed of the additional security risk and security procedures associated with a high-threat prisoner.

In-district Air Transportation: A district may use commercial/charter air service to move prisoners within the district in lieu of ground transportation. Travel plans may be made by the district or through JPATS central ticketing. The district is financially responsible for in-district air travel (JPATS excluded). Use of JPATS is recommended.

1) The United States Marshall’s (USM’s) office will perform a security check before using local or noncommercial charter companies for prisoner transport. At a minimum the following should be performed:
   a) 
   b) Inquiries should be made to the

2) of a charter plane will be searched by a deputy for contraband before executing the move.
i. **Community Corrections Center (CCC):** If the BOP Community Corrections Manager (CCM) determines that a CCC prisoner is to be taken into custody, the CCM, not the resident contractor (i.e., half-way house operator), will make a request to the district. The routine transfers of CCC prisoners will occur during (b)(7)(E). However, when the CCM determines the resident (prisoner) is an escape risk, a threat to himself, staff, or other center residents; they will request an immediate transfer. The CCM must articulate, to the satisfaction of district management, the reason the resident is a non-routine transfer. The district and the CCM will agree on the facility to be used to better ensure payment can be made directly by the CCM. Districts are encouraged to facilitate direct billing between the facility and the CCM for CCC failures.

j. **Witness Security Prisoners:** Contact USMS Headquarters, Witness Security Program for assistance.

6. **Prisoner Records:**
   a. The deputy-in-charge (DIC) will ensure appropriate forms accompany each prisoner (i.e., intake forms, Form [b](7)(E)). These forms will contain information regarding (b)(7)(E). This information will be provided to the administrator or designee of the detention facility used to house the prisoner.
   
   b. Out-of-District: When an out-of-district deputy commits a prisoner of a detention facility with the intent to transfer custody, he or she will make arrangements prior to the delivery of the prisoner to the local (host) district. The transferring prisoner becomes the responsibility of the local district upon delivery to the facility. The transporting deputies are responsible for notifying the local district of the prisoner’s delivery and location. The transferring district will provide Form [b](7)(E) and a set of the prisoner’s records will be furnished to the receiving district as soon as possible.

7. **Prisoner Meals:**
   a. Prisoners will receive meals appropriate for the time of travel. (b)(7)(E)
   
   b. Trips should normally be scheduled to allow for arrival at a detention facility or institution prior to meal times. When a travel day cannot be completed prior to established meal times, the DIC will provide a meal from the prisoner’s detention facility while in transit or will make 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 will be made to obtain bag lunches from the detention facility. If those meals are not available, deputies 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 (reference www.gsa.gov/mie). District management may approve deviations from these rates. Deviations will be
documented and filed with the trip voucher. Expenses will be reimbursed from the FPD appropriation.

8. **Persons Traveling On Bond:**

   a. **18 U.S.C. § 4285** provides any judge or magistrate judge of the United States may, when the interests of justice would be served thereby and the person is financially unable to provide the necessary transportation on his or her own, direct the USM to arrange for that person’s means of noncustodial transportation to a specified place to appear before a court to face criminal charges. The court may, in addition, direct the USM to furnish that person with an amount of money for subsistence expenses en route to his or her destination. JPATS has been funded for the cost of court-ordered self-surrender and unescorted travel; no subsistence, only travel.

   b. In some instances, the courts have exceeded the intent of the law and ordered continued subsistence payments after arrival at their destination, round-trip court appearances, and travel for consultation with defense attorneys. It is the position of the USMS that court orders directing subsistence payments after arrival, or more than one-way transportation for a court appearance are not authorized by law and are to be brought to the attention of the issuing court. The court may then elect to place the defendant under the supervision and funding of the pretrial service agency or may place the defendant in the custody of the USM for placement in a suitable secure facility or halfway house.

   c. **Procedures:** 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 a Request for Prisoner Movement, JDIS/PTS Form, to JPATS, and provide copies of the court order and Form to the district in which the individual is located. After JPATS receives the court order and JDIS/PTS Form Centralized Ticketing arranges for non-custodial transportation to the court of appearance.

   2) 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.

   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/she can be reimbursed by the USMS.

   4) The court ordered district advises the indigent defendant or counsel of the travel arrangements.

   d. **Requirements:** A trip number cannot be generated for an through JPATS unless an electronic JDIS/PTS Form is submitted.

   1) For Process Code, use

   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.

e. **Appropriation Charges:** Travel and subsistence payments comply with Department of Justice (DOJ) Order 2200.11, Travel Regulations. Transportation expenses are charged to the Salaries and Expenses, USMS appropriation, sub-object class code [REDACTED]. Only subsistence expenses are charged to the FPD appropriation, sub-object class code [REDACTED].

f. **Reimbursements of Funds:** Per USMS regulations, POD does not reimburse per diem costs, but does reimburse districts for any travel expenses for IDOBs, such as public transportation fares and parking tollbooth fees.

9. **General Reporting:**

a. **Release of Information:** Subject to specific limitations imposed by law, court order, or Policy Directive 1.3, Media, district management may make public the following information in any criminal case in which charges have been brought, other than a juvenile:

1) The defendant’s name, age, hometown, occupation, or name of employer, marital status, and similar background information;

2) The location of the prisoner (at the discretion of district management) if that information does not jeopardize security;

3) The substance of the charge, if not sealed, limited to that contained in the complaint, indictment, information, or other public documents;

4) The identity of the investigating or arresting agency;

5) If a USMS case, the circumstances immediately surrounding an arrest, including the time and place of arrest, possession of or use of weapons, a description of any physical items seized, and whether resistance and pursuit occurred;

6) In civil cases, similar identification material regarding defendants, the government agency or program, a short statement of the claim as quoted from or referred to in the public record, and the government’s interest may be released. Such a release will be coordinated with the United States Attorney’s office;

7) Information about extraditions or the movement of prisoners in USMS custody will not be released; and

8) Information regarding a juvenile will not be released unless authorized in 18 U.S.C. § 5038.

b. A deputy is responsible for reporting any prisoner incident to district management as soon as possible. District management will immediately report the incident to the USMS Communications Center, and comply with Policy Directive 17.17, Significant Incidents Reporting.
c. The initial notification will be followed up with a detailed written incident report fully describing the events and any action taken within one business day. An electronic copy of the incident report will be forwarded to the POD regional inspector or Assistant Chief of POD, Office of Detention Management (ODM). 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.

F. Responsibilities:

1. **USM/Chief Deputy United States Marshal (CDUSM):** Responsible for performing the following:
   a. Ensuring effective planning, scheduling, and supervision is provided for the safe movement of any prisoner within the district and up to a contiguous district;
   b. Delegating approval authority to Supervisory Deputy United States Marshals (SDUSMs), or deputies assigned as DIC;
   c. Developing and implementing district procedures for prisoner movement situations not covered in this policy directive. District directives will not supersede or alter this policy directive;
   d. Ensuring all district personnel are knowledgeable of this policy directive and any pertinent district directives; and
   e. Ensuring all district vehicles primarily used to transport prisoners are properly equipped as well as operationally and mechanically sound.

2. **POD:** Responsible for performing the following:
   a. Developing and implementing USMS policy and procedures, including program directives, in regard to prisoner movement;
   b. Receiving and processing incident reports concerning in-district prisoner movements; and
   c. Providing guidance and assistance regarding prisoner movement issues.
3. **DIC**: Responsible for performing the following:

   a. Keeping all reporting forms current during the trip;

   b. Obtaining a legible signature or identification number from the receiving Deputy United States Marshal (DUSM)/officer;

   c. Delivering or mailing a copy of the Form [b] (7)(E) to the host district the day of departure from the holdover detention facility (for out-of-district DICs). Whenever a prisoner's drop point is a USMS district's contract facility, a Form [b] (7)(E) and a copy of the prisoner's records will be furnished to the receiving district office; and

   d. Submitting all completed [b] (7)(E) forms to the SDUSM of the transporting district immediately upon the completion of the trip.

**G. Definitions:**

1. **Deputy (United States Marshals)**: Includes all operational employees assigned to the 1811, 082, and 1802 job series, and USMs.

2. **District Management**: Includes USMs, CDUSMs, Assistant Chief Deputy United States Marshals (ACDUSMs), SDUSMs or their designees.

3. **Operational Custody**: Includes the physical receipt of a prisoner by a district followed by processing and retention of that prisoner.


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

By Order of: 

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

Effective Date: 4/12/11