

## **5-01-110 Transportation of Inmate Workers on Pitchess Detention Center Property**

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**Effective Date:** 04-08-09

**Revision Date:** 10-30-13

**Review Date:**

### **Purpose Of Order:**

To establish procedures for the safe transportation of inmate workers on the Pitchess Detention Center (PDC) properly utilizing the county buses, pick-up trucks, and flatbed work trucks provided to South Facility from the Motor Pool. This order will clarify the duties and training required of personnel operating these vehicles.

### **Scope Of Order:**

This order applies to all personnel working South Facility and Ranch Operations, and specifically to the Laundry Facility and Ranch Field Crew personnel who transport inmate workers via motor vehicles.

### **Order:**

Transporting inmate workers to various locations throughout the PDC property is a required daily event. This includes the transportation of inmate workers between South Facility, the Laundry Facility, and various field assignments. Due to the number of inmates assigned to some of these duties, these inmate workers are transported via County buses, pick-up trucks, and flatbed work trucks assigned to South Facility, and maintained by the Motor Pool.

#### **Pick-up and Flatbed Trucks**

Pursuant to 23116(d) of the California Vehicle Code, which states in part, "Subdivisions (a), (b), and (c) do not apply to any person transporting one or more persons in the back of a truck or flatbed motor truck owned by a farmer or rancher, if that vehicle is used exclusively within the boundaries of lands owned or managed by that farmer or rancher, including the incidental use of that vehicle on not more than one mile of highway between one part of the farm or ranch to another part of that farm or ranch" allows PDC personnel assigned to Ranch Field Operations may transport inmate workers in the open bed of a pick-up truck, or flatbed work truck.

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Personnel driving pick-up and flatbed trucks while transporting inmate workers to their assigned work stations shall adhere to the following safety rules:

1. Inmates shall remain seated at all times while the vehicle is in motion.
2. Inmates shall sit on the bed floor of the pick-up or flatbed truck vehicle only, unless approved seats and restraints are installed.
3. The vehicle must have a closed tailgate or fence.
4. The vehicle shall not be driven in excess of 25 miles per hour.
5. All sharp tools (shovels, rakes, hoes, pick-axe, Pulaski, saws) shall be secured in an enclosed compartment or trailer.

Due care and caution while transporting inmate workers is paramount. This order and the vehicle code do not absolve the drivers of vehicles driven in a reckless or dangerous manner.

#### County Buses

Due to the PDC property being a private, non-dedicated, county owned property, many sections of the California Vehicle Code (CVC) governing the operation of motor vehicles, do not apply. This includes vehicle licensing requirements. However, it is not in the best interest of assigned personnel to operate a county buss without some type of formal training.

Due to the above concerns, the California Department of Motor Vehicles (DMV), and the Sheriff's Department Court Services Transportation Bureau staff were contacted and a Standards for Training in Corrections (STC) Advanced Drivers Training class was established to properly train personnel who routinely operate these busses. This training DOES NOT alleviate or replace CVC requirements of obtaining a Class "B" commercial driver's license if the county buses are driven off of the PDC property and on to any public roadway.

Effective immediately, the following procedures are established for the transportation of inmate workers, in county buses, while on the PDC property:

- South Facility personnel shall not transport passengers in a county bus, on PDC property, until they have completed the STC approved Advanced Driver Training class. All Laundry Facility security staff and selected Field Crew personnel shall be required to take and pass, the STC approved Advanced Driver Training class.
- The Advanced Driver Training STC class is specifically designed to teach personnel how to safely drive a passenger bus. Included in the class will be classroom and practical application training covering the DMV Commercial Drivers Handbook, air brake inspection, vehicle pre-inspection, and behind the wheel driving scenarios.

At no time will a bus carrying passengers be driven by an untrained employee without the approval of a supervisor, holding the minimum permanent rank of a sergeant.

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This unit order is written, based upon the following information, provided by Road Maintenance Superintendent Robert W. Holmes (Road Maintenance Division, Los Angeles County Department of Public Works) and section 21107.7 of the California Vehicle Code:

- All roadways within the boundaries of the Pitchess Detention Center are considered non-dedicated private roads located on private property.
- The land owner is the County of Los Angeles, and the property manager is the Los Angeles County Sheriff's Department.
- In order for a road to be a public roadway, it has to be constructed to DPW standards and accepted into the road system by the Los Angeles County Road Commissioner (Director of Public Works or her designee).
- Public roadways are generally open to the public; however there are exceptions to this rule, ie; unimproved roadways, roads damaged by some type of disaster, or a road being reconstructed.
- Funds used to maintain public roadways are generally provided through gas taxes.

In researching the status of the roadways located within the PDC property, Road Maintenance Superintendent Robert W. Holmes concluded:

- If the roads within the Pitchess Detention Center were public roadways they would be maintained and inspected by The Department of Public Works, Road Maintenance Division, utilizing public funds, which they are not.
- The roadways would be listed in the Department of Public Works Road Codes Database (a database of public roads maintained by the Department of Public Works), which they are not.
- For the past 23 years the Department of Public Works, Road Maintenance Division has performed a number of projects on the Ranch. In each instance the work was funded through a Sheriff's Department, Departmental Service Order (DSO) and not public funding.

#### 21107.7 CVC

(a) Any city or county may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in the ordinance or resolution within the city or county that are not generally held open for use of the public for purposes of vehicular travel but, by reason of their proximity to or connection with highways, the interests of any residents residing along the roads and the motoring public will best be served by application of the provisions of this code to those roads. No ordinance or resolution shall be enacted unless there is first filed with the city or county a petition requesting it by a majority of the owners of any privately owned and maintained road, or by at least a majority of the board of directors of a common interest development, as defined by Section 1351 of the Civil Code, that is responsible for maintaining the road, and without a public hearing thereon and 10 days prior written notice to all owners of the road or all of the owners in the development. Upon enactment of the ordinance or resolution, the provisions of this code shall apply to the privately owned and maintained road if appropriate signs are erected at the entrance to the road

of the size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet, to the effect that the road is subject to the provisions of this code. The city or county may impose reasonable conditions and may authorize the owners, or board of directors of the common interest development, to erect traffic signs, signals, markings, and devices which conform to the uniform standards and specifications adopted by the Department of Transportation.

(b) The department shall not be required to provide patrol or enforce any provisions of this code on any privately owned and maintained road subjected to the provisions of this code under this section, except those provisions applicable to private property other than by action under this section.

(c) As used in this section, "privately owned and maintained roads" includes roads owned and maintained by a city, county or district that are not dedicated to use by the public or are not generally held open for use of the public for purposes of vehicular travel.

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