

## Court Transfer

### 1300.1 OVERVIEW

Assembly and distribution of inmates will be conducted expediently and accurately to ensure a timely departure from the facility and a timely arrival at their destination. Upon return to the facility the re-entry process will be thorough, orderly and rapid to ensure a secure return to housing.

- (a) The process of moving inmates to local courts will begin by [REDACTED]
- (b) Court Transfer Deputies will pick up the Daily Activity Roster from Inmate Records personnel before [REDACTED]
  - 1. [REDACTED] Activity roster will identify inmates by court assigned, name and AKA, DOB, booking number, date booked, case or warrant number, arresting agency, additional charges pending and other appearances. The list will also identify each inmate's housing location, security status, and any special orders.

### 1300.2 COURT TRANSFER GUARD STATION/DEPARTURE

- (a) The Court Transfer Deputy will coordinate activities in the Court Transfer cell area.
- (b) Each cell will be searched by the Court Transfer Deputy upon unlocking the cells in the morning.
- (c) The Court Transfer Deputy will predetermine each cell's use for the morning courts by court destination, inmate classification and number of inmates to be transported prior to the inmates' arrival in the Court Transfer area.
  - 1. Cells in the Identification area and Clothing Room corridor may be used to ensure complete separation of inmates or for overflow purposes.
- (d) Contact the Deputy or CSA assigned to Mods J, K, L, M, N, CMJ, CWJ and Booking Loop to determine the status and classification of each inmate, such as:
  - 1. Current mental health status (e.g., M1, M2, safety gown, medical or psychiatric holds, or needs separation from other inmates due to behavioral concerns. For "M-Ratings", refer to [CCOM Section 1204.4 – Mental Health Inmates](#).
  - 2. Court refusals.
  - 3. Inmates on the booking loop can be a street arrest waiting for medical evaluation or housing.
- (e) Court Transfer Deputies will contact Court Deputies and advise them of what inmates are medical holds, M status, safety gown restricted, or court refusals.
  - 1. The Court Transfer Deputy will notify the appropriate court Detention Deputy (CJC, WJC, etc.) of any changes to an inmate's status as soon as reasonably possible and prior to the inmate being transported to court.
- (f) Court Deputies will notify Court Transfer what inmates will be held at court transfer due to the limited detention space at the courts.

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1. Court Transfer will call the mods and advise them of what inmates will be going to court.
2. Courts will notify Court Transfer of inmates that need to be transferred from CJ1 to LJC, WOC, NJC or HJC.
  - i. Court Transfer Deputies will reconcile the court list with Transportation Deputies to identify inmates who are court holds, medical holds, M status, safety gown restricted, or court refusals.
  - ii. Court Transfer Deputies will coordinate with Transportation and housing to facilitate transferring the inmates to the appropriate court.
- (g) Court Transfer Deputies will receive the first group of inmates (early courts) immediately following the completion of breakfast.
- (h) All inmates going to court will be properly restrained according to their classification level prior to being transferred to Transportation or to Court Transfer staff. Refer to [CCOM Section 1203.1 – Inmate Security Procedures](#).
- (i) The inmates will be placed into cells by court destination and classification. Specialty Housing inmates will be kept separate from non-compatible inmates. Refer to [CCOM Section 1203.1 – Inmate Security Procedures](#).
- (j) General Population (GP) inmates may temporarily be placed into holding cells unrestrained for officer safety reasons.
- (k)
- (l) Each inmate will be identified by name and booking number as they enter a given cell.
- (m) Clothing Exchanges
  1. The Court Transfer Deputy will verify with the Clothing Room CSA that street clothing for inmates going to court is prepared.
  2. Inmates approved to wear personal clothing to court will be identified on the Activity Roster under "Special Orders" (left side, bottom), by the notations:
    - i. JUTR: Jury Trial - Street clothes optional.
    - ii. STCL: Must wear street clothes to court.
      - A. However, an inmate may still refuse street clothing.
  3. An inmate may inform the Court Prowler of their trial status. This will be verified via Inmate Records.
  4. The Court Transfer Deputy will properly identify inmates authorized to wear personal clothing to court before the personal clothes are exchanged. Inmates will change clothes inside the cell designated by the Court Transfer Deputy.
  5. It will be the responsibility of the Court Transfer Deputy to make appropriate clothing exchanges. For security reasons, only the plastic bag containing the inmates clothing will be given to the inmate. The clothing rack and the clothing

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bags with the metal hooks that attach to the rack will remain secured in Court Transfer.

6. If an inmate refuses to dress in street clothes, it will be documented in the dress out log. The inmate will sign the log acknowledging their refusal to dress out. The log will be faxed to the respective court upon request.
- (n) The Court Transfer Deputy will ensure that no transporting officers enter the corridor while armed. (No firearms, ammunition)
- (o) From the guard station, the Deputy/CSA will control all sally port doors and intercom traffic.
- (p) All required documentation will be provided to the transporting Deputies by Inmate Records.
- (q) Restraints
  1. Transportation Deputies will supply the necessary security/restraint devices for inmates going to court.
- (r) Destination Activity Rosters will be used to determine which cells contain the inmates for the respective courts (i.e., Central, Harbor, North, and West). The Transportation Deputy will verify the inmate and will mark "OUT" column when inmate has been handcuffed and prepared for entry onto the transportation vehicles.
- (s) The Court Transfer Guard Station Deputy will be responsible for notifying Inmate Records of all "no shows" for court.

### **1300.3 INMATES RETURNING FROM COURT**

- (a) [REDACTED]
- (b) Transportation Deputies will walk court remand inmates to the [REDACTED] for the booking process.
  1. The Transporting Deputy will submit the completed Pre-Booking Record, a copy of the court papers and the Intake Screening and Triage Form to the Receiving Deputy. All original court papers (e.g., remanding orders and commitment papers) will be submitted to the Commitment Clerk.
  2. When the inmate is medically unacceptable for booking, IRC staff will be responsible for the transportation of the inmate to a treatment facility. When the treatment is completed, IRC Deputies will return the inmate to the IRC and will complete the Pre-Booking process. The IRC may coordinate with Transportation for transportation services to and from the treatment facility when an ambulance is not needed.
- (c) The Transportation Deputy will deliver to Inmate Records the court papers for the returning inmates.
- (d) A Court Transfer Deputy will be given the completed Activity Roster used that morning for the arriving court inmates.

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- (e) [REDACTED]
- (f) The Court Transfer Deputy will verify the identity of each court returnee prior to them being placed into a holding cell. A check mark will be [REDACTED] the Activity Roster indicating the inmate's return.
- (g) Court Clothing Return: Returning inmates will place all personal clothing in the provided bag. The Court Transfer Deputy will verify all returned clothing. Prior to returning inmate personal clothing to the clothing rack, the Clothing Room CSA will re-inventory all personal clothing that was worn to court by the given inmates.
  - 1. The Operations Sergeant will be immediately advised of any discrepancies.
  - 2. Jail clothing will be returned to those inmates who wore personal clothing to court.
- (h) Court Documents: The Transportation Deputy will ensure that each inmate returned to custody is accompanied by appropriate paperwork.
  - 1. Examples of appropriate paperwork are:
    - i. Remanding Order
    - ii. Release Order
    - iii. Commitment Order
  - 2. The Transportation Deputy, Inmate Records Supervisor and the [REDACTED] immediately resolve any court paper discrepancies.
  - 3. Stays of Execution on Sentences: These documents are to be separated from the rest and sent directly to Inmate Records. (These are documents which report a future self-booking).
  - 4. "No Body" papers will also be sent directly to Records.
- (i) Return to Housing: The Court Transfer Deputy will coordinate with housing areas before sending any groups of inmates.
  - 1. Deputies will escort Special Housing inmates at all times when the inmates are outside their housing areas.
  - 2. When the last inmate court returnee has been escorted out of the Court Transfer area, the Deputies will search the cells, have them properly cleaned, and lock the cells.

#### 1300.4 IN-CUSTODY RELEASE

- (a) In-custody releases will be processed at the Court Transfer Guard Station area.
- (b) Scheduled In-Custody Releases will be included on the daily schedule Release Roster (SE List).
  - 1. The initials "I/C" followed by the anticipated release time will be used to identify each release.

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2. The SE list will be delivered to the Release Guard Station during the early part of shift one. Inmate Records will send copies of the SE list to all appropriate locations.
- (c) Non-Scheduled In-Custody Releases will be processed at the time they are requested. Inmate Records will send computer notification to the appropriate location. Special notice will be made that the inmate is an "In-Custody" release. This will ensure that the inmate is sent to the correct release location.
- (d) Inmate Records will gather the documents and files for in-custody releases and deliver the file to the Release Guard Station.
  1. Release CSA's will pull the clothing inventory card, the inmate's clothing, and personal items.
- (e) The Release Deputy will prepare the inmate file in the same fashion as regular releases except for the traveling documents.
  1. The left side of the file folder will contain:
    - i. A J-024 Inmate and Property Receipt (duplicate).
    - ii. Any warrants or teletypes to accompany the inmate.
    - iii. Copy of commitment papers (if applicable).
    - iv. Probation report package (if applicable).
    - v. Orange County Sheriff's Department "Hold" Letter (if applicable)
- (f) In-Custody Releases Handled by Transportation
  1. The Release CSA will take the completed "In-Custody" file folder(s) to the appropriate Male/Female Booking Prowler. The Court Transfer CSA will pick up the inmate's personal property from the Release Guard Station, where it will be held at the Court Transfer Guard Station while the inmate is pending pick up. The handling Transportation Deputy will follow procedures listed below in CCOM Section 1300.4(l)(2) for inmate money.
- (g) All other "In-Custody" Releases
  1. The Release CSA will take the completed "In-Custody" file folder(s) and the inmate's personal property to the appropriate Male/Female Booking Prowler.
- (h) State Prison "In-Custody" release inmates will be escorted from housing units to the Booking [REDACTED]  
[REDACTED] Court Transfer may be used if there is no room in the Booking Loop. A Prowler Deputy must stay in Court Transfer if these holding cells are used.
  1. The Court Transfer Guard Station Deputy will designate which cell(s), if needed, may be utilized for "In-Custody" releases.
- (i) The appropriate Male/Female Booking Prowler will process the inmate for release and complete the "In-Custody" file.
  1. The Court Transfer CSA will pick up the completed files from the booking prowlers.

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2. [REDACTED]
  3. All other In-Custody Release Files must be in the Court Transfer Guard Station as soon as the booking prowler has completed the file and processed the inmate for release.
- (j) The Court Transfer Deputy will review each file to determine that the correct papers are included.
- (k) Transporting officers will park their vehicles in the security parking yard.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- (l) File Close Out: The Transportation Deputy or Male/Female Booking Prowler will obtain the signatures of the transporting officers on the green Inmate and Property Receipt [REDACTED]. The inmate will sign all required documents (except money) as in any other release.
1. Verify Inmate's Identity: The Male/Female Booking Prowler must make positive identification of the inmate prior to releasing them to the transporting officer. Positive identity of the inmate is aided by taking a flat right hand and thumb print on the lower left front side of the Booking and Property Record and then comparing the prints to the prints taken at the time of booking on the right side of the form. Signatures and electronic right thumbprint image will be compared, and the inmate's module card photograph will be compared with their actual appearance.
    - i. Further identifying information can be obtained by questioning the inmate from information contained in the file. Unresolved questions of the inmate's identity will be addressed with the Operations Sergeant prior to the inmate being released.
    - ii. Local documents previously listed by the Release Deputy, will be checked off by the Transportation Deputy or appropriate Male/Female Booking Prowler as the forms are given to the transporting officer (e.g., warrants and commitments).
    - iii. Property items will be itemized in front of the inmate, and all bulk property identified by the inmate. The property is to be placed in a paper bag and given to the transporting officer at the time of release. The Deputy will

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make a notation on the green inmate and Property Receipt forms stating the transporting officer accepted the property.

2. Money will not be indicated on the Property Receipt form. The Release Deputy will complete a 4x5 blue color "Inmate Money Release Authorization" form. The transporting officer will sign for the money on the space marked, "inmate."
    - i. The transporting Deputy or the appropriate Male/Female Booking Prowler will take the blue form to the Cashier's Office in order to obtain the inmate's money. The Deputy will sign the Inmate Personal Funds Ledger and receive the inmate's money at the Cashier's Office.
    - ii. The Court Transfer Deputy or Male/Female Booking Prowler will return files to the Release Guard Station once the inmate has been released and officially left OCSD custody. The Release Deputy will release the inmate from the computer.
  3. The releasing Deputy will notify the transporting officer(s) of any special protocols which may affect their handling and transportation of the inmate, including but not limited to protective custody, transgender status or any officer safety concerns.
- (m) After hours "In-Custody" releases will be conducted by the appropriate Male/Female Booking Prowler.

### **1300.5 INMATES REFUSING TO GO TO COURT**

- (a) Deputy responsibilities:
1. When an inmate refuses to go to court, the Deputy will make every effort to resolve the situation verbally.
    - i. The inmate should be notified that the refusal should be done in person to the judge.
    - ii. The inmate should be advised that they are being directed to go to court, and any refusal will be addressed as a major jail rule violation for Failure to Obey a Directive.
  2. If the refusal continues, the Deputy will notify the Sergeant assigned to the inmate's housing location of the refusal.
  3. If the inmate cites a medical or mental health-related issue for refusing to go to court, the Deputy will contact CHS to determine if the inmate is physically and/or mentally able to attend court.
    - i. If CHS determines an inmate has a valid medical or mental health-related reason to refuse to go to court, the inmate will not be subject to discipline. The incident will be documented in a Jail Incident Report and an entry will be made on the [REDACTED]
    - ii. If CHS determines an inmate has no medical or mental health-related reason to refuse to go to court, the Deputy shall write a Major Jail Rule Violation for Failure to Obey a Directive. The Sergeant will, based on the

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totality of the circumstances, consider if additionally drawing a DR number is appropriate. If the Sergeant concludes that drawing a DR is appropriate, the incident will be documented in an Initial Crime Report for C.P.C 166(a)(5) and [REDACTED]

(b) Sergeant responsibilities:

1. A dayshift Sergeant will respond and speak directly with the inmate to verify the inmate is refusing to go to court.
  - i. A handheld video camera should be used to document the incident as well as the physical and mental state of the inmate.
2. The Sergeant should attempt to convince the inmate to voluntarily go to court.
3. If the inmate continues to refuse, the Sergeant will notify the Watch Commander and document the refusal to go to court and all other relevant details in the Custody Operations Supervisor's Log. The Sergeant's documentation will include the following:
  - i. Reason for refusal
  - ii. Mental and physical state of the inmate
  - iii. Living conditions of the inmate
4. The Sergeant shall advise the inmate that a refusal to attend court when cleared by CHS to attend could result in criminal charges, as well as a major jail rule violation. Due to the Sergeant making an advisement-only, Miranda is not necessary as the inmate is not committing a court order violation until they decline to attend court at the conclusion of the Sergeant's advisement and no further questions should be asked after the final refusal.
5. The Sergeant must be prepared to speak to a judge if contacted by the court regarding the inmate's refusal to go to court.

(c) Court Order:

1. If a judge submits an order of the court directed to the inmate and the inmate refuses the order, staff will notify a supervisor and video record the refusal.
2. A Deputy shall document the refusal to comply with the court order. Deputies will follow the procedures outlined above in section (a)(3) to determine the appropriate documentation. If an Initial Crime Report is written, the report will be titled "C.P.C. 166(a)(5) – Delay of a Court Process" as well as a Major Jail Rule Violation.



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3. If a judge submits an order of the court directing the Sheriff's Department to use force to bring the inmate to court, the Watch Commander will notify County Counsel immediately and no force should be used unless otherwise authorized by Department policy and/or the Watch Commander.