2-06/035.10 Court Services Inmate Controlled Removal Procedures for Restrained Inmates in a Confined Area

Unrestrained Inmate Extraction Procedure:

When an inmate is not restrained by handcuffs, leg shackles, waist chain or a hobble restraint and is verbally or physically refusing to exit any area, including, but not limited to: holding cells, lockup cells, attorney rooms, sally ports or courtroom temporary holding cells, which may be considered to be confined areas, so long as the inmate can be safely contained there long enough for staff to summon a supervisor to the site and safely plan a response to the situation, the policy to be adhered to shall be the CDM, 7-01/050.05 Inmate Extraction Procedure.

Restrained Inmate Controlled-Removal Procedure:

For the purposes of these procedures, any inmate who is restrained by handcuffs, leg shackles, waist chain, or a hobble restraint shall for the purposes of this section be considered restrained.

For the purposes of these procedures any area, including but not limited to: holding cells, lockup cells, attorney rooms, sally ports or courtroom temporary holding cells, may be considered as confined areas, providing the inmate can be safely contained at the location in order for staff to summon a supervisor to the site and safely plan a response to the situation. This policy (nor any other extraction policy) does not apply to inmates who refuse to exit from a vehicle.

Controlled removals occur when there is no immediate concern for institutional security and no immediate danger of physical injury to deputies or others. Any attempt to remove a non-compliant restrained inmate from a confined area shall be considered a controlled removal. The fact the inmate is already restrained, in some fashion, qualifies these incidents as such. A controlled removal of a restrained inmate may only be authorized by the unit commander or their designee, and are prompted by circumstances that create safety, security or operational concerns. The offensive posture of the inmate and a threat assessment by the supervising sergeant and the area lieutenant shall be made prior to any controlled removal.

The inmate’s criminal history and mental stability, along with observed behavior shall be part of the assessment criteria. Controlled removals are performed by a minimum of four Court Services deputies, a Bonus One Deputy (SLD) and a team leader (sergeant). Controlled removals should result in only minimal force (primarily the use of control holds/control techniques). This is made possible primarily due to the number of trained and well-equipped Department personnel and the inmate being partially restrained and thus unlikely to violently resist. Absent qualified personnel from Court Services Division to conduct a controlled removal, the policy to be adhered to shall be the CSDM, 2-06/035.05 - Court Lockup Cell Extraction. (Note: This policy is adheres to the Custody Division Manual’s Extraction Procedures dictating that Custody Division personnel shall be responsible for the controlled removal).

Removal Assessment:

When addressing a restrained inmate in a confined area, the team leader (sergeant) must determine the most effective means of gaining the inmate’s compliance. Chemical agents are not appropriate as a first measure to gain compliance of a subject who is not actively/physically resisting. In most cases, the force applied is to

gain control of the inmate's appendages, using control holds. Once the inmate is controlled, the safety chair should be considered as an immediate follow up action, which would potentially prevent additional uses of force and would also prevent injury to the inmate and staff in the event the inmate becomes or continues to be physically resistive or uncooperative.

The unit commander shall be notified of all controlled removals of restrained inmates prior to the commencement of the removal. In the event the unit commander is not available to respond, the inmate removal of a restrained inmate may proceed at the area lieutenant's discretion.

Once it has been determined that a restrained inmate in a confined area must leave the location (i.e. CST Bus Transport to the inmate's housing location at the close of the court day) and the restrained inmate refuses to exit the confined area, the on-duty supervisor (sergeant) must be notified immediately, respond to the location and attempt to intervene by gaining compliance from the restrained inmate through verbal requests/instructions.

If at any time prior to initiating the controlled removal process, the inmate indicates a willingness to comply, the supervisor (sergeant) shall reassess the situation and tactically utilize means necessary to allow the inmate to comply with instructions. If the inmate exits the confined area as the result of negotiations, or verbal commands only, the incident shall be deemed resolved.

When simple instructions or requests by the supervisor (sergeant) fail to gain compliance from an inmate to exit a confined area, the area lieutenant shall be notified and respond to the location. The area lieutenant shall go to the confined area, and whenever possible, ask other staff to stand back far enough to provide a level of privacy for the conversation between the area lieutenant and the inmate and attempt to reason with the inmate to comply with the orders.

Once the area lieutenant has determined the restrained inmate still refuses to voluntarily exit the confined area, the lieutenant will notify the unit commander and discuss the options to address the situation. If the discussion results in the belief the restrained inmate can be removed from the confined area through a minimal use of force (primarily control holds/control techniques) and with the probability of little to no injury to the inmate and deputy personnel, the restrained inmate may be removed from the confined area through the use of directed force by the supervisor/team leader and selected/trained Court Services Division deputy personnel.

However, if the restrained inmate becomes physically assaultive or hostile **prior** to being removed from the confined area to the degree it creates a likelihood that significant injury may occur to the inmate or deputy personnel, the removal by Court Services personnel shall be immediately terminated, upon which time Custody Division's extraction policy shall be followed.

Deputies who have been in conflict with the confined restrained inmate leading to the need for supervisor intervention, should not be part of the controlled removal team. If it is necessary to include involved deputies in a controlled removal to remove the inmate from the confined area, the decision must be approved by the area lieutenant who must include a written explanation/justification in their report. In addition, the entire process, including but not limited to; all negotiations, the removal process, placement into the safety chair, etc., are to be video recorded.

In the event a controlled removal of a restrained inmate in a confined area occurs, Department force reporting procedures as outlined in the Manual Policy and Procedures shall also apply.

Area Lieutenant's Responsibilities:

Once it has been determined that a controlled removal of a restrained inmate may be necessary, the area lieutenant shall:

- Respond to the location and assume the role of incident commander
- Confer with the team leader to ensure the criteria is met for the intervention of restrained inmates and possible removal
- Ensure a scribe has been assigned to document the course of events
- Direct other inmates to exit the confined area to prevent their involvement
- Video record the entire intervention/controlled removal process, including all contact with the inmate, all negotiations, the removal and any subsequent interviews with the inmate
- Notify the unit commander
- Plan the removal and tactics to be used with the team leader
- Determine the appropriateness of using chemical weapons based on an existing medical/and or mental conditions and possible contamination of the facility (HVAC)
- Approve the plan, briefing, deployment, and completion of the removal
- Ensure the inmate is placed in a safety chair, whenever possible, to avoid further confrontations and safety of transportation
- Visual documentation (video) will be taken of the inmate's entire person to either document all injuries or document there are no visible injuries
- Specifically identify in the Supervisors Report of Force (SH-R-438) the inmates who were injured and the nature and extent of those injuries
- Document the decision factors that led to the controlled removal involving a restrained inmate, the removal team's tactics and tactical equipment deployed
- Visual documentation (photos/video) should be taken of any visible injuries, no matter how slight, to deputies as well as any damage to uniforms and equipment.