

3-02-300 Contact with Insubordinate Inmates

PURPOSE OF ORDER:

The purpose of this order is to establish policy regarding the handling of insubordinate/recalcitrant inmates who are confined within the Twin Towers Correctional Facility (TTCF). Past practice has revealed that movement of an insubordinate inmate(s) without a sergeant present increases the possibility of assaults on staff in addition to false allegations of unnecessary use of force to be made against personnel. This policy has been established for the safety of all personnel.

SCOPE OF ORDER:

This order shall apply to all personnel assigned to and/or working in any capacity at Twin Towers Correctional Facility.

ORDER:

An insubordinate/recalcitrant inmate shall be defined as any inmate who might display the following characteristics:

- Is continually verbally defiant
- Uncooperative to any verbal commands given by TTCF personnel
- Displays hostile or aggressive behavior toward TTCF personnel or other inmates
- Passively resists the efforts of TTCF personnel by ignoring commands or not acknowledging their presence.

The primary concern when dealing with an insubordinate inmate is the safety of the staff and inmates. Inmates who display insubordinate behavior pose the greatest danger to staff and other inmates.

Deputies and Custody Assistants encountering such inmates shall be guided by the following:

- When it becomes necessary to contact, move, or separate an insubordinate inmate from any setting (i.e., cell, dayroom, staging area, indoor/outdoor recreation area, etc.), to prevent the escalation of a situation, personnel shall request a sergeant to respond and monitor the contact prior to entering the setting or moving the inmate.
- Personnel should not make an attempt to enter a cell, dayroom, etc., to contact or remove an uncooperative, aggressive, hostile or armed inmate from a secure holding area/cell without the direction of a sergeant, unless an immediate threat is present. A sergeant shall develop a planned tactical approach to the situation that will greatly reduce the possibility of physical confrontation or injuries. Tactical Equipment, such as OC Spray, may be utilized if an inmate displays resistive behavior. All Department members shall strictly adhere to the Manual of Policy and Procedures, Section 5-05/090.00, Escorting Procedures for Combative or Uncooperative Inmates, and the Use of Force policy.
- In the instance of an immediate threat of physical harm and/or the need for immediate intervention, custody personnel shall not be restricted from taking appropriate action, including the use of force, in any situation where an unsecured inmate threatens their safety. Should the need arise to use force, all personnel shall immediately contact a sergeant at the conclusion of the incident and follow procedures

Twin Towers Correctional Facility Unit Orders : 3-02-300 Contact with Insubordinate Inmates

delineated in the Manual of Policy and Procedures, Section 3-01/110.20 through 3-01/110.25 and 5-09/430.00, Use of Force Reporting.

- When the inmate is, or appears to be, a K-12, personnel shall request a sergeant and a mental health professional to respond and attempt a verbal intervention to minimize the need for the use of force, unless circumstances prevent such notification.

Sergeants encountering such inmates shall be guided by the following:

- Once the inmate has been confronted and/or handcuffed, they shall be kept in normal traffic areas and not be taken to secluded areas, such as recreation yards, for the purpose of "counseling."
- Inmates who are uncooperative and combative, or have a history of making false allegations, shall be escorted by two Department members, one member being a sergeant. The movement or encounter shall be videotaped in order to safeguard personnel against potential future litigations.
- Personnel involved in an incident/altercation with an insubordinate inmate shall not be part of the escorting team. Refer to CDM 5-05/090.00, Escorting Procedures for Combative or Uncooperative Inmates.
- It is the responsibility of the responding sergeant to notify the Watch Commander and advise of any pertinent information.
- The sergeant is responsible for ensuring that current Departmental policies on force and the reporting of force, are to be adhered to when contacting recalcitrant inmates.

Refer to the following for further information:

- MPP 3-01/025.00, Use of Force,
 - MPP 5-09/430.00, Reporting Use of Force,
 - CDM 3-04/000.00, Treatment of Inmates,
 - CDM 5-05/090.00, Escorting Procedures for Combative or Uncooperative Inmates,
 - TTCF Unit Order #3-16-040, Emergency Response Team(s) Activation and Response.
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