

# Sonoma County Sheriff's Office

## Custody Manual

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## **Chapter 1 - Role and Authority**

## Legal Authority

### 100.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Sonoma County Sheriff's Office Detention Division shall operate and maintain a local detention facility in this state (15 CCR 1029(a)(1)). In addition to the authority vested by state law, the detention facility operates in accordance with these laws, constitutional mandates, regulations and local ordinances (Penal Code sections 4000-4030).

### 100.2 POLICY

It is the policy of this Office that the local detention facility will be maintained by all lawful means for the incarceration of persons suspected of violating the law or who have been adjudicated as guilty of committing a crime or civil offense by a competent legal authority, as prescribed by law.

### 100.3 LEGAL FOUNDATION

Detention Facility staff, at every level must have an understanding and true appreciation of their authority and limitations in the operation of a local detention facility. The Sonoma County Sheriff's Office recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement personnel with the authority to incarcerate suspected law violators to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests.

### 100.4 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and California Constitutions.

### 100.5 PEACE OFFICER POWERS

830.1(c) Any deputy sheriff of the County of Los Angeles, and any deputy sheriff of the Counties of Butte, Kern, Humboldt, Imperial, Mendocino, Plumas, Riverside, San Diego, Santa Barbara, Shasta, Siskiyou, Solano, Sonoma, Sutter, Tehama, and Tuolumne who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state of emergency.

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# Custody Manual

## 101.1 PURPOSE AND SCOPE

The manual of the Sonoma County Sheriff's Office Detention Facility is hereby established and shall be referred to as the Custody Manual. All members are to conform to the provisions of this manual (15 CCR 1029 9(a)(1)).

All prior and existing manuals, orders, and regulations that are in conflict with this manual are rescinded except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

## 101.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered guidelines. It is recognized, however, that work in the custody environment is not always predictable, and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably known to them at the time of any incident.

### 101.2.1 DISCLAIMER

The provisions contained in the Custody Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Sonoma County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training, or discipline. The Sonoma County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

## 101.3 RESPONSIBILITIES

The Sheriff shall be considered the ultimate authority for the provisions of this manual and shall continue to issue Provisional Orders, which shall modify the provisions to which they pertain. Provisional Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

The Facility Manager shall ensure that the Custody Manual is comprehensively reviewed at least every two years, updated as needed, and the staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Sonoma County Sheriff's Office (15 CCR 1029). The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

## 101.4 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

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**Office** - The Sonoma County Sheriff's Office.

**Custody Manual** - The Office Custody Manual.

**Employee** - Any person employed by the Office.

**Inmate** - Incarcerated person.

**May** - Indicates a permissive, discretionary, or conditional action.

**Member** - Any person employed or appointed by the Sonoma County Sheriff's Office, including:

- Full- and part-time employees.
- Sworn correctional deputies.
- Extra-Help correctional deputies.
- Civilian employees.
- Volunteers.

**Correctional Deputy** - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as correctional deputies of the Sonoma County Sheriff's Office.

**On-duty employee** - Status during the period when the employee is actually engaged in the performance of assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**Rank** - The job classification title held by a correctional deputy.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action absent a rational basis for failing to conform.

#### **101.5 ISSUING THE POLICY MANUAL**

An electronic version of the Policy Manual will be made available to all members on the office network for viewing and printing. No changes shall be made to the manual without authorization from the Sheriff or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### **101.6 PERIODIC REVIEW OF THE CUSTODY MANUAL**

The Assistant Sheriff shall ensure that the Custody Manual is comprehensively reviewed at least every two years, updated as needed, and the staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Sonoma County Sheriff's Office (15 CCR 1029). The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

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### **101.7 REVISIONS TO POLICIES**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions. Each Captain will ensure that members under his/her command are aware of any Policy Manual revision.

All office members suggesting revision of the contents of the Policy Manual shall forward their written suggestions through the chain of command, who will consider the recommendations and forward them to the Division Captains, as appropriate.

## Operational Procedures

### **102.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines for the development of operational procedures and the training of members assigned to each post.

### **102.2 POLICY**

It is the policy of this office to develop comprehensive operational procedures for every position. Copies of the procedures should be maintained at each post or available electronically. Members shall be familiar with the operational procedures before working a position.

### **102.3 DEVELOPMENT**

Clear procedures should be incorporated into operational procedures for all regular daily activities including, but not limited to, safety checks, head counts, meals, sick call, recreation, clothing exchange, mail distribution and response to emergencies, such as fires, natural disasters and criminal acts.

### **102.4 REVIEW AND UPDATE**

Operational procedures shall be reviewed at least annually and updated whenever necessary by the Detention Division Assistant Sheriff or the authorized designee.

### **102.5 TRAINING**

The appropriate Operational Manager and Division Training Manager shall ensure that all staff members assigned to posts are properly trained to perform all of the duties and responsibilities described in the operational procedures. This is particularly true in fire, life-safety and the emergency response procedures that have been implemented by the Detention Division Assistant Sheriff. This may include the use of self-contained breathing apparatus (SCBA) if such equipment is available and/or required by the local fire authority. All training should be documented in each member's training file and retained in accordance with established records retention schedules.

## **Chapter 2 - Organization and Administration**

## Supervision of Incarcerated Persons

### **200.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure the safety and security of the facility through the application of appropriate staffing levels.

### **200.2 POLICY**

It is the policy of this facility to provide for the safety and security of citizens, staff and incarcerated persons through appropriate staffing levels that are sufficient to operate the facility and perform functions related to the safety, security, custody, and supervision of incarcerated persons.

### **200.3 SUPERVISION OF INCARCERATED PERSONS**

There shall be, at all times, sufficient staff designated to remain in the facility for the supervision and welfare of incarcerated persons, to ensure the implementation and operation of all programs and activities as required by Title 15 CCR Minimum Jail Standards, and to respond to emergencies when needed. Such staff must not leave the facility while incarcerated persons are present and should not be assigned duties that could conflict with the supervision of incarcerated persons (15 CCR 1027).

When a person from each gender is being held at this facility, a minimum of one correctional deputy from each gender should be on-duty in the detention facility at all times.

Staff members shall not be placed in positions of responsibility for the supervision and welfare of incarcerated persons of the opposite gender in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the incarcerated persons.

To the extent reasonably practicable, incarcerated person bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised.

The Facility Manager or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules (Penal Code § 4021; 15 CCR 1027).

## Prohibition on Incarcerated Person Control

### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the incarcerated person population under their supervision and should prevent incarcerated persons from controlling other incarcerated persons within the facility.

### 201.2 POLICY

All staff, including support staff, contractors, and volunteers should exercise control and supervision of all incarcerated persons under their control. It is the policy of this office to prohibit any staff member to implicitly allow, or by dereliction of duty allow, any incarcerated person or group of incarcerated persons to exert authority over any other incarcerated person (Penal Code § 4019.5; 15 CCR 1083(b)).

### 201.3 EDUCATION, DRUG, OR ALCOHOL PROGRAM ASSISTANTS

Nothing in the policy is intended to restrict the legitimate use of incarcerated persons to assist in the instruction of educational or drug and alcohol programs. Any use of incarcerated persons in this manner will be expressly authorized by the Facility Manager in a legally prescribed manner. Any program that uses incarcerated persons to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize an incarcerated person program assistant to engage in disciplining other incarcerated persons.

## Tool and Culinary Equipment

### 202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the inmate population. While there are times that specific inmate workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (15 CCR 1029(a)(6)).

### 202.2 POLICY

It is the policy of this facility to securely store, inventory, control and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items (15 CCR 1029(a)(6)).

### 202.3 CUSTODY TOOLS

Tools include all implements that are maintained within the secure perimeter of the facility to complete specific tasks. These tools include, but are not limited to, mops, brooms, dustpans, and floor polishers.

All tools, culinary items or medical equipment shall be locked in secure cabinets or storage rooms when not in use.

Any time tools are brought into a secure area where inmates are present, staff supervising the area shall count the number of tools brought in to ensure that the same number of tools is taken out.

Any tool that is used within the secure perimeter of the facility must be closely monitored and controlled by the staff supervising the area so that it cannot be used as a weapon (15 CCR 1029(a)(6)). Inmates who are assigned tasks that require these tools shall be closely supervised.

An inventory of all tools used and stored within the secure perimeter of the facility shall be developed and maintained by the Facility Manager. Tools will be inventoried by an assigned staff member at least once every 24 hours. The loss of any tool will be immediately reported to the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool, including:

- (a) Detaining and searching any inmate who had access to the tool.
- (b) Conducting a thorough search of the immediate area for the missing item.
- (c) Initiating a facility-wide search.

The staff member responsible for the supervision of the use of the missing tool will prepare and submit a report to his/her supervisor documenting the specific tool that is missing and the circumstances of the disappearance. The report should also identify all members involved in the search of their findings. The report will be forwarded to the Watch Commander.

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#### **202.4 MAINTENANCE OR CONSTRUCTION TOOLS**

Maintenance or construction tools are those tools and equipment that are brought into and out of the secure perimeter of the facility by employees or contractors to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the facility. All tools and equipment will be inventoried, and a list of the tools will be provided to the correctional deputy prior to any tools or equipment being brought inside the secure perimeter.

A staff member will check the tools being brought into this facility against the inventory list. Prior to entering the secure perimeter of the facility, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where inmates are present, the inmates shall be locked down by staff supervising the area.

When the person has finished working in the area, a correctional deputy will ensure that all tools are accounted for by checking the tool inventory. In the event of a discrepancy, the on-duty supervisor shall be immediately notified, and appropriate action taken to locate or account for the items. Once all tools have been accounted for, the inmates may be released from lockdown.

#### **202.5 EXTERIOR-USE TOOLS**

Exterior-use tools are those that are used by inmate workers outside of the secure perimeter. These tools include, but are not limited to, the following:

- Handheld tools
- Power tools
- Landscape maintenance tools
- Farm equipment

Only inmate workers or inmates assigned to the Jail Industries Program who are classified to work outside the secure perimeter of the facility will be allowed to possess exterior-use tools. The correctional deputy or Jail Industries Manager responsible for supervising inmate workers on outside work crews will inventory all tools assigned for this purpose at the beginning of the shift.

Any tool issued to an inmate will be documented with the inmate's name and the tool type. When an inmate worker is finished with that tool, the responsible staff member shall ensure the tool has been returned. Inmate workers and inmates assigned to the Jail Industries Program shall not be permitted to pass tools between each other except under the direct supervision of a correctional deputy or the Jail Industries Manager.

All tools will be checked-in and returned to the tool storage area at the end of each shift. Until all tools are accounted for, inmate workers should not be released from the work assignment.

In the event that an exterior-use tool is missing, the correctional deputy or Jail Industries Manager shall immediately notify a supervisor. A thorough search for the tool will be undertaken and an incident report shall be completed. Inmates may only be released from their work assignments

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when it has been determined that it is safe to do so, and upon the approval of the supervisor. The incident report with all relevant information shall be forwarded to the Watch Commander.

#### **202.6 KITCHEN EQUIPMENT**

Culinary tools are located in the kitchen and include common tools used in the preparation, service, and delivery of meals.

All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet. There shall be an inventory sheet located in the cabinet so that any tool missing from the cabinet can be easily identified. When in use, all knives shall be tethered to the work area. All tools shall be returned to the secure cabinet when not in use.

The Cook assigned to the kitchen shall inventory all kitchen tools at the beginning of his/her shift and prior to the arrival of inmate workers. Kitchen tools will only be issued to inmates who have been classified as inmate workers. Staff will supervise inmates at all times when the inmates are using tools.

Each tool issued will be assigned to a Cook and logged on the inventory list. The Cook's name and the tool type will be documented. The Cook will issue the tools to an individual inmate. When an inmate worker is finished with a tool, the tool shall be checked in with the Cook and documented. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of Cook.

All tools will be returned to the kitchen tool cabinet at the end of each shift and must be accounted for prior to any inmate worker being released from the work assignment.

In the event that a kitchen tool is missing, the Cook shall immediately notify the on-duty Correctional supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and a civilian incident report shall be completed by the Cook responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Correctional Supervisor. The Supervisor will assign the civilian incident report to a Correctional Deputy who will generate an incident report.

## Inmate Records

### **203.1 PURPOSE AND SCOPE**

This policy establishes the procedures required to create and maintain accurate records of all persons booked and confined in Sonoma County Adult Detention Facilities.

### **203.2 POLICY**

It is the policy of this office that all records shall be complete and comprehensive, resulting in reliable data that provides information about each inmate's period of confinement, as well as histories of previous confinement in this facility. All inmate records are official office documents and should be used for official business only. Inmate records are a vital component of the criminal justice system and should only be released to authorized persons.

### **203.3 RECORD MAINTENANCE**

It shall be the responsibility of the Detention Records Bureau, Classification Unit, Programs Unit, and Medical Department to maintain records on all persons who have been committed or assigned to this facility, including but not limited to the following: intake information, personal property receipts, commitment papers, court orders, reports of disciplinary actions taken, medical orders issued by the responsible physician and staff response, and non-medical information regarding disabilities and other limitations (15 CCR 1041).

The Facility Manager or the authorized designee shall establish a procedure for managing inmate records.

#### **203.3.1 COURT ORDERS OF NAME OR GENDER CHANGE**

When a court order is received that involves a name change of an inmate, the Detention Records Bureau shall document the new name in the inmate's records and list any prior names as an alias. When a court order is received involving a gender change, appropriate adjustments will be made to the inmate records (Code of Civil Procedure § 1279.5).

### **203.4 RELEASE OF INMATE RECORDS**

Inmate records are confidential and shall be used for official business only. Any release of inmate records shall be made only in compliance with a lawful court order or as authorized by state and federal law to persons having a legitimate criminal justice need. A copy of the release authorization document shall be maintained in the inmate record file.

### **203.5 ELECTRONIC RECORD MAINTENANCE**

All inmate records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting by name, date and time any person who has accessed the information. The Facility Manager shall be responsible for working with the information technology personnel to ensure the security of the data and to develop and maintain a copy of the security plan.

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#### **203.6 RECORDS RETENTION**

Inmate records shall be maintained consistent with the established records retention schedule.

#### **203.7 INFORMATION SHARING REGARDING IMMIGRATION STATUS**

No member of this office will prohibit, or in any way restrict, another member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in office records
- (c) Exchanging such information with any other federal, state or local government entity

Nothing in this policy restricts sharing information permissible under the California Values Act.

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## Report Preparation

### 204.1 PURPOSE AND SCOPE

Report preparation is a major part of each correctional deputy's job. The purpose of these reports is to document incidents at the facility, refresh the correctional deputy's memory, and provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

### 204.2 POLICY

It is the policy of the Sonoma County Sheriff's Office that members shall act with promptness and efficiency in the preparation and processing of all reports.

### 204.3 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. Reports shall be prepared by the staff assigned to investigate or document an incident, approved by a supervisor and submitted to the Facility Manager or the authorized designee in a timely manner (15 CCR 1044). Reports relating to any incident resulting in death, serious injury or endangerment to staff, incarcerated person, or a visitor; an escape; a major disturbance; a PREA-related incident, a hunger strike; a facility emergency, or an unsafe condition at the facility shall be submitted to the Supervisor on-duty before the employee goes off-duty. It is the responsibility of the assigned employee to ensure that all the above listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications or resolution, investigative leads, or an incarcerated person disciplinary proceeding.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the employee shall be required by the reviewing supervisor to promptly correct the report. Employees who dictate reports by any means shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal, or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

### 204.4 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate office-approved form unless otherwise approved by a supervisor (15 CCR 1044).

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##### 204.4.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documentation.

##### 204.4.2 INCIDENT REPORTING

Incident reports generally serve as an in-house notation of occurrences in the facility and to initiate, document, and support the incarcerated person disciplinary process. The Office shall establish a filing system that differentiates between incident reports, crime reports, and disciplinary actions. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include (15 CCR 1044):

- (a) Incidents of rule violations by incarcerated persons.
- (b) Attempted suicide or suicidal ideation on the part of an incarcerated person.
- (c) Breaches of security or evidence of an escape attempt.
- (d) Security threats, including intelligence related to detention facility activities.
- (e) Significant incidents related to medical issues, health, or safety in the detention facility.
- (f) Discovery of contraband in the possession of incarcerated persons or their housing areas.
- (g) Detaining or handcuffing any visitor at the facility.
- (h) Traffic collisions involving office vehicles.
- (i) Risk management incidents, including injuries to incarcerated persons and lost or damaged property.
- (j) Accidental injuries of staff, incarcerated persons, or the public.
- (k) Safety cell and restraint chair placements
- (l) PREA-related incidents
- (m) Hunger strikes
- (n) Any other incidents the on-duty Sergeant determines needs to be documented.
- (o) Unusual occurrences.

##### 204.4.3 DEATHS

All deaths shall be investigated and a report completed by a qualified investigating officer to determine the manner of death and to gather information, including statements of incarcerated persons and staff who were in the area at the time the death occurred.

Reporting of deaths will be handled in accordance with the Reporting In-Custody Deaths Policy.

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##### **204.4.4 INJURY OR DAMAGE BY OFFICE PERSONNEL**

Reports shall be taken if an injury occurs that is a result of an act of an employee. Reports shall be taken involving damage to property or equipment.

##### **204.4.5 USE OF FORCE**

Reports related to the use of force shall be made in accordance with the Use of Force Policy.

#### **204.5 GENERAL POLICY OF EXPEDITIOUS REPORTING**

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

##### **204.5.1 GENERAL POLICY OF HANDWRITTEN REPORTS**

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports in which there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for office consistency.

##### **204.5.2 GENERAL USE OF OTHER HANDWRITTEN FORMS**

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

#### **204.6 REPORT CORRECTIONS**

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting employee for correction as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

#### **204.7 REPORT CHANGES OR ALTERATIONS**

Reports that have been approved by a supervisor and submitted for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to for filing may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, these should be the responsibility of the authoring employee.

#### **204.8 ELECTRONIC SIGNATURES**

The Detention Division has established an electronic signature procedure for use by all employees of the Detention Division. The Facility Manager or the authorized designee shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique,

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confidential password for their electronic signature. The system use and design shall follow the requirements of Civil Code § 1633 et seq. when applicable.

- (a) Employees may only use their electronic signature for official reports or other official communications.
- (b) Each employee shall be responsible for the security and use of their electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

# Key and Electronic Access Device Control

## 205.1 PURPOSE AND SCOPE

The control and accountability of facility keys and electronic access devices are vital factors in maintaining a safe and secure environment for incarcerated persons, staff, volunteers, contractors, and the public (15 CCR 1029(a)(6)). This policy outlines the methods that the Office will use in maintaining strict security of its keys and electronic access devices. For ease of reference, the term "key" as used in this policy includes all physical means of access to or exit from the secure areas of the facility.

## 205.2 POLICY

It is the policy of this office that all keys used to access secure areas of the facility or to exit the secure areas of the facility are strictly controlled. Employees and supervisors will be held accountable for the security and safety of the facility. All key control activities shall be accurately documented on a daily basis (15 CCR 1029(a)(6)).

### 205.2.1 KEYSSET CONTENTS

Keysets issued to staff for use within the secure perimeter of the facility shall not contain any key that would permit access to areas outside the secure perimeter.

### 205.2.2 KEY CONTROL

All keys must be checked out through the control process. Employees shall not possess any key for which they have not been authorized.

Employees shall not remove, destroy, discard, duplicate, mark, alter, or manufacture any key without written authorization from the Planning and Research Lieutenant.

Under no circumstances will security keys be made available to inmates regardless of their status.

### 205.2.3 DAMAGED KEYS OR LOCK

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the supervisor, who will request duplicate keys as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No inmate shall be secured in a cell, detention room or area that has inoperable locks.

## 205.3 KEY CONTROL RECORDS

A shift roster will be maintained for the accounting and security of all keysets. Each shift is responsible for reporting any key malfunctions or missing keysets. Key control information is documented in the activity log.

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### **205.4 ELECTRONIC ACCESS DEVICES**

Proximity cards, fobs, or other devices may be issued to staff to allow access to restricted or controlled areas of the facility. In the event of a lost or stolen device, an employee shall notify their supervisor as soon as it is known the device is missing. The device shall be immediately deactivated to prevent unauthorized use.

## Daily Activity Logs

### 206.1 PURPOSE AND SCOPE

Accurate and legible records are vital to the management of the facility. They provide a means for managers to review events and emergency situations that have occurred within the facility.

This policy provides guidance for creating and maintaining accurate and legible records necessary for the management of the facility.

### 206.2 POLICY

This policy establishes the requirement for the preparation, maintenance, and retention of permanent activity logs to provide a record of both routine activities and unusual events such as emergencies or other notable occurrences.

### 206.3 PROCEDURES

All members assigned to a security post which requires an activity log are responsible for maintaining accurate and complete entries. The daily activity log is a permanent record of daily activities. Members who falsify any official document may be subject to disciplinary action, up to and including termination, as well as criminal prosecution.

All members will adhere to the following procedures when preparing a daily activity log:

- (a) Entries are logged into an electronic record, unless the electronic record is unavailable, in which case entries are recorded on paper until such time the entry can be added to the electronic record.
- (b) Entries should provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.
- (c) Entries shall include the name of the individual making the entry.
- (d) Entries shall reflect the date and time of the event logged.
- (e) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.
- (f) Handwritten log entries requiring modification shall be crossed out with one line and a new entry made, noting that it is a correction.

### 206.4 SHIFT ACTIVITY LOG

Activity logs are kept by all module/unit deputies and the Booking, Custody and Custody West Sergeants, and the NCDF Watch Commander. All pertinent activities should be documented in the daily activity log. At a minimum this includes:

- Personnel on- and off-duty
- Formal inmate counts
- Inmate or unit lockdowns

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- All searches of housing units, cells, and walk-throughs
- Inmate movement in and out of a housing unit
- Meal service and refusal of meals
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call, or inmate complaint of illness or injury and the action taken
- Inmates received or released from a housing unit
- Disciplinary actions
- Supervisor rounds to the housing area and/or to specific inmates
- Unusual inmate behavior
- Discovered contraband
- Activities and programs offered
- Unusual occurrences
- Housing unit inspections
- Use of emergency equipment

All Sergeants shall document the following information in the activity log in their area:

- Information pertinent to the safe and secure operation of the facilities
- Rounds conducted in the housing modules
- Any deviations from the staffing plan
- Safety cell placement and removals
- Shift count results
- Employees who call in sick

The daily activity log will be retained in accordance with established records retention schedules.

#### **206.5 SUPERVISOR RESPONSIBILITIES**

Supervisors shall review the daily activity logs during the course of each shift as time permits. When appropriate, supervisors should include comments in the activity log with regard to an incident or unusual occurrence in the facility.

Whenever a major event in the facility requires a coordinated command response, the Incident Commander (IC) should designate someone to keep a running log that identifies, at a minimum, the following:

- Date and time the incident began

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- Specific location of the incident
- Times of significant response measures taken during the incident
- Name, identification number and time of arrival of personnel on-scene
- Orders issued by the IC
- Significant events that occurred as a result of the incident

The above information should remain available to the IC throughout the event to assist with ongoing response planning.

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## Administrative and Supervisory Inspections

### 207.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. This is to encourage contact with staff and inmates and to observe inmate living and working conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility.

### 207.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the detention facility at least weekly to facilitate and encourage communication among administrators, managers, supervisors, staff employees, and inmates.

### 207.3 INSPECTIONS

The Facility Manager is responsible for ensuring that scheduled and unscheduled inspections, visits and contacts are implemented to minimally include:

- (a) The general conditions and overall climate of the facility.
- (b) The living and working conditions of inmates.
- (c) Communication between administrators, managers, supervisors, staff, and inmates.
- (d) Compliance with policies.
- (e) Safety, security and sanitation concerns.
- (f) Inmate concerns.
- (g) Meal services.

#### 207.3.1 AREAS TO BE INSPECTED

Supervisor inspections should occur in all occupied areas of the facility on a daily basis, including weekends and holidays. Inspections should be conducted randomly and special effort should be given to informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Exercise yard and recreation areas
- Visiting and program areas
- Medical and dental service areas
- Vocational work areas, e.g., the kitchen, janitorial closets
- Sallyports and transportation staging areas

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#### **207.4 DOCUMENTATION AND REPORTING**

Each staff member conducting the inspection or tour shall document the activity in the appropriate station form or facility log. The log should include any significant findings that indicate remedial action or training may be needed. Significant issues of security or safety shall be addressed promptly. Commendable or successful actions that should be replicated elsewhere in the facility should also be noted in the log.

The Watch Commander shall review the logs daily and ensure that any deficiencies noted are addressed or forwarded through the chain of command, as appropriate, and that commendable actions are also appropriately addressed.

## Perimeter Security

### 208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish this facility's perimeters, to ensure that incarcerated persons remain inside the perimeters, and that visitor, vendor, volunteer, and employee access is granted only with proper authorization and through designated safety vestibules and sallyports. The secure perimeter of this facility will provide protection from the escape of persons being processed, held, or housed, and will act as a defense against the entry of unauthorized persons. It shall be maintained to prevent contraband from entering the secure areas of the facility (15 CCR 1029(a)(6)).

### 208.2 POLICY

All entry points to the secure perimeter of the facility shall be monitored and controlled continuously by Central Control staff. The entire perimeter shall be inspected, maintained, monitored, and continuously assessed to ensure its physical integrity and prevent unauthorized entry, incarcerated person escape, and contraband from entering the facility.

#### 208.2.1 VISITORS

This facility shall be maintained as a secure area and no person shall enter any portion of the inner perimeter without specific authorization from the Facility Manager or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver's license, valid passport or military identification. Visitors shall be required to sign in on the visitor log and state the reason for the visit. Visitors must wear a visitor's badge at all times and shall be escorted by one or more staff members at all times while they are in the secure areas of the facility.

### 208.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff. The Facility Manager or the authorized designee shall ensure that a staffing plan is in place to monitor the secure perimeter of this facility. Suspicious activity at or near the perimeter shall immediately be reported to the Watch Commander and the Central Control. The Central Control staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Individuals found to be loitering on or around the perimeter of the facility will be stopped and questioned to determine the circumstances of their presence. They may be denied entrance into the facility.

The Central Control staff shall identify all persons seeking to gain access to the secure perimeter of the facility. All non-uniformed staff must wear their official identification cards or Office-issued access passes while in the secure areas of the facility. Persons delivering goods or services shall identify themselves to the Central Control staff prior to being allowed access to the delivery area.

Materials delivered to or transported from the facility's secure perimeter shall be inspected for contraband. Vendors making deliveries into the secure area of the facility will do so under the supervision of custody staff.

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Keys to the secure perimeter shall be easily identifiable and issued only in emergency situations or with the authorization of the Facility Manager.

Weapons lockers are provided outside all secure perimeter entrances. All weapons must be secured prior to an individual being allowed to enter the facility.

Pedestrian and vehicular sallyports are to be used for the secure transfer of incarcerated persons.

Operation of the sallyport doors will be done in such a manner as to effectively control movement into and out of the secure inner perimeter of this facility. Central Control staff are responsible for ensuring all perimeter surveillance equipment is in good working order and shall immediately report malfunctions or failures to the on-duty supervisor.

Outer perimeter lighting should be designed to illuminate all areas of the exterior to allow visual inspection by video monitor or perimeter patrols.

#### 208.3.1 PERSONAL PROPERTY WITHIN THE DETENTION FACILITIES

All personal property brought into the detention facilities must be authorized. Authorization of items will be based on safety and security concerns and the need for the property as it relates to the type of work required by the person possessing it. Generally, only detention supervisors and managers may grant approval for items to be brought into the facilities. Staff members are not allowed to bring any personal property into the facilities that compromises the safety and security of the facilities.

Authorized personal items of staff brought into inmate occupied areas shall be secured in a locked cabinet, locked workstation drawer or staff restroom, or in an area not accessible to inmates. Personal property shall not be stored in medical exam rooms. All personal items and empty containers belonging to staff shall be removed from inmate accessible work areas at the end of the staff member's shift.

All employees, contract employees, professional visitors and service providers are responsible for ensuring their personal belongings are properly stored in areas not accessible to inmates.

Generally, professional visitors and volunteers may not leave any personal property in the facilities without prior approval from a supervisor or manager.

Any personal items lost in the facility shall be immediately reported to a Supervisor and documented in an incident report.

Personal property of any person entering the secure perimeter of the detention facilities is subject to search by a Correctional Deputy, Supervisor or Manager.

Any person found to be in possession of unauthorized property can have their access revoked, and could face other sanctions, to include criminal prosecution.

A refusal to allow a property search will result in the person being denied access into the detention facility. The Watch Commander will be notified to determine other appropriate action that may be necessary.

## Accessibility - Facility and Equipment

### 209.1 PURPOSE AND SCOPE

This policy is intended to ensure that staff and the general public have access to the facility, in compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (29 USC § 794).

#### 209.1.1 DISABILITY DEFINED

A disability is any physical or mental impairment that substantially limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity. Additionally, disability includes a physical or mental impairment that would inhibit a person's ability to meet the requirements established by the Office for conducting visitation or other business in the facility.

### 209.2 POLICY

The Sonoma County Sheriff's Office prohibits discrimination of persons with disabilities. The Sonoma County Sheriff's Office adheres to the ADA and all other applicable federal and state laws, regulations and guidelines in providing reasonable accommodations to ensure that the facility is reasonably accessible to and usable by individuals.

### 209.3 ACCOMMODATIONS

As part of the compliance with the ADA and the commitment to provide access to persons with disabilities, the Office will provide reasonable accommodations that include, but are not limited to:

- Vehicle parking areas that accommodate cars and vans or other vehicles with wheelchair lifts.
- Public areas that are wheelchair accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- Restroom areas that are wheelchair compliant and meet ADA standards for accessibility.
- Search areas and metal detection devices, including private areas where alternative search methods may be performed.
- Services and equipment for the deaf and hard of hearing.
- Visitor check-in areas.
- Visitation areas, including attorney interview rooms that can accommodate wheelchairs and other mobility devices.

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##### **209.3.1 MEMBER RESPONSIBILITIES**

Members receiving a request for accommodation should make reasonable attempts to do so. If a request cannot be reasonably accommodated, a supervisor should be notified.

Members becoming aware of any potential ADA violation should document the issue in a memorandum and forward the memorandum to the Facility Manager with a copy to the ADA coordinator.

Members receiving a complaint of disability discrimination or inability to reasonably access the facility, or any other complaint related to the ADA, should document the complaint and refer the matter to the ADA coordinator.

##### **209.4 ADA COORDINATOR**

The Facility Manager should appoint a staff member to serve as the ADA coordinator, whose primary responsibilities include, but are not limited to, coordinating compliance with ADA requirements. The ADA coordinator should be knowledgeable and experienced in a variety of areas, including:

- (a) The office's structure, activities and employees, including special issues relating to the requirements of the detention facility.
- (b) The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act (29 USC § 794).
- (c) The accommodation needs of people with a broad range of disabilities.
- (d) Alternative formats and technologies that enable staff, inmates and the public with disabilities to communicate, participate and perform tasks related to detention facility activities.
- (e) Construction and remodeling requirements with respect to ADA design standards.
- (f) Working cooperatively with staff, inmates and the public with disabilities, as well as with local disability advocacy groups or other disability groups.
- (g) Negotiation and mediation.

##### **209.4.1 DISSEMINATION OF INFORMATION**

The ADA coordinator will be responsible for the dissemination of information to staff and visitors on issues specifically related, but not limited to:

- Services available to members of the public who are disabled.
- Accessing services to accommodate disabilities.
- Registering complaints or grievances relating to issues involving the ADA.

##### **209.5 TRAINING**

The ADA coordinator should work with the Training Manager as appropriate, developing training regarding issues specifically related, but not limited to:

- (a) The requirements of Section 504 of the Rehabilitation Act (29 USC § 794).

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- (b) Office policies and procedures relating to ADA requirements.

# Community Relations and Public Information Plan

## 210.1 PURPOSE AND SCOPE

This policy provides guidelines to custody personnel when dealing with the general public or interested groups when requests are received to share information regarding the operations and policies of the facility (15 CCR 1045). (See the News Media Relations policy for guidance on media releases.)

## 210.2 POLICY

It is the policy of the Sonoma County Sheriff's Office to protect the privacy rights of individuals while releasing non-confidential information to interested groups when requests are received. Information that has the potential to affect the safety and security of the Detention Facility or an investigation will not be released.

## 210.3 RESPONSIBILITIES

The Watch Commander is responsible for ensuring that the following information is public and available to all who inquire about it.

- (a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility rules and procedures affecting inmates as specified in 15 CCR sections:
  - 1. 1045, Public Information Plan
  - 2. 1061, Inmate Education Plan
  - 3. 1062, Visiting
  - 4. 1063, Correspondence
  - 5. 1064, Library Service
  - 6. 1065, Exercise and Recreation
  - 7. 1066, Books, Newspapers, Periodicals and Writings
  - 8. 1067, Access to Telephone
  - 9. 1068, Access to Courts and Counsel
  - 10. 1069, Inmate Orientation
  - 11. 1070, Individual/Family Service Programs
  - 12. 1071, Voting
  - 13. 1072, Religious Observance
  - 14. 1073, Inmate Grievance Procedure
  - 15. 1080, Rules and Disciplinary Penalties

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16. 1081, Plan for Inmate Discipline
17. 1082, Forms of Discipline
18. 1083, Limitations on Discipline
19. 1200, Responsibility for Health Care Services

This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility's library or provided by other means for use by inmates. At the discretion of the Sheriff, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

#### **210.4 SCOPE OF INFORMATION SUBJECT TO RELEASE**

The Office will maintain a daily log of individuals who are currently in custody or were recently booked. Unless restricted by law and except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation, the following information on inmates and persons booked is considered public information and can be released upon request:

- (a) The full name and occupation of the inmate
- (b) The inmate's physical description, including date of birth
- (c) Date and time of arrest
- (d) Date and time of booking
- (e) Location of arrest
- (f) The factual circumstances surrounding the inmate's arrest
- (g) All charges the inmate is being held on, including outstanding warrants, probation/parole holds
- (h) Amount of bail
- (i) The time and manner of the inmate's release or the location where the inmate is currently being held
- (j) Court appearance dates
- (k) Arresting agency

#### **210.5 PROHIBITED MATERIALS**

Policies, procedures and other information and materials related to the safety and security of inmates, custody personnel, the facility or the maintenance of order should not be provided as a part of the public information material unless directed by the Sheriff.

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#### **210.6 TOURS OF THE CUSTODY FACILITY**

Tours of this facility may be arranged through Contact Visiting or the Watch Commander as appropriate. Authorized tours are subject to facility rules and restrictions:

- (a) Persons who tour this facility must be of an appropriate age as determined by the Sheriff.
- (b) A short application form must be completed and a background check for warrants may be conducted before an applicant is approved to participate in a tour.

A record of all facility tours should be maintained in accordance with applicable retention requirements.

## Victim Notification of Inmate Release

### 211.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure victims of crimes receive notice when an inmate held for those crimes is released, and that victims receive any other notification required by California law.

### 211.2 POLICY

It is the policy of this office to act in accordance with all laws regarding victim notification.

### 211.3 PROCEDURE

The Detention Division Assistant Sheriff shall ensure that a system is in place for victims to request release notification on any inmate housed in this facility.

Notification requests or requirements that are known during the booking process should be documented in the appropriate designated section of the inmate's booking file.

In the event that an individual contacts this facility and requests notification on any inmate housed in this facility, staff should notify a supervisor, who will determine whether notifications are required or appropriate, and ensure the notification request and determination is documented in the inmate's file.

### 211.4 NOTIFICATION

Members tasked with the release of an inmate or investigating an escape shall verify whether there is a required release notification in the inmate's file.

Members shall document notification efforts in the inmate's file.

Unless ordered by the court or a supervisor, no victim information shall be provided to any inmate by any employee or volunteer of this facility. Any unauthorized access or release of victim information is a direct violation of victim confidentiality and applicable policies, and may subject the person releasing the information to disciplinary action, up to and including termination from employment and/or criminal prosecution.

All victim information relating to any person who receives notice under this policy shall remain confidential and shall not be made available to the inmate or any other member of the public unless ordered by the court.

#### 211.4.1 REQUIRED NOTIFICATIONS

The Watch Commander or the authorized designee shall make a reasonable and good faith effort to make all notifications required by law including:

- (a) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness to the offense not less than 15 days prior to the release of any person convicted of stalking under Penal Code § 646.9 or convicted of a felony involving domestic violence (Penal Code § 646.92(a)).

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- (b) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness upon escape and capture of any person convicted of violating Penal Code § 646.9 or convicted of a felony offense involving domestic violence (Penal Code § 646.92(d)).
- (c) Notice to any victim or other affected person who has requested notification that an inmate convicted of the offenses listed in Penal Code § 679.02(a)(13) has been ordered placed on probation and the proposed date of release (Penal Code § 679.02(a)(14)).
- (d) Notice of the release of any inmate to victims of crime who have requested to be notified.
- (e) Notice to any victim in instances of escape or inadvertent release.
- (f) Notice to law enforcement agencies known to be involved with the case upon any escape and capture of an inmate.
- (g) Victims may elect to receive notifications through Victim Information and Notification Everyday (VINE). If the victim chooses to receive notification via VINE, the Detention Division's responsibility to notify has been satisfied except in instances of escape or inadvertent release in which case designated Detention Staff will make a reasonable attempt to contact the victim directly.

Notification should be made by telephone, certified mail, electronic mail, or VINE using the method of communication selected by the person to be notified, if that method is reasonably available. In the event the person's contact information provided to the Office is no longer current, the Office shall make reasonable attempts to locate the person who has requested notification. However, the duty to keep the Office informed of current contact information shall remain with the victim.

If contact cannot be made and no means exist to leave a message with the person, the Watch Commander or the authorized designee should request the law enforcement agency having jurisdiction where the person resides perform a welfare check, all attempts to contact the victim shall be documented in the inmate file.

## Staffing Plan

### 212.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive staffing plan and analysis to identify staffing needs sufficient to maintain the safety and security of the facility, staff, visitors, incarcerated persons, and the public.

### 212.2 POLICY

It is the policy of the Sonoma County Sheriff's Office to ensure the safety, security and efficient operation of this facility by assigning custody personnel according to a detailed staffing plan that is developed and maintained in accordance with law.

### 212.3 STAFFING PLAN REQUIREMENTS

The Facility Manager shall ensure that a staffing plan conforming to the class type and size of this facility is prepared and maintained as described in the following section. The plan should detail all custody personnel assignments, including work hours and weekly schedules, and should account for holidays, vacations, training schedules, and other atypical situations (15 CCR 1027).

At minimum, the staffing plan will include the following:

- Facility administration and supervision
- Facility programs, including exercise and out of cell time
- Incarcerated person supervision and custody
- Support services including medical, food services, maintenance, and clerical
- Other jail-related functions such as escort and transportation of incarcerated persons

#### 212.3.1 FEMALE DEPUTY STAFFING

Whenever any female inmate(s) are confined in either detention facility, there shall be an appropriately trained female deputy assigned, available, and accessible for the supervision of the female inmates in that facility (Penal Code Section 4021).

### 212.4 STAFFING ANALYSIS

The Sheriff or the authorized designee shall complete an annual comprehensive staffing analysis to evaluate personnel requirements and available staffing levels. The staffing analysis will be used to determine staffing needs and to develop staffing plans.

This analysis shall include information gathered in collaboration with the health care provider in each facility regarding staffing requirements. The analysis relating to health care personnel shall be annually reviewed for adequacy by the health authority.

The Facility Manager, in conjunction with the PREA coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff should be

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deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, incarcerated persons, and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and office policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

- (a) Operational change
- (b) Equipment requirement
- (c) Additional training
- (d) Supervisory intervention
- (e) Additional personnel

#### 212.4.1 DEVELOPMENT AND ANNUAL REVIEW OF STAFFING PLAN

The following data shall be taken into consideration when developing and reviewing the staffing plan:

- Generally accepted detention and correctional practices
- Any judicial findings of inadequacies
- Any findings of inadequacy from Federal investigative agencies
- Any findings of inadequacy from internal or external oversight bodies
- All components of the facility's physical plant (including "blind spots" or areas where staff or inmates may be isolated)
- The composition of the inmate population
- The number and placement of supervisory staff
- Institution programs occurring on a particular shift
- Any applicable State or local laws, regulations, or standards
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse
- Any other relevant factors

Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA Coordinator, the Office shall assess, determine, and document whether adjustments are needed to:

- (a) The staffing plan established;
- (b) The facility's deployment of video monitoring systems and other monitoring technologies; and
- (c) The resources the facility has available to commit to ensure adherence to the staffing plan.

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## *Staffing Plan*

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### **212.5 REPORTING**

The facility staffing plan shall be made available for review to the Board of State and Community Corrections (BSCC) staff at the time of their biennial inspection. The Facility Manager shall report the results of the BSCC biennial review and recommendations to the officials with fiscal responsibility for the facility (15 CCR 1027).

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# Locker Issuance/Locker Room Use - Detention Facilities

## 213.1 PURPOSE AND SCOPE

It is the policy of the Sheriff's Office to issue lockers in the Detention Facilities, based upon availability, to members who have the most need.

## 213.2 GENERAL GUIDELINES

(a) Lockers:

1. No hazardous chemicals or contaminated items shall be stored in any locker.
2. The manufacturer's number is posted on the outside of the locker. No other markings, clippings, or paper etc., shall be placed on the outside of the locker.
3. Uniforms, clothing, shoes, equipment, towels, and other personal hygiene items must be kept inside a locker when not in use.
4. Deputies and employees with concealed weapons permits may store their firearms in their secured lockers.
5. Employees who are assigned lockers and are certified to carry mace or OC, may store it in their secured lockers.
6. Lockers are to be kept closed and locked whenever the member is not immediately present.
7. At the discretion of the MADF Watch Commander/NCDF Sergeant, any item left unattended may be removed and stored in the MADF Watch Commander's Office/NCDF Sergeant's Office for later retrieval by the owner. After thirty (30) days, all unclaimed items will be discarded.

(b) Exercise Room:

1. Instructions for use of specified pieces of equipment will be posted in the exercise room on or near the equipment.
2. Equipment will be used only in the manner prescribed on the posted instructions.
3. Tennis shoes, shorts or sweatpants and shirts are required clothing items.
4. The exercise room is available for all Sheriff's Office members. Non-members can only use the facilities with the expressed approval of the Sheriff. It shall not be used by any person who is not a County employee.
5. The use of the exercise room is strictly voluntary. The employer (County of Sonoma) or its insurance carrier/claims administrator may not be liable for any injury which arises out of a member's voluntary participation in any off-duty, recreational, social, or other athletic activity which is not part of the member's work-related duties.
6. Any member who discovers a piece of equipment which appears to be damaged, or malfunctioning will notify the on-duty MADF Watch Commander/NCDF

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#### *Locker Issuance/Locker Room Use - Detention Facilities*

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Sergeant who will then notify the appropriate personnel who will contact the vendor for repair of the equipment.

##### 213.2.1 LOCKER ISSUANCE

- (a) The MADF Operations Secretary will make all locker assignments in the Detention Facilities.
- (b) Priority for assigning lockers will be full-time employees in the following job classes:
  - 1. Uniformed Correctional Staff.
  - 2. Transportation and Court Security Deputies.
  - 3. Detention Assistants and Clerical Staff.
- (c) Kitchen and Medical areas with lockers should be used on a shift-by-shift basis.
- (d) The Commissary/Warehouse staff bathroom lockers, available to Detention Assistants and Janitorial Staff, should be used on a shift-by-shift basis.
- (e) Staff must provide their own locks and will be responsible for maintaining the locker in good condition.

##### 213.2.2 LOCKER SEARCHES

All lockers assigned to Peace Officers are the property of the Sonoma County Sheriff's Office and may only be administratively searched;

- (a) In the member's presence, or
- (b) With the member's consent, or
- (c) With a valid search warrant, or
- (d) Where the member has been given reasonable notice that the search will be conducted (Government Code Section 3309)

All lockers assigned to civilian (non-peace officer status) staff are the property of the Sonoma County Sheriff's Office. The Office expressly reserves the right to access and search lockers at any time.

## Compensatory Leave

### 214.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of compensatory leave. The accrual and terms of use of compensatory leave for eligible employees are detailed in the County personnel manual or applicable collective bargaining agreement.

#### 214.1.1 DEFINITIONS

**Unduly Disruptive to Operations** - Unduly disruptive to operations includes, but is not limited to: the need for staff to attend training (i.e., bloc training, training deemed mandatory by the Facility Manager or higher authority) ordering a staff member to fill a vacancy which occurs as the result of a compensatory time off request, circumstances which may require that additional staff members be present to work (e.g., mass arrests, disturbances, etc.), and where the total number of staff scheduled to be absent exceeds the number of staff allowed off on compensatory time and vacation at the same time.

### 214.2 GENERAL GUIDELINES

No employee shall take compensatory time off without prior approval from his/her Supervisor/Manager.

The Supervisor/Manager shall attempt to accommodate compensatory time off as requested by the employee unless:

- (a) The accommodation would be unduly disruptive to operations,
- (b) The time limits are violated, or
- (c) It exceeds the total number of staff members allowed off per shift on vacation or compensatory time.

**EXCEPTIONS:** If an employee provides information showing the request is for an unplanned special occasion, emergency, or if there is a personal emergency, the Supervisor/Unit Manager has the authority to grant compensatory time off even if it violates the above direction.

No compensatory days off will be approved more than 30 days prior to the date requested, and no less than the day prior to the date requested. [EXCEPTION: Employees who demonstrate to the Sergeant's satisfaction that there is a personal issue, may be granted compensatory time off with less than one day's notice.]

Compensatory time must have been earned at and recorded prior to the beginning of the pay period it is taken.

Compensatory time off requests requiring overtime to back fill the position will only be approved if they are not unduly disruptive to operations.

All other overtime positions must be filled (e.g., absences due to vacations, sick leave and extended sick leave, LWOP, training, 4850 relief, vacant positions, etc.) before staff can sign up to cover compensatory time off overtime positions.

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## *Compensatory Leave*

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Staff Members filling compensatory time off absences must work the same positions the staff members they are covering for would have worked.

Once granted, compensatory time will generally not be cancelled except in case of emergency.

## Vacation Leave

### 215.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of vacation leave. The accrual and terms of use of vacation leave for eligible employees are detailed in the County personnel manual or applicable collective bargaining agreement.

### 215.2 GENERAL GUIDELINES

The Master Vacation Sign-up List for Correctional Personnel shall be provided by the Administrative Lieutenant or designated Manager.

Vacations will be considered to be one full week or longer in duration.

The Shift Watch Commanders, the Detention Specialist Supervisor, the Chef and the Managers of civilian staff will post vacation sign-up sheets in their respective areas.

Correctional staff may sign up for and take vacations into the next shift bid cycle. All vacations must begin before the end of the shift bid cycle.

Vacations will be classified as primary (first choice) and secondary (second choice).

Vacations are the amount of vacation a staff member accrues in one year. If a staff member wishes to take more than his annual accrual at one time, prior approval from the designated manager is required.

Vacation sign-ups for fixed post staff will be by shifts, in order of employee seniority. Non- fixed post staff shall sign up for vacation according to unit seniority. Detention Assistants, Detention Specialists, and Food Service employees will sign up in order of respective seniority.

No employee may take vacation leave in advance of that actually accumulated at the beginning of the pay period in which such leave is taken.

Once an employee has signed up for his primary vacation dates, he may not change the dates unless approved by a supervisor. When all other employees on the list have had a chance to list their first choice, the employee will be allowed to make a second choice.

Every effort shall be made to arrange vacation schedules so that each employee will be allowed to take as much vacation in each year as he/she has accrued in that year.

Each employee's vacation time may be divided as the needs of the Office require or permit.

Correctional employees who bid for vacation can consider their vacation sign up dates approved unless otherwise informed by their supervisor or manager.

At the MADF, no more than two Correctional Deputies on graveyard shift, three on swing shift and four on dayshift may be off on vacation at one time. Two Detention Assistants, two Food Service employees and two Detention Specialists may be off on vacation at the same time. These maximum numbers do not apply to Deputies in offline specialty assignments.

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#### *Vacation Leave*

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At the NCDF, no more than one Correctional Deputy, two Detention Assistants, and two Food Service employees may be off on vacation at the same time, on each shift or in each group. No more than one Central detention Specialist may be off at any one time.

The number of deputies permitted to be off on vacation, at the same time, while working in specialty assignments, shall be at the discretion of the unit manager.

Only two Sergeants may be off at one time. This does not apply to Sergeants in offline positions.

Sergeants will sign up for vacation leave according to their seniority.

Employees who are out on 4850, long term disability, or leave without pay shall not be allowed to sign up for vacation until they return to duty.

Staff covered under, CFRA, FMLA or pregnancy disability will be eligible to sign up for vacation.

## **Chapter 3 - Recruitment Selection and Planning**

## Continuing Professional Education

### 300.1 PURPOSE AND SCOPE

This policy is designed to support the ongoing professional education of office personnel at all levels. Continuing professional education provides a broad view of the world and by extension enhances the understanding of the correctional mission as it applies to the Office and the community.

#### 300.1.1 PHILOSOPHY

The Office seeks to encourage continuing education whenever practical. All continuing education programs will be within the framework of negotiated employee agreements and the availability of funds to provide ongoing efforts for self-improvement. The Office encourages all personnel to participate in formal education on a continuing basis.

### 300.2 OBJECTIVES

Training involves activities whereby correctional deputies, professional staff, support and contractor personnel learn and demonstrate an understanding of the specific job skills required for each position.

Individuals who engage in furthering their education in conjunction with skills-based training make for well-rounded employees who can better serve the mission of the Office and the community.

Supervisors should accommodate, to the extent feasible and schedules permitting, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education efforts.

### 300.3 REQUIRED TRAINING

With the exception of the year that the staff member is enrolled in a core training module, all staff members shall complete the annual required training specified in Section 184 of Title 15 CCR (15 CCR 1025).

## Training for Managers and Supervisors

### 301.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for supervisory and management staff, and encourages all personnel to participate in basic and continuing professional training.

### 301.2 POLICY

It is the policy of this office to administer a training program that provides for the professional growth and continued development of its personnel in accordance with all laws, ordinances and regulations. All training is provided with the intent to improve the competency of staff within the confines of funding, the requirements of a given assignment, staffing levels and legal mandates (15 CCR 1021; 15 CCR 1023).

### 301.3 TRAINING OBJECTIVES

The objectives of the training program are to accomplish the following:

- (a) Improve the competency of staff at all levels.
- (b) Ensure that staff can carry out the mission of the Office through a thoroughly demonstrated knowledge of office policies and procedures.
- (c) Increase the technical expertise and overall effectiveness of personnel.
- (d) Provide for continued professional development of office personnel.

### 301.4 TRAINING FOR NEW MANAGERS AND SUPERVISORS

All Facility Managers and supervisors (full- or part-time) are required to have 80 hours of management and supervision training as specified by the Commission on Peace Officer Standards and Training (POST) or the Standards and Training for Corrections Program (STC) within the first year of their appointment. Supervisors and managers shall thereafter receive a minimum of 24 hours of refresher and continued professional training annually (15 CCR 1021; 15 CCR 1023; 15 CCR 1025).

#### 301.4.1 SUPERVISORY TRAINING

All supervisory personnel shall have completed core training as specified in the Training Policy, prior to assuming supervisory responsibilities (15 CCR 1021).

### 301.5 TRAINING RECORDS

The Office shall use training courses certified by a competent government or standards-setting organization whenever practicable. All training should include testing to identify and document the employee's knowledge of the subject matter.

It shall be the responsibility of the Training Manager to ensure that the following is maintained on file for all training provided by the Office:

- The course outline or lesson plan
- A roster signed and dated by those in attendance

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#### *Training for Managers and Supervisors*

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- The name of the person coordinating the training

It shall be the responsibility of the involved employee to provide his/her immediate supervisor or the Training Manager with evidence of completed training or education in a timely manner. The Training Manager shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

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## Detention Facility Training Officer Program

### 302.1 PURPOSE AND SCOPE

The detention facility training officer program is intended to provide a standardized program to facilitate the correctional deputy's transition from the academic setting to the actual performance of general corrections duties.

It is the policy of this office to assign all new correctional deputies to a structured detention facility training officer program that is designed to prepare the new correctional deputy to perform in a custody assignment, and to provide training on all skills needed to operate in a safe, productive and professional manner.

### 302.2 FACILITY TRAINING OFFICER

The Facility Training Officer (FTO) is an experienced correctional deputy trained in the art and science of supervising, training and evaluating entry-level correctional deputies in the application of their previously acquired knowledge and skills.

#### 302.2.1 SELECTION PROCESS

Facility Training officers will be selected based on certain requirements, including:

- (a) A desire to perform the training mission.
- (b) A Correctional Deputy II off of probation.
- (c) A demonstrated ability to be a positive role model.
- (d) Successfully passed an internal oral interview selection process.
- (e) Evaluation by supervisors.

#### 302.2.2 TRAINING

All FTOs shall successfully complete a 40-hour course of instruction.

### 302.3 FACILITY TRAINING OFFICER RESPONSIBILITIES

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to the FTO's immediate supervisor on a daily basis.
- (b) FTOs shall review the performance evaluations with the trainee each day.
- (c) A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the FTO at the end of each phase of training.
- (d) FTOs shall be responsible for signing off all completed topics contained in the Training Manual, noting the methods of learning and evaluating the performance of the assigned trainee.

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#### *Detention Facility Training Officer Program*

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#### **302.4 FACILITY TRAINING OFFICER PROGRAM SUPERVISOR**

The supervisor will be selected from the rank of sergeant or above by the Facility Training Officer Program Lieutenant and shall possess supervisory credentials. The supervisor's responsibilities include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conduct FTO meetings.
- (c) Maintain and ensure FTO/trainee performance evaluations are completed in a timely manner.
- (d) Maintain, update and issue the training manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO program.
- (g) Develop ongoing training for FTOs.

## Training

### **303.1 PURPOSE AND SCOPE**

It is the policy of this office to assign all new correctional deputies to a structured detention facility training program designed to prepare the new correctional deputy to perform in a correctional assignment with the skills needed to operate in a safe, productive, and professional manner.

### **303.2 MINIMUM TRAINING REQUIREMENTS**

As described in 832.3 (e)(2) of the California Penal Code, Deputy Sheriffs full or part-time, described in subdivision (c) of Section 830.1 shall successfully complete the training for peace officers pursuant to subdivision (a) of Section 832, and within 120 days after the date of employment shall complete the training required by the Board of State and Community Corrections for custodial personnel pursuant to Section 6035, and the training required for custodial personnel of local detention facilities pursuant to Subchapter 1 (commencing with Section 100) of Chapter 1 of Division 1 of Title 15 of the California Code of Regulations.

Custodial personnel who have successfully completed the course of instruction required by Penal Code § 832.3 shall successfully complete the Corrections Officer Basic Academy Supplemental Core Course as described in 15 CCR 180, within one year of the date of assignment (15 CCR 1020 (b)).

### **303.3 DETENTION FACILITY TRAINING PROGRAM PHASES**

The detention facility training program is designed to build upon the conceptual foundation taught in the basic academy, whereupon the theoretical knowledge gained in the academy can be molded into a practical skill set. The detention facility training program consists of the five phases described below.

#### **303.3.1 ORIENTATION TRAINING**

Orientation Training is 80 hours. During orientation training, the trainee will be given an overview of detention, and provided with access to the county computer system, the Sheriff's Office payroll system and association information. Classroom instruction is also provided on a variety of topics identified in the trainee manual, including an introduction to the Facility Training Program. During orientation the trainers will, at a minimum:

- (a) Brief the trainee on the purpose, scope and responsibilities expected during the training program.
- (b) Provide the trainee with any required equipment or materials.
- (c) Tour the entire facility and support services with the trainee.
- (d) Introduce the trainee to the Facility Manager and key supervisory, administrative and support personnel.

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##### 303.3.2 PHASE ONE

Phase one is four weeks in duration. The trainee will be assigned to a detention Facility Training Officer (FTO). The FTO will explain the evaluation system and acquaint the trainee with the rating forms that will be used during the training program.

In this phase, the trainee will be exposed to the many duties at each post. The trainee will observe the FTO demonstrate how each task is to be performed. The FTO should provide instruction to the trainee and encourage the trainee to ask questions.

Time should be made available during this phase to allow the trainee to study policies, procedures, directives, and any other materials deemed necessary by the FTO.

The FTO will monitor the trainee's progress by asking questions and administering tests on the materials and demonstrations that have been provided to the trainee.

The work performance of the trainee will be evaluated and recorded daily by the FTO. Areas of deficiency will be discussed, and remedial training provided if deemed necessary by the FTO.

##### 303.3.3 PHASE TWO

During this phase, the FTO will instruct the trainee in each required activity at each post. Once each task is demonstrated, the trainee will be directed to perform each activity under the close supervision of the FTO.

The FTO will provide directions as needed to the trainee during the hands-on activities.

The work performance of the trainee will be evaluated and recorded daily by the FTO. Areas of deficiency will be discussed, and remedial training provided if deemed necessary by the FTO.

##### 303.3.4 PHASE THREE

During this phase, the trainee will be exposed to specialty housing units and the FTO will instruct the trainee in each activity that is required at each post.

Once each task is demonstrated, the trainee will be directed to perform each activity under the close supervision of the FTO. The FTO will provide directions as needed to the trainee during the hands-on activities.

The work performance of the trainee will be evaluated and recorded by the FTO. Areas of deficiency will be discussed, and remedial training provided if deemed necessary by the FTO.

##### 303.3.5 PHASE FOUR

During this phase, the trainee will be directed to work solo in each area that training has been provided.

The solo activities of the trainee will be monitored by the FTO.

The work performance of the trainee will be evaluated and recorded by the FTO. Areas of deficiency will be discussed, and remedial training provided if deemed necessary by the FTO.

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##### **303.3.6 END OF PHASE**

At the conclusion of each phase of training, or when deemed necessary, the supervisor in consultation with the FTO and the FTO Manager, will make a recommendation to pass the trainee on to his/her next phase, or will recommend termination.

##### **303.4 PROBATIONARY PERIOD EVALUATION**

Probationary employees will receive a written evaluation of their job skills and learning progress at the completion of each phase, and after one year of employment. Prior to being permanently appointed, each probationary employee will receive a final evaluation. These evaluations shall be in writing and discussed with the employee by his/her supervisor. The final evaluation shall be made a part of the employee's personnel record.

## Health Care Staff Orientation

### 304.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an orientation for all new health care staff working in the facility, in cooperation with the health authority. The goal is to maintain the safety and security of the custody environment and to comply with all applicable laws and regulations observed by the Office.

### 304.2 NEW HEALTH CARE STAFF ORIENTATION

All new health care staff shall complete a facility orientation before independently working in their assignments. At a minimum, the orientation program will cover the following:

- (a) The purpose, goals, policies and procedures for the Sonoma County Sheriff's Office
- (b) Security and contraband regulations
- (c) Access control to include use of keys
- (d) Appropriate conduct with inmates
- (e) Responsibilities and rights of facility employees and contractors
- (f) Prison Rape Elimination Act (PREA)

### 304.3 FACILITY-SPECIFIC TRAINING

Shift Supervisors should include these staff members in training and training exercises relative to facility safety and security including, but not limited to, the following:

- Emergency medical triage in the facility
- Emergency evacuation routes and procedures
- Communication systems during facility emergencies
- Security during facility emergencies
- Qualified health care professional response during "officer down" incidents
- Responding to critical facility emergencies
- Facility hostage policy and medical response tactics
- Medical emergency transportation procedures

## **Inmate Programs Volunteers**

### **305.1 PURPOSE AND SCOPE**

It is the policy of this office to use qualified inmate programs volunteers to assist through their contribution of services to the inmates and the families of inmates, and to serve as a link between the facility and the community. Inmate programs volunteers are intended to supplement and support, rather than supplant, inmate programs staff and other personnel. In addition to the provisions in this policy, Inmate Programs volunteers will be subject to all of the volunteer requirements of the Office as outlined in the Office Volunteer Program policy.

#### **305.1.1 DEFINITION OF VOLUNTEER**

An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered.

### **305.2 INMATE PROGRAMS VOLUNTEER MANAGEMENT**

#### **305.2.1 INMATE PROGRAMS SERGEANT**

The Inmate Programs Sergeant shall be appointed by the Classification Lieutenant. The function of the Inmate Programs Sergeant is to provide a central coordinating point for effective inmate programs volunteer management within the Office, and to direct and assist staff and volunteer efforts to provide more productive services.

The Inmate Programs Sergeant or the authorized designee shall be responsible for:

- (a) Developing and maintaining information that minimally identifies expectations and the lines of authority, responsibility and accountability for the various inmate programs volunteers.
- (b) Processing and coordinating requests from volunteers/volunteer organizations who desire to bring programs and/or services into the detention facilities.
- (c) Scheduling, coordinating, and supervising of inmate program volunteers and programs/activities.
- (d) Maintaining records for each volunteer.
- (e) Tracking and evaluating the contribution of volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completion and dissemination, as appropriate, of all information on program content and schedules to inmates and custody staff.
- (h) Investigate and respond to inmate programs volunteer misconduct.
- (i) Maintaining liaison with community programs that use volunteers.

#### **305.2.2 RECRUITMENT**

The Inmate Programs Sergeant will be responsible for the continual evaluation of inmate programs and recruitment of volunteers/volunteer organizations to provide inmate programs and services.

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Typical services and support provided for inmates through the use of inmate programs volunteers include, but are not limited to:

- Individual and family crisis counseling
- Religious counseling, instruction and services
- Coordination and arrangement of family visits
- Counseling and assistance regarding services and support available from County agencies and organizations
- Substance abuse counseling and support
- Educational instruction
- Any other service or support determined to be beneficial to inmates

Inmates may request services and support from volunteers/volunteer organizations through personal contact during visits, by making telephone calls to an organization, or by submitting an inmate request form for volunteer services.

Inmate programs volunteers will provide professional services only when they are certified or licensed to do so.

#### 305.2.3 SCREENING

All prospective inmate programs volunteers shall be authorized access to the detention facilities on the basis of a demonstrated need for their services and support. All volunteers who request access to secure perimeter of the detention facilities shall complete a screening as outlined in the Office Volunteer Program policy. Upon successful completion of the screening process, inmate program volunteers will be authorized limited access to the detention facilities.

Approval for access does not guarantee the volunteer a permanent nor unlimited right to access any area of the facilities.

#### 305.2.4 TRAINING

The Inmate Programs Sergeant or the authorized designee shall be responsible for ensuring that inmate programs volunteers are provided with an orientation program to acquaint them with the Office, personnel, and policies and procedures that have a direct impact on them while working within the detention facilities. The training/orientation will include, but not be limited to, the following topics:

- (a) Prison Rape Elimination Act (PREA)
- (b) Physical facility layout/Evacuation routes
- (c) Facility access procedures
- (d) Classification
- (e) Safety and security
- (f) No hostage policy

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- (g) Emergency procedures
- (h) Prohibited activities
- (i) Relationships with inmates
- (j) Coordination/Relationships with custody staff

The Inmate Programs Sergeant shall be responsible for creating and maintaining records of all training provided to each volunteer. Any inmate program volunteer who does not complete this training will have their facility access suspended.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer, that they are sworn correctional deputies or other full-time members or employees of the Office. They shall always represent themselves as volunteers and/or program providers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office.

### **305.3 PROPERTY AND EQUIPMENT**

Volunteers will be issued an identification card and/or access pass that must be worn at all times while on-duty.

Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

#### **305.3.1 INSTRUCTIONAL MATERIALS**

Inmate programs volunteers scheduled to teach classes may only bring into the facility those books and materials needed to teach their classes. The books/materials may be brought into the facility in a container (bag, briefcase, box, etc.) and are subject to search by custody staff at any time.

Instructors and volunteers are required to notify and receive permission from the Inmate Programs Deputy prior to bringing in any books and/or materials.

#### **305.3.2 TELECOMMUNICATION/EMERGENCY DURESS ALARM SYSTEMS USAGE**

Volunteers with access to detention facility telecommunication/emergency duress alarm systems shall receive training and radio procedures training prior to using any such equipment. Volunteers shall comply with all policies and procedures related to the use of such equipment. The Inmate Programs Sergeant should ensure that appropriate training is provided for volunteers whenever necessary.

### **305.4 DISCONTINUATION AND SUSPENSION OF SERVICES**

A volunteer or volunteer organization's services may be denied, curtailed, postponed, or discontinued at the discretion of the Sheriff, Detention Division Assistant Sheriff or their designated representative. Volunteers shall have no property interests in their continued appointment.

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Watch Commanders are authorized to discontinue program activities and/or remove volunteers from the detention facilities on a temporary basis in any instance where such action is required to maintain the safety and security of the facility.

## Training Plan

### **306.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally manage the inmate population.

### **306.2 POLICY**

The Detention Division Administrative Lieutenant shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Detention Divisions Administrative Lieutenant to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Detention Division Training Manager will implement the training plan on behalf of the Sheriff.

### **306.3 TRAINING MANAGER**

A qualified individual shall be appointed by the Detention Division Assistant Sheriff or the authorized designee to serve as the Training Manager, who shall report to the Detention Division Administrative Lieutenant.

The Training Manager is responsible for implementation of the annual training plan. The plan should ensure that employees meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff.

### **306.4 TRAINING RECORDS**

An individual training file shall be maintained by the Training Manager for each employee. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all employees.

The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.31).

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Whenever an employee obtains training that is not provided by this office, it shall be the responsibility of the employee to provide his/her immediate supervisor or the Training Manager evidence of completed training or education in a timely manner.

The Training Manager or supervisor shall ensure that copies of such training records are placed in the employee's training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Manager shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing.

#### **306.5 COURSE CERTIFICATION/QUALITY ASSURANCE**

Training courses should be subject to a quality assurance process that, at minimum, provides:

- A complete description of the course, including the number of certified training hours achieved.
- A curriculum including job-related topics, and content and performance objectives.

Training should not be comprised only of the minimum number of hours required annually but also of instruction specific to tasks performed by employees in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

#### **306.6 TRAINING PROCEDURES**

- (a) All employees assigned to attend training shall attend as scheduled, unless previously excused by their immediate supervisor or the Training Manager. Excused absences from mandatory training should be limited to the following:
  1. Court appearances
  2. Authorized vacation
  3. Sick leave
  4. Physical limitations preventing the employee's participation
  5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:

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1. Notify his/her supervisor as soon as possible.
2. Document his/her absence in an email to his/her supervisor and the Training Manager.
3. Make arrangements through the supervisor and the Training Manager to attend the required training on an alternate date.

## Support Personnel Training

### 307.1 PURPOSE AND SCOPE

The Office has developed a training program for professional support personnel to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their position as it relates to this facility.

### 307.2 AREA MANAGER ESPONSIBILITIES

The Area Manager or Supervisor is responsible for coordinating training and will ensure that the training and orientation given to each employee is properly documented and placed in the employee's training file. At a minimum the record should contain the name of the individual, the assignment, the date the training was presented, the orientation outline indicating the subject material and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record.

### 307.3 PERSONNEL WITH REGULAR INMATE CONTACT

All new professional and support employees shall receive training commensurate with their job duties and expectations during the first year of employment prior to being independently assigned to a particular job function.

In addition to specific job task training, training topics shall include, but not be limited to:

- Security procedures and regulations
- Supervision of inmates (as appropriate for their job class)
- Signs of suicide risk
- Suicide precautions
- Inmate rules and regulations
- Key control
- Rights and responsibilities of inmates
- Safety procedures
- All emergency plans and procedures
- Interpersonal relations
- Cultural diversity for understanding staff and inmates
- Communication skills
- Cardiopulmonary resuscitation (CPR/first aid)
- Universal precautions for the prevention of disease
- Interaction of the elements of the criminal justice system
- Sexual harassment/sexual misconduct awareness

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## *Support Personnel Training*

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- Prison Rape Elimination Act (PREA)

## **Chapter 4 - Emergency Planning**

## Facility Emergencies

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan to appropriately respond to emergencies within the facility and to ensure all affected personnel receive timely training regarding emergency response. This policy is intended to protect the community, employees, visitors, inmates, and all others who enter the detention facility, while allowing the facility to fulfill its primary purpose.

Facility emergencies related to fire will be addressed in the Fire Safety Policy.

### 400.2 POLICY

It is the policy of this office to have emergency response plans in place to quickly and effectively respond to and minimize the severity of any emergency within the facility.

### 400.3 PROCEDURE

The Facility Manager should develop, publish, and review emergency response plans that address the following (15 CCR 1029(a)):

- (a) Fires
- (b) Escapes
- (c) Disturbances/riots
- (d) Taking of hostages
- (e) Mass arrests
- (f) Natural disasters
- (g) Periodic testing of emergency equipment
- (h) Storage, issue, and use of weapons, ammunition, chemical agents, and related security devices
- (i) Other emergencies as needs are identified

The facility emergency response plans are intended to provide the staff with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, inmates, or the community.

The emergency response plans are intended to provide information on specific assignments and tasks for personnel. Where appropriate, the emergency response plans will include persons and emergency departments to be notified.

The emergency response plans should include procedures for continuing to house inmates in the facility; the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities; inmate transportation options; and contact information for allied agencies.

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The emergency response plans shall be made available to the staff, volunteers, and contractors working in the facility as needed.

#### **400.4 LOCKDOWN**

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Central Control and their Supervisor. The Supervisor, or in his/her absence Central Control, may determine whether to order a facility-wide lockdown and shall notify the Watch Commander as soon as practicable.

If a lockdown is ordered, all inmates will be directed back to their housing units/cells. All inmates in transit within the facility will either be escorted back to their housing units/cells or to another secure location (holding cell). The Supervisor should instruct any staff not directly involved in the lockdown to escort any visitors and nonessential contractors out of the facility.

A headcount shall be immediately conducted for all inmates, visitors, contractors, and staff. The Supervisor shall be immediately notified of the status of the headcount. If any person is unaccounted for, the Supervisor shall direct an immediate search of the facility and notify the Watch Commander of the situation as soon as practicable.

Lockdown is not to be used as a form of punishment. It may only be used to ensure order.

#### **400.5 HUNGER STRIKE**

Upon being made aware that one or more inmates is engaging in a hunger strike, the staff will notify the Sergeant, who will notify the Watch Commander. The staff should evaluate the basis for the strike and seek an appropriate resolution.

Should the staff be unable to resolve the grievance leading to the strike, the Sergeant will notify the Watch Commander and provide updates on the status of the hunger strike.

##### **400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS**

The Sergeant or the authorized designee should notify the Responsible Physician to review, coordinate, and document any medical actions taken, based upon protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of inmates involved in the hunger strike and make recommendations to the supervisory staff responsible for oversight of the incident.

If an inmate is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental illness will be followed.

##### **400.5.2 RESPONSE TO HUNGER STRIKES**

Beginning at the line staff level, a resolution to grievances should be sought at the lowest level. The Inmate Grievances Policy shall guide staff on resolving inmate grievances.

If the hunger strike remains unresolved, the Supervisor may direct the appropriate staff to examine the inmate commissary purchases made in advance of the hunger strike, and to monitor commissary purchases made during the hunger strike. Additional staff should be directed to

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observe the cell area, including trash containers, of the inmates involved for evidence of food items purchased from the commissary and of food hoarding.

#### 400.5.3 LEGAL GUIDANCE

If all attempts to resolve the grievance are unsuccessful or not reasonably possible, the Facility Manager or his/her designee should consider consulting with legal resources or the health authority, as appropriate, to develop other steps to resolve the issues.

#### **400.6 RESPONSE TO DISTURBANCES**

The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The staff should immediately notify the Central Control or the Supervisor of the incident. Central Control or the Supervisor may direct additional staff as needed to resolve the disturbance (15 CCR 1029(a)(7) (B)).

#### 400.6.1 NOTIFICATIONS

The Supervisor should notify the Watch Commander of the disturbance as soon as practicable. Based on the seriousness of the event, the Watch Commander should notify the Facility Manager.

#### 400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Facility Manager or the authorized designee should notify the appropriate qualified health care professionals in order to review, coordinate, and document medical actions based upon protocols and/or at the direction of the Responsible Physician.

#### 400.6.3 REPORTING

The Watch Commander should direct that an incident report be completed containing the details of the disturbance no later than the end of the shift. If appropriate, a crime report shall be initiated, and prosecution sought.

#### **400.7 RIOTS**

Riots occur when inmates forcibly and/or violently take control or attempt to take control of any area within the confines of the detention facility.

Staff should make reasonable attempts to prevent inmate-on-inmate violence but should take measures to avoid being engulfed in the problem, thereby exacerbating the situation.

#### 400.7.1 RESPONSE TO RIOTS

Once the area of the disturbance is secured and isolated from other areas of the facility, time is generally on the side of staff. If possible, the process of quelling the disturbance should slow down in order for staff to develop response plans, to ensure there are adequate facility personnel to effectively take the required actions, and to ensure that responding staff are appropriately equipped with protective gear.

Staff should evaluate their response given the totality of circumstances in any situation, but generally should not enter the space where a riot is occurring until sufficient staff members are

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present to safely suppress the riot. Nothing in this policy shall prohibit any staff member from assisting staff members who are being assaulted.

All inmates who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured inmates shall receive a medical evaluation and treatment. If the injured inmate is medically cleared to remain in the detention facility, he/she will be reclassified and moved to appropriate housing.

Other housing units must be secured, with sufficient staff remaining at their posts to continue to supervise the unaffected units. When the riot has been suppressed, all involved staff must immediately return to their assigned posts.

#### **400.7.2 QUALIFIED HEALTH CARE PROFESSIONALS RESPONSE**

A supervisor or the authorized designee should notify the appropriate qualified health care professionals and identify a staging area for medical emergency responders and for medical triage should it appear to be necessary.

The Responsible Physician or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

#### **400.7.3 NOTIFICATIONS**

As soon as practicable, the Watch Commander or a responsible staff member shall notify the Facility Manager, who in turn, shall notify the Division Assistant Sheriff.

#### **400.7.4 REPORTING**

The Watch Commander shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the responsible law enforcement agency.

#### **400.7.5 DEBRIEFING**

All responding staff, including medical responders, shall be debriefed on the incident as soon as practicable after the conclusion of the emergency incident. The staff shall examine the incident from the perspective of what worked, what actions were less than optimal, and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facility disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator should be used to ensure that no individual or group involved in the response is publicly ridiculed.

#### **400.8 HOSTAGES**

The Office does not recognize the taking of hostages as a reason to relinquish control of the detention facility environment. All staff, inmates, visitors, volunteers, and contractors shall be informed of the "no hostage" policy prior to entering the facility for the first time and shall sign an acknowledgment, which the facility shall retain.

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It is the policy of the Sonoma County Sheriff's Office to use all available resources necessary to bring about a successful end to a hostage situation (15 CCR 1029(a)(7)(B)).

#### **400.8.1 RESPONSE TO HOSTAGE INCIDENT**

Central Control should immediately be notified at the earliest sign of a hostage incident. Central Control shall notify the Supervisor, Watch Commander, and Facility Manager. The Facility Manager will notify the Division Assistant Sheriff as soon as practicable.

The Watch Commander shall make every effort to ensure that the hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded and the Patrol Division will be contacted.

#### **400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS**

At the direction of the Watch Commander or the authorized designee, the qualified health care professionals should be notified in order to identify a location and form a logistical plan for medical triage. The location also shall serve as a medical staging area for other medical emergency responders.

#### **400.8.3 REPORTING AND DEBRIEFING**

Following the conclusion of a hostage incident, the Facility Manager should direct that an incident report be completed by the end of the shift. All aspects of the incident should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

#### **400.9 ESCAPES**

Upon being made aware that an escape may have occurred, or did in fact occur, the staff member should immediately notify Central Control. Central Control should notify the Supervisor, the Watch Commander or Facility Manager. As soon as practicable, the Facility Manager should notify the Division Assistant Sheriff.

Once the escape is verified and immediate actions taken inside the facility (lockdown, etc.), the Watch Commander should notify all local law enforcement agencies.

#### **400.9.1 INMATE COUNTS**

As soon as the facility is fully locked down, a full inmate/identification count should be taken.

All inmates who are outside of the secure perimeter of the facility (e.g., court, work details) should be located and identified. Any missing inmate should have his/her identity disclosed and his/her facility record should be accessed by the Facility Manager (15 CCR 1029(a)(6)).

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##### 400.9.2 SEARCH

Concurrent with the lockdown, the area surrounding the facility should be searched for the escapee. Areas where an inmate may be hiding or may have discarded detention facility clothing should be searched first. Any witnesses should be interviewed.

Classification officers will develop a flyer with the inmate's name, description, latest picture, classification status, and charges, and supply it to the custody staff and local law enforcement. Local law enforcement should also be given the inmate's last known address and a list of his/her associates.

##### 400.9.3 REPORTING

The Watch Commander or a designated staff member should submit an incident report to the Facility Manager. A crime report should also be written regarding the escape. The incident report should focus on events and physical plant weaknesses that contributed to the escape. The Facility Manager should review the reports, interview involved parties, and develop action plans to minimize the risk of future occurrences.

#### **400.10 TOXIC/CHEMICAL SPILLS**

Whenever the health and safety of any inmate, staff or visitors at the MADF or NCDF are in jeopardy due to a local toxic/chemical spill, they shall be relocated or evacuated to a safe place.

##### 400.10.1 RESPONSE TO TOXIC/CHEMICAL SPILL

Upon notification that a toxic/chemical spill has occurred, Central Control will shut down the heating, ventilation, and air conditioning system where possible.

Affected inmates will be relocated within the facility when possible. If all relocation attempts have been exhausted and inmate health and safety is still in jeopardy, all affected areas will be evacuated as needed.

##### 400.10.2 NOTIFICATION PROCEDURE

The Supervisor should notify the Watch Commander of the incident as soon as practicable. Based on the seriousness of the event, the Watch Commander should notify the Facility Manager.

##### 400.10.3 REPORTING AND DEBRIEFING

The Watch Commander or Facility Manager should direct that an incident report be completed containing all details of the chemical spill no later than the end of the shift. All aspects should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

#### **400.11 BOMB THREATS**

Detention Facility staff shall ensure that bomb threats or explosions are systematically reported to prevent injury and damage to the staff, inmates, community, or facility. Staff shall communicate via telephone or intercom when possible and avoid the use of radio or cell phone frequencies.

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##### **400.11.1 RESPONSE TO BOMB THREATS**

The detention facility will lockdown inmates and a count will be conducted. All visitors and non-essential staff will be evacuated from the building. Affected inmates will be relocated within the facility when possible. If all relocation attempts have been exhausted and inmate safety is in jeopardy, all affected areas will be evacuated as needed.

##### **400.11.2 NOTIFICATION PROCEDURE**

The Supervisor should notify the Watch Commander of the incident as soon as practicable. Based on the seriousness of the event, the Watch Commander should notify the Facility Manager.

Depending on the nature of the event, it may be treated as a critical incident, if an unidentified object is located, and or an explosion occurs. Medical staff will be summoned to stand by, and the Special Operations Unit will be notified.

##### **400.11.3 REPORTING AND DEBRIEFING**

The Watch Commander or Facility Manager should direct that an incident report be completed containing the details of the bomb threat no later than the end of the shift. All aspects should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

#### **400.12 CIVIL DISTURBANCES OUTSIDE OF THE JAIL**

Upon being notified that jail space will be needed in response to a civil disturbance involving mass arrests, the Watch Commander should notify the Facility Manager. The Facility Manager should make the determination regarding the magnitude of the event and whether it warrants notification of the Division Assistant Sheriff.

The size of the event may also require a lockdown, suspension of any programs that are not critical to detention facility operations, and/or implementation of alternate staffing plans. To accommodate the influx of inmates, the Watch Commander shall develop a housing plan that will not adversely affect the safety and security of the facility. Program spaces, such as exercise yards, classrooms, and dayrooms, may be used to temporarily house a limited number of additional inmates.

In the event that the detention facility can no longer accept additional inmates without compromising the safety and security of the facility, mutual aid may be requested from allied counties. Title 15 CCR standards may be temporarily suspended. The Facility Manager shall notify the California Board of State and Community Corrections (BSCC) in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days require approval of the chairperson of the BSCC (15 CCR 1012).

#### **400.13 REVIEW OF EMERGENCY PROCEDURES**

The Facility Manager shall ensure that there is a review of emergency response plans at least annually. This review should be documented with reports submitted to the Facility Manager or the authorized designee within 10 days of the review for approval. This review should also include

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the signatures or initials of the facility staff responsible for the review. At a minimum, the review shall include:

- (a) Assignments of persons to specific tasks in emergency situations.
- (b) Instructions in the use of the alarm systems and signals.
- (c) Systems for the notification of appropriate persons outside of the facility.
- (d) Information on the location and use of emergency equipment in the facility.
- (e) Specification of evacuation routes and procedures.

#### **400.14 TRAINING**

The staff shall be trained annually on this policy. This facility will provide emergency preparedness training as part of orientation training for all personnel assigned to the facility and for those who may be required to respond to the facility in an emergency. The staff shall also receive refresher training at least annually in the emergency response plans. The Training Manager is responsible for developing and delivering appropriate initial training and annual refresher training.

Emergency planning training should occur in the form of classroom instruction (or roll call training), mock practical exercises, and drills. Each type of emergency covered in the emergency response plan must be included in the training.

A lesson plan, staff roster with the dates and the times training should be provided, and proof of completion for each participant should be maintained by the Training Manager.

The Training Manager shall forward an annual report to the Administrative Lieutenant on the status of emergency response plan training. Any training deficiencies identified in this report should be rectified within 90 days of the report.

The facility emergency plans, and all training shall be documented by the Training Manager and retained in accordance with established records retention schedules.

## Emergency Staffing

### 401.1 PURPOSE AND SCOPE

The facility must operate at all times as a safe and secure environment, regardless of staffing levels. Consequently, contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing appropriate emergency staffing training to supervisory and management personnel and identifying an updated schedule and distribution list for the plan, as identified by the Detention Division Assistant Sheriff or the authorized designee.

### 401.2 POLICY

It is the policy of this office to be prepared to operate a safe and secure facility in the event of a work staffing emergency. Staffing emergencies that could negatively affect the good order the facility may include, but are not limited to, an outbreak of infectious disease, a work stoppage or strike by the staff, a natural disaster or other disruption. The Detention Division Assistant Sheriff or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists.

#### 401.2.1 EMERGENCY STAFFING

In the event the Watch Commander becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts. The Watch Commander will notify the Captain and depending on the severity of the staffing crisis, the Captain will notify the Detention Division Assistant Sheriff. Plans should include measures to achieve minimum staffing for the facility within four hours of a staffing emergency and may include the following operational adjustments:

- The facility may go on a lockdown status. Minimum activities, including visiting, exercise and other programs will be suspended only if necessary. Meals, cleaning, medical services, court transportation and attorney visits will continue. Other activities will be assessed by the Detention Division Assistant Sheriff or his/her designee on a case-by-case basis.
- Supervisory and management personnel may have time-off cancelled or rescheduled for the duration of the staffing emergency.
- Staff from other areas of the office who have custody experience may be used to fill vacancies in the facility.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facility.
- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facility.
- In the event of a health-related staffing emergency, the Sheriff's Office Safety Coordinator, medical staff, and public health, if necessary, shall be notified in

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accordance with the Detention Division Illness and Injury Prevention Program and the Detention Division Aerosol Transmissible Diseases Exposure Control Plan.

#### 401.2.2 LEGAL ASSISTANCE

In cases where the Detention Division Assistant Sheriff becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the employees' representatives and Sonoma County Human Resources may also be necessary to prevent or conclude the job action.

#### 401.2.3 TRAINING

The Detention Division Assistant Sheriff or the authorized designee should be responsible for:

- (a) Establishing a distribution list for emergency staffing plans.
- (b) Establishing a periodic review and update of emergency staffing plans.
- (c) Ensuring that all supervisors and managers are periodically trained on establishing emergency staffing plans.
- (d) Documenting all training.
- (e) Maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the need for emergency staffing plans.

## Fire Safety

### 402.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the facility represents a significant risk to the safety and security of the community, the staff, incarcerated persons, volunteers, contractors, and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state, and/or local fire safety codes, and to establish a process of creating, disseminating, and training all individuals in the facility on the emergency plans for fire safety and evacuation.

### 402.2 POLICY

It is the policy of this office that fire prevention strategies are a high priority.

The Facility Manager shall ensure that a fire alarm and detection and suppression system, as required by law, are installed, maintained, and periodically tested. Any variance, exception, or equivalency issues must be approved by the fire jurisdiction authorities and must not constitute a serious life-safety threat to the occupants of the facility (15 CCR 1029(a)(7)(A); 15 CCR 1032 et seq.).

#### 402.2.1 FIRE CODES

The Office shall conform to all federal, state, and local fire safety codes.

#### 402.2.2 FIRE PREVENTION RESPONSIBILITY

All staff, volunteers, and contractors who work in the facility are responsible for the prevention of fires. They should be trained and given the tools to carry out the tasks necessary to reduce the risk of fire.

### 402.3 FIRE SUPPRESSION PRE-PLANNING

Pursuant to Penal Code § 6031.1, the Facility Manager shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan shall include but is not limited to (15 CCR 1032):

- (a) A fire suppression pre-plan by the local fire department, to be included as part of this policy.
- (b) Fire prevention, safety inspection plans, and record retention schedules developed by designated staff or as required by applicable law.
- (c) Fire prevention inspections as required by Health and Safety Code § 13146.1(a) and (b), which requires inspections at least once every two years.
- (d) Documentation of all fire prevention inspections, all orders to correct, and all proofs of correction should be maintained for a minimum of two years or as otherwise required by law.
- (e) An evacuation plan (see the Evacuation Policy).
- (f) A plan for the emergency housing of incarcerated persons in case of fire.

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- (g) A plan for the cross-training of responders and facility staff via drills, which should occur at least quarterly, if practicable.

#### **402.4 FIRE PREVENTION EQUIPMENT**

All required fire alarms, sprinklers, and detection devices shall be in good working order at all times.

Should such a device become inoperative, the Facility Manager or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as possible and that staff is provided with an alternative emergency fire safety and evacuation plan.

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the facility shall not be inhabited by incarcerated persons or staff.

#### **402.5 FIREFIGHTING EQUIPMENT**

The Facility Manager shall ensure that the facility is equipped with the necessary firefighting equipment (e.g., fire hoses, extinguishers) in an amount and in a location as recommended by the local fire authority or other qualified entity. The locations of firefighting equipment will be shown on the facility fire plan (schematic).

While the staff is not trained as fully qualified firefighters, the Facility Manager or the authorized designee will ensure that the staff is trained to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary.

##### **402.5.1 EVACUATION HOODS**

The facility should maintain sufficient quantities of evacuation hoods for staff to initially respond to a fire with the purpose of facilitating evacuations of occupants, if necessary. The Facility Manager or the authorized designee is responsible for developing and implementing training.

#### **402.6 FIRE TRAINING**

The Training Manager is responsible for ensuring that within the first six months of assignment to the facility all staff members receive training on the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff should receive refresher training at least annually on the use of firefighting equipment.

Each shift will have at least one designated staff member who is trained to maintain the facility's firefighting equipment.

#### **402.7 INSPECTIONS**

The Office shall be inspected by an appointed staff member who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained (15 CCR 1032). These inspections will be focused on, but not limited to, fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, emergency response, fire safety equipment use, and the evacuation plan.

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The Facility Manager or the authorized designee shall ensure that staff conduct weekly fire and safety inspections of the facility and that all fire safety equipment is tested periodically (15 CCR 1029(a)(7)(E)).

A staff member shall be assigned to coordinate with local or state fire officials for the inspections as required once every two years, pursuant to Health and Safety Code § 13146.1(a); and Health and Safety Code § 13146.1(b). The result of all fire inspections and fire equipment testing shall be provided to the Facility Manager and the Sheriff, and the records maintained for at least two years (15 CCR 1032(b)).

#### **402.7.1 FURNISHINGS**

All furnishings allowed in the facility shall meet fire authority standards for fire performance characteristics.

#### **402.7.2 FLAMMABLE, TOXIC, AND CAUSTIC MATERIALS**

The Facility Manager, in collaboration with the local environmental health expert, will review the type of materials introduced into the facility to ensure that flammable, toxic, and caustic materials are controlled and used safely. All such materials will be safely stored and only used by incarcerated persons under the direction of the staff.

#### **402.8 EMERGENCY HOUSING OF INCARCERATED PERSONS**

The Facility Manager or the authorized designee shall develop a plan for the emergency housing of incarcerated persons in the event of a fire (15 CCR 1032(e)). The plan should include procedures for continuing to house incarcerated persons in the facility, identification of alternate facilities and the potential capacity of those facilities, incarcerated person transportation options, and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

## Emergency Power and Communications

### 403.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office facility must continue to operate as a safe and secure environment regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding back-up power and communication systems, and the inspection, preventive maintenance and testing of the systems to ensure a seamless transition in the event of a loss of power.

### 403.2 POLICY

It is the policy of this office to ensure that power to critical systems and communications continues to operate within the facility in the event of a loss of power.

#### 403.2.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Division Assistant Sheriff and Facility Manager to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the facility to operate continuously for a three-day period, if necessary, without external resources.

The emergency power system should be inspected, tested and maintained, as necessary. In the event that the system fails, the Facility Manager or Watch Commander should contact the designated maintenance authority or repair company to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source until the repair or replacement of the primary system occurs.

#### 403.2.2 SAFETY AND SECURITY

All safety and security equipment will be repaired or replaced in an expedited manner by qualified personnel. In the event that safety and security equipment become inoperable or damaged and it is not safe to operate a secure portion of the facility, that portion of the facility should be vacated, and the inmates housed elsewhere. Or, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

#### 403.2.3 INSPECTION AND TESTING

The Facility Manager or the authorized designee is responsible for scheduled testing of emergency power systems (15 CCR 1029). The power system manufacturer should be contacted for the required testing intervals and load information. The emergency power system should be load-tested in accordance with the manufacturer's recommendations or at least quarterly.

All emergency equipment and systems should be inspected and tested by a qualified individual at least quarterly.

Power generators should be inspected and tested by a qualified individual at least monthly.

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All testing and inspections shall be documented and maintained by Sonoma County Facilities Development and Management Division.

## Evacuation

### 404.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities, and training requirements for the staff of the Sonoma County Sheriff's Office detention facility in case of fire and other emergency evacuations.

### 404.2 POLICY

The community, staff, volunteers, contractors, and inmates should have a well-researched and validated evacuation plan that can be implemented in the event any portion of this facility requires evacuating due to an emergency (e.g. fire, smoke, flood, storm) (15 CCR 1032(d)). All custody staff should be knowledgeable about the evacuation plan, policy, and procedures.

### 404.3 EVACUATION PLAN

The Sonoma County Sheriff's Office maintains an evacuation plan to be implemented in the event of a fire, natural disaster, or other emergency (15 CCR 1032(d)). At a minimum, the evacuation plan shall address the following:

- Location of facility building and floor plans
- Procedures on how inmates are to be released from locked areas
- Relocation areas to be used for housing inmates in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for staff
- Reporting requirements

The Facility Manager shall ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy at least annually.

A current copy of the evacuation plan shall be maintained in the Compliance office and in the command areas of each annex facility.

#### 404.3.1 EXITS

All facility exits should be marked with signs that clearly indicate the direction of traffic.

Except for temporary reasons, such as maintenance or repairs, all exits to the facility shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff to remove any obstructions that block, either partially or completely, staff's ability to observe or use any exit.

All housing areas and places of assembly that are designed for occupancy of 50 individuals or more shall have two available exits.

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##### **404.3.2 EVACUATION PLANS AND ROUTES**

Plans for evacuation routes will be posted in each module/unit and the public areas of the facility. All custody staff will be familiar with evacuation routes for inmates.

##### **404.3.3 EMERGENCY HOUSING OF INMATES**

The Facility Manager or the authorized designee shall develop a plan on the emergency housing of inmates in the event of a full or partial evacuation of the facility. The plan will address when inmates should be housed in place, identification of alternate facilities, and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

##### **404.4 TRAINING DRILLS**

The Facility Manager should ensure that drills of the evacuation plan are conducted at least annually, or more often if required by code, for each shift and at all facility locations. Drills will include staff and volunteers. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant inmates may participate. Violent and/or dangerous inmates or those known to be a flight risk will not be involved in the drills.

Drills should be designed to ensure that all staff members are proficient in their duties during each type of evacuation. Each drill should be documented as to its scope, participants and areas requiring remedial training.

## Specialized Response Teams

### 405.1 PURPOSE AND SCOPE

The Specialized Response Teams are comprised of two specialized units: The Specialized Emergency Response Team (SERT) and the Crisis Negotiation Team (CNT). These teams have been established to provide specialized support in handling critical custody operations where intense negotiations and/or special tactical deployment methods beyond the capacity of line level deputies appear to be necessary.

These teams have been created to contain, control, and resolve critical incidents while minimizing the risk to staff, inmates and the public.

#### 405.1.1 DEFINITIONS

**BARRICADED SUBJECT** - A person who takes a position of cover or concealment or maintains a position in a structure and who resists staff's directions while threatening the safety and security of the facility.

**CALL-OUT** - The summoning of off-duty personnel for duty.

**CNT DEFINED** - The Crisis Negotiation Team consists of Correctional Deputies trained extensively in the philosophy and techniques of crisis negotiation, which is established and supported by the Detention Division. The Crisis Negotiation Team will apply the techniques of verbal negotiation to contain and/or resolve a critical incident while minimizing the risk to staff, inmates, and the public.

**CRITICAL INCIDENT** - High-risk situations that involve potential harm to staff, civilians, inmates, and facility.

**HOSTAGE** - A person seized or held as security for the fulfillment of a condition.

**NEGOTIATION** - To successfully settle a matter through communication, discussion and compromise.

**RIOT** - A violent disturbance.

**SERT TEAM DEFINED** - A team of Correctional Deputies trained extensively in self- defense, cell extractions, the use of specialized equipment, and crowd control techniques established and supported by the Detention Division. This team provides the Detention Division with the ability to take control of situations that may be beyond the ability of the generally trained line staff and to contain and/or resolve a critical incident while minimizing the risk to staff, inmates and the public.

**SPECIAL ASSIGNMENT** - Any assignment, incident, or emergency situation approved by the Watch Commander or higher authority, which exceeds the capability and/or capacity of the agency's line deputies, based upon a high level of threat, the need for specialized equipment or skill or rapid deployment capabilities.

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#### **405.2 POLICY**

It shall be the policy of this office to maintain a SERT team and to provide the equipment, manpower, and training necessary to maintain a SERT team. The SERT team should develop sufficient resources to perform three basic operational functions:

- (a) To re-establish or maintain, the integrity of a safe and secure environment.
- (b) To save, maintain, and protect life and property.
- (c) To provide and maintain a well-trained, well-equipped, professional unit for lawfully and ethically ensuring order, safety, and security for staff, inmates, and the public.

#### **405.3 SPECIALIZED RESPONSE TEAM POSITIONS**

**SPECIALIZED RESPONSE TEAM MANAGER** - A Lieutenant charged with overall management responsibility of all of the teams that fall under Specialized Response Teams, SERT, and CNT. The Specialized Response Team Manager reports directly to the Operations Captain. The Specialized Response Team Manager will be selected by the Facility Manager.

##### 405.3.1 SERT TEAM POSITIONS

**SERT TEAM SERGEANTS** - A sergeant charged with overall supervisory responsibility of the SERT Team. The SERT Team sergeant reports directly to the Specialized Response Team manager.

**SERT TEAM LEADER** - A member charged with leadership responsibilities in the absence of the sergeant or watch commander.

**SERT TEAM MEMBER** - A member who performs a team function as a member of an incident response team, an entry team, etc.

##### 405.3.2 CNT POSITIONS

**CNT TEAM SERGEANT** - A Sergeant charged with overall supervisory responsibility of the CNT team. The CNT Sergeant reports to the Specialized Response Team manager.

**CNT TEAM LEADER** - A member charged with leadership responsibilities in the absence of the sergeant or watch commander.

**CNT PRIMARY NEGOTIATOR** - A CNT team member who negotiates with a barricaded or recalcitrant subject, or who assists in the negotiation process.

##### 405.3.3 INCIDENT COMMAND STRUCTURE

The command structure for each Specialized Response Team shall be as follows:

- **INCIDENT COMMANDER (IC)** - Highest ranking Sheriff's Office member, normally a Lieutenant or above, responsible for the overall operation, to include all resources committed to the incident. The IC will manage and conduct operations from the Incident Command Post. The IC assumes overall responsibility for the incident once on-scene and provides the authority for all operational efforts necessary to resolve the incident. Depending on the size and scope of the operation, the IC may also assume the role of the Tactical Commander.

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- **TACTICAL COMMANDER (TC)** - Normally the Specialized Response Team Manager, when available, will assume responsibility for the oversight of the tactical planning and execution of authorized courses of action that are put into effect to resolve an incident. The TC controls response teams directly committed to the objective sight.
- **TACTICAL SERGEANT** - Normally the SERT sergeant is responsible for the direct supervision of the tactical aspects of the incident. The Tactical Sergeant reports directly to the Tactical Commander. The Tactical Sergeant is responsible for executing the established course of action. The Tactical Sergeant is responsible for keeping the Tactical Commander advised of the progress of the Tactical Operations.
- **NEGOTIATIONS SERGEANT** - A CNT sergeant is responsible for the overall supervision of the negotiations aspects of the operation. The CNT sergeant is responsible for ensuring equipment requested is available upon request. The CNT sergeant reports directly to the Tactical Commander and is responsible for keeping the Tactical Commander advised of the progress of the negotiations and any gathered intelligence.
- **CUSTODY SUPPORT SERGEANT** - A line-level sergeant, typically the first sergeant on-scene, responsible for facility oversight and support of the Specialized Response Teams. The sergeant is responsible for any outside resources that may be requested by the Tactical Commander. The Tactical Support Sergeant reports directly to the Tactical Commander.
- **INCIDENT COMMAND POST (ICP)** - The on-scene command post from which the Tactical Commander functions. The ICP provides operational control over the entire incident, including the Tactical Operations Center. Depending on the size of the incident, the ICP may be established separately or in the immediate vicinity of the Tactical Operations Center.
- **TACTICAL OPERATIONS CENTER (TOC)** - The on-scene command post from which the Tactical Commander and/or first supervisor on-scene functions. The TOC provides operational control, from the inner perimeter forward, over teams directly committed to tactical actions or negotiations. The TOC is generally established at the outside edge of the inner perimeter.

#### **405.4 OPERATIONAL PROCEDURES FOR CALL-OUTS**

The following operational procedures will be followed during a critical incident call-out of the Specialized Response Teams:

- (a) Designated personnel responsible for developing an operational or tactical plan.
  1. All SERT members should have an understanding of operational planning.
  2. The SERT team should consider planning for both spontaneous and planned events.
  3. The SERT team should incorporate medical emergency contingency planning as part of the operational plan.
- (b) Briefing planning.

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1. Briefings should include the CNT team.
- (c) Protocols for a sustained operation should be developed which may include relief and rotation of personnel.
- (d) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary.
- (e) The appropriate role for a trained negotiator.
- (f) Post-incident scene management including:
  1. Documentation of the incident.
  2. Transition to classification/operations.
  3. After-action team debriefing, provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound safety practices and collaboration between SERT and CNT.

#### 405.4.1 MUTUAL AID REQUESTS

The SERT team may be used to assist other Law Enforcement Agencies with in-field booking, and the control of those being booked during mass arrest situations. The Specialized Response Team Manager with approval from the Facility Manager shall initiate a call-out. If the request is for CNT only, the Specialized Response Team Manager with the approval from the Facility Manager will contact the CNT sergeant and initiate a call-out.

#### **405.5 INCIDENT COMMAND STRUCTURE DURING SPECIAL ASSIGNMENTS**

The following is meant to provide a structure for managing a critical incident that requires a SERT or CNT response. It is understood that these are difficult situations, involve rapidly changing events, and members may have to assume roles outside their normal duties.

The first on-scene supervisor shall, as soon as practical, establish a TOC. The TOC should be located at the outer edge of the inner perimeter in a safe location.

The first on-scene supervisor is responsible for conducting operations at the incident site until relieved by the Tactical Commander, or higher-ranking member. The first arriving SERT sergeant may assume the role of Tactical Commander until relieved by a Lieutenant, or higher-ranking member.

If the Specialized Response Team Manager is available, he/she will normally assume the role of Tactical Commander. Otherwise, the on-duty or on-call Lieutenant will become the Tactical Commander.

Depending on the size, scope, and duration of the operation, the roles of the Tactical Commander and Incident Commander may be combined. If the situation dictates, and there is only one Lieutenant on-scene, he/she may call another Detention Lieutenant (or higher-ranking member)

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to become either the Tactical Commander or Incident Commander, depending on the member's experience.

If there is a separate Incident Commander, he/she shall establish an ICP. The ICP may be at a separate location or co-located near the TOC, depending on the size and complexity of the situation.

The IC may call in additional resources if necessary.

A needs assessment should be conducted to determine the type and extent of SERT activities and operations appropriate to the detention division. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the Facility Manager or his/her designee.

#### 405.5.1 USE OF FORCE

In all cases, the SERT team will comply with the Sheriff's Office Use of Force policy.

#### 405.5.2 OPERATIONAL ORDER

Operational orders shall be developed and implemented for all situations where prior notice allows sufficient time for the formation of an order. Operational orders shall be reviewed and approved by the SERT team sergeant. Operational Orders shall be filed with the incident After-Action Audit. A copy of the current Operational Order form shall be included in the SERT team training file.

#### 405.5.3 AFTER-ACTION AUDIT

Each special assignment shall have an After-Action Audit that will be approved and maintained by either the SERT or CNT team sergeant.

#### 405.5.4 REPORT RETENTION PERIOD

With the exception of cases that are involved with civil or criminal litigation, After-Action Audits shall be retained for a minimum of five years.

#### 405.5.5 DEBRIEF

Upon completion of all operations and significant training events, the Specialized Response Team Manager, or his/her designee, will conduct an after-action debrief with all team members present. The purpose for this review is to discuss the events of the overall tactical operation and create a forum for team members to offer constructive criticism to improve the effectiveness of the team.

### **405.6 MOBILIZATION OF THE SPECIAL RESPONSE TEAMS**

The on-scene supervisor shall make a request to the Watch Commander for the Specialized Response Teams. The Watch Commander shall then notify the Specialized Response Team Manager; if unavailable, the SERT team supervisor will be notified. The Watch Commander will then notify the Operations Captain as soon as practical.

The Watch Commander should advise the Specialized Response Team Manager of the following information:

- (a) Location of incident.

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- (b) Inmate(s) involved and if there is an operational order in place.
- (c) If there a weapon or suspected weapon involved.
- (d) Medical or Mental Health information if available.
- (e) Suicidal statements if present.
- (f) General description of what lead to the event.
- (g) Any other important facts critical to the immediate situation.

Central Control will contact SERT and CNT members to respond.

The Watch Commander shall notify the Operations Captain of the activation.

#### 405.6.1 LINE STAFF RESPONSIBILITIES

While waiting for the Specialized Response Teams, line staff should stabilize the situation as much as possible, if safe, practical, and sufficient resources exist:

- (a) Ensure the inmate/scene is secure where possible.
- (b) Maintain a response team in the event the inmate(s) complies.
- (c) Clear the area of inmates and unnecessary personnel.
- (d) Establish a perimeter.
- (e) Establish a command post outside the perimeter.
- (f) Continue communication efforts until the Specialized Response Teams arrive.
- (g) Brief the Specialized Response Team Manager or supervisor.
- (h) Plan for, and stage, anticipated resources.

#### 405.6.2 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Specialized Response Team, the Incident Commander shall brief the Specialized Response Team Manager and supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the Specialized Response Team Manager, whether to initiate the Specialized Response Teams. Once the Incident Commander authorizes deployment, the Specialized Response Team Manager will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, perimeter security, and support for the Specialized Response Teams. The Incident Commander and the Specialized Response Team Manager or his/her designee shall maintain communications at all times.

#### 405.6.3 COMMUNICATION WITH SPECIALIZED RESPONSE TEAM PERSONNEL

All of those persons who are non-Specialized Response Team personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Specialized Response Team members directly. All

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non-emergency communications shall be channeled through the Watch Commander or his/her designee.

#### **405.7 OPERATION GUIDELINES FOR CNT RESPONSE**

The following procedures serve as a guideline for the operational deployment of the Crisis Negotiation Team. Generally, the SERT team will be activated simultaneously; however, it is recognized that during times when the physical presence of SERT is not required, that CNT will be called into service separately. This shall be at the discretion of the Specialized Response Team Manager, the on-duty Watch Commander or higher-ranking member.

##### **405.7.1 ON-SCENE DETERMINATION**

The supervisor in charge on the scene of a particular event will assess whether the Crisis Negotiations Team is to respond to the event. Upon final determination by the Watch Commander, he/she will notify the Specialized Response Team Manager.

Appropriate situations for use of CNT may include:

- (a) Barricaded inmates who refuse to comply with orders.
- (b) Cases of suicide threats if the situation is stable enough for negotiations.
- (c) Any situation that can benefit from de-escalation through negotiations, minimizing the risk to staff, inmates, and the public.

#### **405.8 SERT TEAM ADMINISTRATIVE PROCEDURES**

The SERT team was established to provide a skilled and trained team which may be utilized during critical incidents to quickly and definitively resolve high-risk situations while minimizing the risk to staff, inmates, and the public.

The following procedures serve as directives for the administrative operation of the SERT Team.

##### **405.8.1 SELECTION OF PERSONNEL**

Interested personnel shall follow Policy 1002- Promotional, Transfer, and Specialty Assignments in applying for SERT specialty assignments. Those qualifying applicants will then be invited to participate in the testing process.

- (a) Physical Agility - The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SERT related duties. The applicant must be able to meet the testing requirements to be considered for the position and next phase of testing.
- (b) Oral board - The oral board will consist of personnel selected by the Specialized Response Team Manager. Applicants will be evaluated by the following criteria:
  - 1. Recognized competence and ability as evidenced by performance to act under pressure.
  - 2. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.
  - 3. Special skills, training, and knowledge of facility emergency procedures.

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4. Demonstrated good judgment, common sense, and decision-making ability and an understanding of the critical role of being a SERT member.
- (c) The Specialized Response Team Manager will select the new SERT team member from a list of applicants that successfully complete the testing process, with final approval of the Facility Manager or their designee.

#### 405.8.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the team supervisor. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SERT team members. Any member of the SERT team who performs or functions at a level less than satisfactory shall be provided with remedial training. If performance continues to be less than satisfactory, the team member may be subject to dismissal from the team.

#### **405.9 CRISIS NEGOTIATION ADMINISTRATIVE PROCEDURES**

The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to de-escalate and attempt to successfully negotiate with inmates in critical incidents while minimizing the risk to staff, inmates and the public.

The following procedures serve as directive for the administrative operation of the Crisis Negotiation Team.

#### 405.9.1 SELECTION OF PERSONNEL

Interested personnel shall follow Policy 1002- Promotional, Transfer, and Specialty Assignments in applying for Crisis Negotiation Team specialty assignments.. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance during oral board scenario.
- (b) Demonstrated good judgment and understanding of critical role of negotiator and negotiation process.
- (c) Effective communication skills to ensure success as a negotiator.
- (d) Special skills, training, or appropriate education as it pertains to the assignment.
- (e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions, and training.
- (f) The Specialized Response Team Manager will select the new CNT team member from a list of applicants that successfully complete the oral board, with final approval of the Facility Manager.

#### 405.9.2 TRAINING OF NEGOTIATORS

Those deputies selected as members of the Crisis Negotiation Team should attend the 40-hour Basic Negotiators Course prior to primary use in an actual crisis situation. Untrained deputies may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

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A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training necessary to maintain proper skills. This will be coordinated by the team supervisor and approved by the Specialized Response Team Manager.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels established by the team supervisor will be met and maintained by all team members. Any member of the Crisis Negotiation Team who performs or functions at a level less than satisfactory shall be provided with remedial training. If performance continues to be less than satisfactory, the team member may be subject to dismissal from the team.

#### **405.10 UNIFORMS, EQUIPMENT, AND WEAPONS**

The Specialized Response Team Manager or his/her designee will ensure that all equipment, weapons, and control devices are operational, and ready for use during a special assignment or call-out. Items requiring repair or replacement will be identified and removed from the inventory until fully functional.

##### 405.10.1 UNIFORMS

The SERT team from this agency should wear uniforms that clearly identify team members as Sheriff's Office personnel.

##### 405.10.2 EQUIPMENT

The SERT team from this agency should be adequately equipped to meet the needs identified by the agency.

##### 405.10.3 WEAPONS AND CONTROL DEVICES

Weapons, control devices, and equipment used by SERT shall be agency-issued and approved.

#### **405.11 TRAINING**

The Specialized Response Team Manager shall conduct an annual SERT training needs assessment to ensure that required training is scheduled and conducted for team members prior to the expiration of necessary certifications. Certifications include:

- (a) Impact Weapons
- (b) Oleoresin Capsicum
- (c) Specialty Impact Munitions

SERT team members must also demonstrate proficiency in the use of all tactical equipment and proper deployment of distraction devices prior to use.

##### 405.11.1 INITIAL TRAINING

Each newly appointed SERT member will attend and successfully complete a 16-hour SERT orientation course.

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##### 405.11.2 ON-GOING TRAINING

SERT training will be conducted a minimum of eight hours per month. The SERT team sergeant will document the attendance of SERT members and forward the training outline and the roster to the Specialized Response Team Manager and the Division Training Manager.

Each SERT member shall perform a physical fitness test twice each year. A minimum qualifying score must be attained by each team member.

Any SERT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.

1. Members who are removed from the team under this section may apply for future team openings.
2. Members who are removed from the SERT Team pursuant to this policy may appeal the decision to the Detention Assistant Sheriff.

Those members who are on vacation, ill, or are on light duty status with a doctor's note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member, who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.

##### 405.11.3 SUPERVISION AND MANAGEMENT TRAINING

The SERT team will keep the command staff and executive personnel apprised of any procedural changes to ensure personnel who provide active oversight of a critical incident understand the purpose and capabilities of the team. When necessary, supervisors and managers will receive training related to procedural changes.

##### 405.11.4 SERT QUARTERLY TRAINING

Quarterly, each SERT team member assigned to control device weapons shall complete the mandatory qualification, conducted by a certified range master. Failure to qualify will require the team member to seek remedial training. Team members who fail to qualify may be disqualified from use of that particular weapon.

##### 405.11.5 TRAINING SAFETY

Use of a safety officer should be considered for all tactical training.

##### 405.11.6 SCENARIO-BASED TRAINING

The SERT team should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during a call-out.

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##### 405.11.7 TRAINING DOCUMENTATION

Individual and team training for SERT and CNT shall be documented, and records maintained by the Detention Division Training Manager. Such documentation shall be maintained in each member's individual training file. A separate SERT and CNT training file shall be maintained with documentation and records of all team training.

## **Chapter 5 - Inmate Management**

## Population Accounting

### 500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of incarcerated person population accounting that promotes the safety and security of the facility on a daily operational basis. It assembles data that enables the Office to forecast staffing and facility growth needs into the future, and to plan for the associated expenditures.

### 500.2 POLICY

It is the policy of this facility that an incarcerated person population management system should be established and maintained to account for the admission, processing, transfer, and release of incarcerated persons.

### 500.3 REPORTS

The Facility Manager or the authorized designee is responsible for ensuring that detailed daily reports of the facility's incarcerated person population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced incarcerated persons by categories of gender and juvenile status. The Facility Manager or the authorized designee should maintain the data in an accessible format for historical purposes and trend analysis and to respond to funding opportunities (see the Crowding Policy) (15 CCR 1040).

### 500.4 DATA COLLECTION

The Facility Manager or the authorized designee is responsible for ensuring that all required information is supplied to the Board of State and Community Corrections as required (15 CCR 1040).

## Inmate Counts

### 501.1 PURPOSE AND SCOPE

Inmate counts are vital to the security of the facility, the safety of the staff, and the welfare of the inmates. This policy establishes guidelines for the frequency of inmate counts, which ensures that all inmates and their status can be accounted for at any time.

### 501.2 POLICY

It is the policy of this office to account for all inmates within and under the control of this facility through scheduled and other counts as needed (15 CCR 1029(a)(6)).

### 501.3 PROCEDURE

The Facility Manager or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Inmate counts shall be conducted at the beginning and end of each shift. A formal count in which all inmates are personally identified by a correctional deputy should be conducted during every meal service and at evening lockdown. Additional unscheduled inmate counts may be conducted by staff at any time. Emergency counts may be conducted at the direction of the Watch Commander as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log. Formal counts shall be verified by the Sergeant. Counts shall include all inmates in custody, including those on work assignments, participating in programs, and those who are off-site, such as at the hospital or court.

Any discrepancy in the count should immediately be reported to the Watch Commander and resolved prior to the release of the shift personnel responsible for the count.

In the event that an escape is discovered during the inmate count, the Watch Commander will initiate action to investigate the escape by promptly notifying law enforcement agencies and the Facility Manager, initiating a search, and complying with other procedures as needed in accordance with the Facility Emergencies Policy.

A complete report of the incident will be prepared and provided to the Facility Manager, Assistant Sheriff, and Sheriff as soon as practicable.

## Reception

### 502.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office has a legal and methodical process for the reception of arrestees into this facility. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues, and the seizure and storage of personal property.

### 502.2 POLICY

This office shall use the following standardized policies when receiving arrestees to be booked into this facility. This is to ensure security within the facility and that arrestees are properly booked and afforded their applicable rights.

### 502.3 PRE-BOOKING SCREENING

All arrestees shall be screened prior to booking to ensure the arrestee is medically acceptable for admission and that all arrest or commitment paperwork is present to qualify the arrestee for booking. Required paperwork may include the following:

- (a) Arrest reports
- (b) Probable cause declarations
- (c) Warrants or court orders
- (d) Victim notification information
- (e) Special needs related to religious practices, such as diet, clothing, and appearance (see the Religious Programs Policy)
- (f) Accommodation requests related to disabilities (see the Incarcerated Persons with Disabilities Policy)
- (g) Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting officers.

Prior to accepting custody of an arrestee who claims to have been arrested due to a mistake of the arrestee's true identity or an arrestee who claims that identity theft led to the issuance of a warrant in the arrestee's name, staff shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

Arrestees who can post bail or qualify for a release on their Own Recognizance (O.R.), citation, or Penal Code § 849(b) will be processed and released (15 CCR 1029(a)(5)).

#### 502.3.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

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Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the person meets at least one of the following (Government Code § 7282.5; Government Code § 7284.6):

- (a) The individual's release date or other information is available to the public.
- (b) Has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c)
- (c) Has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary
- (d) Has been convicted of an offense as identified in Government Code § 7282.5(a)
- (e) Is a current registrant on the California Sex and Arson Registry
- (f) Is identified by the U.S. Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE) as the subject of an outstanding federal felony arrest warrant
- (g) Sheriff's Office members personnel shall refer to the Sonoma County Sheriff's Office Immigration Notification Matrix for listed exceptions.

#### 502.3.2 NOTICE TO INDIVIDUALS

Individuals in custody shall be given a copy of documentation received from ICE regarding a hold, notification, or transfer request along with information as to whether the Office intends to comply with the request (Government Code § 7283.1).

If the Office provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to their attorney or to one additional person whom the individual may designate (Government Code § 7283.1).

#### 502.3.3 ICE INTERVIEWS

Before any interview between ICE personnel and an individual in custody for civil immigration violations, the Sonoma County Sheriff's Office shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that they may decline to be interviewed or may choose to be interviewed only with the individual's attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

#### 502.3.4 IMMIGRATION INQUIRIES PROHIBITED

Correctional deputies shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

#### **502.4 SEARCHES BEFORE ADMISSION**

All arrestees and their property shall be searched for contraband by the booking correctional deputy before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting officer for processing or processed according to the facility's rules for handling evidence. Approved

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personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting officer prior to the arrestee being accepted for booking. A description of the items returned to the arresting or transporting officer shall be documented on the arrestee's booking record.

Strip searches shall be conducted in accordance with the Searches Policy.

#### **502.4.1 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR**

Unless exigent circumstances exist, when an individual is wearing religious clothing or headwear, a correctional deputy shall offer to conduct searches of the individual using a correctional deputy of the same gender and offer the search to be out of view of members of a different gender (Penal Code § 2607).

Following the search, any religious clothing or headwear purchased, accessed (as defined by Penal Code § 2607), or retained shall be returned unless there is a reason to confiscate the item due to a security risk. If the item is not returned, the reason shall be documented (Penal Code § 2607).

#### **502.5 ADMISSION PROCESS**

A unique booking number shall be obtained specific to the current admission. Photographs and fingerprints shall be taken.

The admission process should include an attempt to gather a comprehensive record of each arrestee, including the following:

- Identifying information, including name and any known aliases or monikers
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting officer and transporting officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction
- Gender
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment

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- Preferred emergency contact, including name, address, telephone number, and relationship to incarcerated person
- Driver's license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the incarcerated person, such as scars, birthmarks, deformities, or tattoos
- Medical, dental, and mental health screening records, including suicide risk
- Identification of disabilities and need for accommodations
- Inventory of all personal property including clothing, jewelry, and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

The incarcerated person shall be asked if they served in the U.S. military. The response shall be documented and made available to the incarcerated person, the person's counsel, and the District Attorney (Penal Code § 4001.2).

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The incarcerated person's signature should be obtained on the booking record and on any forms used to record money and property.

#### 502.5.1 LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand.

#### 502.5.2 ADMISSION OF SEX OFFENDER REGISTRANTS

The Detention Records Bureau shall inform the California Department of Justice when incarcerated persons required to register address changes under Penal Code § 290.013 have been admitted into the detention facility within 15 days of the admission (Penal Code § 290.013).

#### 502.5.3 RELIGIOUS ACCOMMODATIONS AT INTAKE

Correctional deputies shall ask each individual during intake whether the individual practices a sincerely held religious belief that requires accommodation for grooming, religious clothing, or headwear. Accommodations shall be made as follows (Penal Code § 2607):

- (a) Allow the individual to purchase facility-issued religious clothing and headwear or provide access as defined by Penal Code § 2607.
  1. If religious clothing or headwear is unavailable, the individual shall be allowed to retain their religious clothing or headwear until facility-issued religious clothing and headwear can be accessed or purchased.

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- (b) Not require an individual's hair or beard to be trimmed or cut during the booking, intake, or classification process.

For additional guidance, see the Religious Programs Policy.

#### **502.6 TRANSITION FROM RECEPTION TO HOUSING MODULE**

Classification Staff is responsible for ensuring only arrestees who qualify are processed for housing. Those who will not be processed for housing include:

- (a) Arrestees who are eligible for release following citation.
- (b) Arrestees who are intoxicated or under the influence of any chemical substance.
- (c) Arrestees who are arranging bail. They shall be permitted a reasonable amount of time, at the discretion of the Booking Sergeant, to make telephone calls before being processed for housing.

##### 502.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

Staff shall respond promptly to medical symptoms presented by incarcerated persons to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility.

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that an incarcerated person may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

##### 502.6.2 INMATE SEPARATION

Inmates should be kept separate from the general population during the admission process. Newly admitted inmates should be separated according to the facility's classification plan.

#### **502.7 INCARCERATED PERSON PROPERTY CONTROL**

All property received from incarcerated persons at the time of booking shall be inventoried and cross-referenced to the property sheet provided by the arresting officer. A receipt should be signed by the incarcerated person and referenced to the booking number before the admission is completed. The original copy of the property receipt will be retained and placed in the person's file and/or with the property. A second copy will be presented to the incarcerated person at the time of booking.

##### 502.7.1 VERIFICATION OF INCARCERATED PERSON'S MONEY

All monies belonging to the incarcerated person and retained by the arresting officer shall be verified in front of the person. When possible, the incarcerated person should initial the dollar amount on the booking sheet. All money should be placed in a separate envelope and sealed.

Negotiable checks or other instruments and foreign currency should also be sealed and treated as valuable property with the amount indicated but not added to the cash total. Jewelry and other small valuable property should also be heat sealed in a clear plastic bag. All property bags should

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clearly indicate the contents on the front via the property receipt. The person sealing it should initial on the bottom right-hand of the form as indicated. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope until it has been accepted by the cashier.

#### **502.7.2 PROPERTY STORAGE**

All incarcerated person property should be stored in a secure storage area. Only authorized personnel may access the storage area and only for the purpose of depositing or retrieving property, or to conduct duly authorized work, including maintenance and other duties as directed by the Facility Manager.

#### **502.7.3 PROPERTY OF INMATES TRANSFERRING FROM OTHER DETENTION FACILITIES**

Deputies will search the items brought in with inmates who have transferred from other facilities as soon as possible. Inmates will be allowed to keep only items which are similar to items issued or sold on commissary at MADF/NCDF.

#### **502.7.4 JEWELRY REMOVAL**

With the exception of Medic Alert bracelets, all items of jewelry will be removed from an arrestee/ inmate and placed in their valuable property. If an item of jewelry cannot be removed voluntarily, the inmate in possession of the jewelry is going to be housed in the general population and/or the item poses a safety and security concern within the facility, the item may be removed by cutting the item. The involuntary removal of the jewelry must be approved by a Sergeant after a review of alternatives is considered.

Any involuntary removal of jewelry shall be documented in an incident report. The removed jewelry will be placed in the inmate's valuable property.

#### **502.8 TELEPHONE CALLS**

Except where physically impossible, every incarcerated person detained in this facility shall be entitled to at least three completed telephone calls immediately upon being admitted and no later than three hours after arrest. Either the arresting officer or booking correctional deputy must ask the incarcerated person if they are a custodial parent with responsibility for a minor child as soon as practicable, but no later than three hours after the arrest, except when physically impossible. If the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make two additional telephone calls to arrange care for the minor child (Penal Code § 851.5).

The calls may be of a duration that reasonably allows the incarcerated person to make necessary arrangements for matters that they may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls.

There is no obligation for the custody staff to make a telephone call on an incarcerated person's behalf, for example in the case of a person who is so intoxicated that they cannot make a call.

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The custody staff is not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

At the request of the arresting Officer or Deputies, due to circumstances pertaining to Officer safety or inmate safety (e.g., serving search warrants), inmates may be prevented from placing phones calls for a specified period of time, but in no case later than three hours after arrest. When these situations occur, the Booking Sergeant shall be notified, and the denial documented on the inmate's management card.

#### **502.8.1 TELEPHONE CALL PROCEDURES**

The Office will pay the cost of local calls. Long distance calls will be paid by the incarcerated person by calling collect.

Calls between the incarcerated person and their attorney shall be deemed confidential, and shall not be monitored, eavesdropped upon, or recorded.

A sign containing the information as required in Penal Code § 851.5 in bold block type shall be posted in a conspicuous place where the incarcerated persons make their booking telephone calls and within the custody facility.

The public defender's telephone number shall be posted with the sign.

The signs shall be in English, Spanish, and any other language spoken by a substantial number of the public, as specified in Government Code § 7296.2, who are served by this agency (Penal Code § 851.5).

#### **502.8.2 ONGOING TELEPHONE ACCESS**

Ongoing telephone access for incarcerated persons who are housed at this facility will be in accordance with the Telephone Access Policy.

#### **502.9 SHOWERING AND CLOTHING EXCHANGE**

Incarcerated persons should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an incarcerated person is transferred from the temporary holding area to general population housing

Prior to initial module housing, each inmate shall be provided with clean institutional clothing and linen and personal care items.

If an inmate is unable to wear an item of jail-issued clothing because of medical problems, the Clothing Room Detention Assistant, with medical staff authorization and the approval of the Custody Sergeant, will temporarily release that item of personal clothing to the inmate, until facility clothing can be obtained. The Sergeant will make an appropriate entry in the inmate's management notes and notify the module deputy of the special issue item.

If an inmate is unable to wear an item of jail-issued clothing because of size problems, the Clothing Room Detention Assistant, with the approval of the Booking Sergeant, will temporarily release

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that item of personal clothing to the inmate. The Sergeant will make an appropriate entry in the inmate's management notes and notify the Module Deputy of the special issue item.

(see the Incarcerated Person Hygiene Policy).

#### **502.10 JUVENILE DETAINEES**

Juveniles are not eligible for admission to this detention facility. A juvenile may be held only for the length of time needed for release to a parent or guardian or transfer to an appropriate facility and, in any case, for a maximum of six hours (Welfare and Institutions Code § 207.1). Detention is subject to the following conditions:

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the detention facility, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object.
- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.
- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.

## Handbook and Orientation

### 503.1 PURPOSE AND SCOPE

This policy provides for the orientation of incarcerated persons booked into the Sonoma County Sheriff's Office facility. The purpose of the orientation is to inform incarcerated persons of the detention facility routine, rules, incarcerated persons' rights, and services.

### 503.2 POLICY

The Facility Manager shall provide an effective method of orienting all incoming incarcerated persons that includes an incarcerated person handbook. The orientation should take place at the time of placement in a living area.

### 503.3 INITIAL ORIENTATION

To assist with the incarcerated person's transition into a custody environment, the orientation will be both written and verbal (including video orientation if available) and include the following topics, supplemented by a more detailed incarcerated person handbook that will be provided to each incarcerated person (15 CCR 1069):

- (a) Facility rules and disciplinary actions
- (b) Correspondence, visiting, and telephone rules
- (c) Incarcerated person grievance procedure
- (d) Co-pays, fees, and charges
- (e) Medical, dental, and mental health services
- (f) Possibilities for pretrial release
- (g) Programs and activities, including application procedures
- (h) Classification/housing assignments and appeal procedures
- (i) Court appearance, where scheduled, if known
- (j) Availability of personal care items and opportunities for personal hygiene
- (k) Emergency procedures (e.g., fires, evacuations)
- (l) Sexual abuse and sexual harassment information, including the following (28 CFR 115.33):
  - 1. Facility's zero-tolerance policy
  - 2. Prevention and intervention
  - 3. Instruction on how incarcerated persons can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
  - 4. Treatment and counseling for victims of sexual abuse or sexual harassment
  - 5. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously

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6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring, and mandatory reporting
  - (m) Contacting foreign consuls
  - (n) Requests for religious accommodations
  - (o) Voting, including registering to vote
  - (p) Direction for pregnant incarcerated persons, including the information required in Penal Code § 3407(e) and 15 CCR 1058.5
  - (q) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

In addition to English, orientation information will be provided in the most commonly used languages for the incarcerated person population.

The Facility Manager should consider enlisting the assistance of volunteers who are qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered.

Interpretive services will be provided to incarcerated persons who do not speak English or any of the other languages in which the orientation information is available.

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the incarcerated person's permanent file (28 CFR 115.33).

#### 503.3.1 HOUSING AREA ORIENTATION/INSPECTION

The Correctional Deputy assigned to the inmate's initial housing area, and any subsequent housing area thereafter during the inmate's incarceration, will conduct a housing area orientation which shall include cell/bunk assignment and inspection. The inmate will sign the Living Area Inspection Form upon completion of the cell inspection, and it will be retained with the inmate's management card.

#### **503.4 ORIENTATION FOR INCARCERATED PERSONS WHO ARE NON-READERS, VISUALLY IMPAIRED, OR HAVE A HEARING DISABILITY**

Incarcerated persons who cannot read, are visually impaired, or have intellectual, psychiatric, or speech disabilities, or limited reading skills shall have the materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.16).

Incarcerated persons who have hearing disabilities shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the incarcerated person in understanding the information.

## Safety Checks

### 504.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting visual safety checks for all incarcerated persons, and for creating and maintaining a log to document all safety checks.

### 504.2 POLICY

It is the policy of the Sonoma County Sheriff's Office that all correctional staff shall conduct safety checks on all incarcerated persons, at a frequency determined by custody status, housing classification, and applicable state law.

### 504.3 SAFETY CHECKS

The staff shall adhere to the following procedures when conducting safety checks (15 CCR 1027; 15 CCR 1027.5):

- (a) Safety checks shall be conducted at least twice every hour, no less than 10 minutes apart. No more than 60 minutes should lapse between each safety check..
- (b) Safety checks shall be conducted on an irregular schedule (staggered) so that incarcerated persons cannot predict when the checks will occur.
- (c) Safety checks shall be done by direct personal observation of the correctional deputy and shall be sufficient to determine whether the incarcerated person is experiencing any stress or trauma.
- (d) Cameras and monitors may supplement the required visual observation safety checks, but they shall not replace the need for direct visual observation.
- (e) Safety checks will be clearly documented on logs in accordance with the office Daily Activity Logs and Shift Report Policy.
- (f) Actual times of the checks and notations should be recorded on the appropriate logs.
- (g) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.
- (h) Special management incarcerated persons shall be checked more frequently as detailed in the Special Management Incarcerated Persons Policy.
- (i) All staff of the opposite gender of the inmates housed shall announce their presence when entering the housing are (28 CFR 115.15(d)).

#### 504.3.1 SUPERVISORY ROUNDS

Supervisors on each shift shall conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Staff are prohibited from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility (28 CFR 115.13(d)). These unannounced rounds shall be documented by the Supervisor in the Supervisor's Activity Log.

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##### 504.3.2 SAFETY CHECK DOCUMENTATION

All safety checks shall be documented. Documentation shall include (15 CCR 1027.5):

- (a) The actual time when each safety check occurred.
- (b) The location where each safety check occurred, such as a cell, module, or dormitory number.
- (c) Initials or member identification number of staff who completed the safety check.

Safety check documentation shall be reviewed at regular, defined intervals by the Facility Manager or supervisor. The review shall include any noted inconsistent documentation or any untimely completion of safety checks (15 CCR 1027.5).

## Special Management Incarcerated Persons

### 505.1 PURPOSE AND SCOPE

Incarcerated persons who pose a heightened risk to themselves or others require special management, including frequent interaction and increased supervision by staff. Interaction with special management incarcerated persons is essential to maintaining a safe, secure, and humane environment. This policy establishes guidelines and procedures for interacting with special management incarcerated persons in the custody of the Sonoma County Sheriff's Office.

#### 505.1.1 DEFINITIONS

Definitions related to this policy include:

**Administrative separation** - The physical separation of an incarcerated person who has (15 CCR 1053):

- (a) A documented history of activity or behavior, or promoting such activity or behavior, that is criminal in nature, disruptive to facility operations, or affects the safety of the facility, other incarcerated persons, and facility staff.
- (b) Influenced or participated in activity that is criminal in nature or disruptive to facility operations or affects the safety and security of the facility, other incarcerated persons, and facility staff.
- (c) A history of escape or recently attempted escape.
- (d) Committed assault, attempted assault, or participated in a conspiracy to assault or harm other incarcerated persons or facility staff.
- (e) A demonstrated need for protection from other incarcerated persons and facility staff.

This is a non-punitive classification process and must not adversely affect an incarcerated person's health (15 CCR 1053).

**Protective custody separation** - A level of custody either requested or required for an incarcerated person's protection from others.

**Special management incarcerated person** - An incarcerated person who is either classified as administrative separation or protective custody separation. Classification as a special management incarcerated person is a non-punitive classification.

### 505.2 POLICY

This office shall provide for the secure and restrictive housing of any special management incarcerated person but shall not impose more deprivation of privileges than is necessary to obtain the objective of protecting the incarcerated person, staff, or the public (15 CCR 1053).

### 505.3 SPECIAL MANAGEMENT INCARCERATED PERSONS HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies incarcerated persons who pose a risk to themselves or to others. Incarcerated persons who pose such a risk must be promptly and appropriately separated from the general incarcerated persons

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population until such time that they no longer pose a risk. Staff must have the ability to promptly separate these incarcerated persons pending further review.

Individuals who may be classified as special management incarcerated persons include but are not limited to incarcerated persons who are:

- In protective custody or court-imposed separation.
- Exhibiting mental health concerns.
- An escape threat.
- A serious violence threat.
- Known to influence or participate in activity that is criminal in nature, disruptive to facility operations or affects the safety of the facility, other incarcerated people, and facility staff..
- A known management problem.
- A suicide risk.
- Exhibiting medical issues.
- Physically impaired.

#### **505.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEPARATION**

Incarcerated persons will generally be assigned to separation through the classification process. The Facility Manager or the Watch Commander, and Classification Deputies have the authority to immediately place any incarcerated person into separation when it reasonably appears necessary to protect the incarcerated person or others (15 CCR 1081(d)).

Reasons that an incarcerated person may be placed into separation include the following:

- (a) The incarcerated person requests protection or is under court-ordered protection, or the staff has determined that the incarcerated person requires protection.
- (b) There is reason to believe the incarcerated person poses a danger to themselves or others.
- (c) The incarcerated person poses an escape risk.
- (d) The incarcerated person requires immediate mental health evaluation and medical housing is not reasonably available.
- (e) The incarcerated person is charged with a disciplinary infraction and is awaiting a disciplinary hearing and in the judgment of the staff, the incarcerated person may become disruptive or dangerous if left in general population.
- (f) The incarcerated person is in the process of being transferred to a higher security classification.
- (g) Other circumstances where, in the judgment of the staff, the incarcerated person may pose a threat to themselves, others, or the security of the facility.

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##### **505.4.1 REVIEW PROCESS**

Classification staff shall be notified when any incarcerated person is placed into immediate separation and shall be informed of the circumstances leading to the order to separate. Within 72 hours of the incarcerated person being placed into restrictive housing, the Facility Manager or the authorized designee must review the circumstances surrounding the separation to determine which of the following actions shall be taken:

- (a) The incarcerated person is designated for administrative separation.
- (b) The incarcerated person is designated for protective custody.
- (c) The incarcerated person remains separated pending a disciplinary hearing.
- (d) The incarcerated person is returned to general incarcerated person population.

The hearing may be postponed or continued for a reasonable time through a written waiver by the incarcerated person, or for good cause.

##### **505.5 PROTECTIVE CUSTODY**

The correctional deputy responsible for assigning classifications to incoming incarcerated persons shall clearly document the reason an incarcerated person should be placed into protective custody. Incarcerated persons in need of protective custody may be placed in a separation unit when there is documentation that the protective custody is warranted and separation is the least restrictive alternative reasonably available.

Incarcerated persons who are in protective custody shall receive all services and programs that are available to incarcerated persons in general population and that are deemed a privilege. Any deviation from allowing usually authorized items or activities shall be documented on the incarcerated person's file.

##### **505.6 MAINTENANCE OF PROGRAMS AND SERVICES**

Administrative separation and protective custody shall consist of separate and secure housing but shall not involve any deprivation of privileges other than what is necessary to protect the incarcerated person or staff (15 CCR 1053).

Incarcerated persons who are classified for housing in administrative separation or protective custody shall, at a minimum, be allowed access to programs and services including but not limited to:

- Incarcerated person telephones.
- Visitation.
- Educational programming appropriate to the incarcerated person's classification.
- Commissary services.
- Library and legal assistance services.
- Social services.

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- Faith-based guidance, counseling, and religious services.
- Recreation activities and exercise.
- Social and professional visits.

Nothing in this policy prohibits changing the delivery of programs or services to separated incarcerated persons in order to provide for the safety and security of other incarcerated persons and staff.

#### **505.7 REVIEW OF STATUS**

The Classification Sergeant or the classification deputy shall review the status of all incarcerated persons who are housed in restrictive housing units and designated for administrative separation or protective custody. This review shall occur every 30 days. The review should include information about these incarcerated persons to determine whether their status in administrative separation and protective custody is still warranted.

If other reasonable housing options exist that will provide for the safety of the incarcerated person and the facility, the incarcerated person should be moved out of separation. In reviewing an alternative housing decision for an incarcerated person in protective custody, the safety of the incarcerated person should receive the utmost consideration.

#### **505.8 HEALTH EVALUATION REQUIREMENTS**

After notification from staff that an incarcerated person is being placed in separation, the Watch Commander shall ensure that the following occurs:

- (a) A qualified health care professional shall assess the incarcerated person's health needs and coordinate the appropriate housing assignment.
- (b) If contraindications or special accommodations are noted, the qualified health care professional shall inform the Watch Commander and coordinate the appropriate plan for the incarcerated person based on the safety needs of the facility and the medical needs of the incarcerated person.

##### **505.8.1 HEALTH CONSIDERATIONS**

Due to the possibility of self-inflicted injury and depression during periods of separation, health evaluations should include notations of any bruises and other trauma markings and the qualified health care professional's comments regarding the incarcerated person's attitude and outlook.

- (a) Unless medical attention is needed more frequently, each incarcerated person in separation should receive a visit by medical staff at least three days a week. A medical assessment should be documented in the incarcerated person's medical file.
- (b) A qualified health care professional shall also conduct weekly mental health evaluations.

When an incarcerated person is classified as a special management incarcerated person due to the presence of a serious mental illness and is placed in a separation setting, the staff shall document this in the incarcerated person's file and notify the qualified health care professional.

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When an incarcerated person is expected to remain in separation for more than 30 days, the qualified health care professional shall be notified.

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk during the three days following admission to the restrictive housing unit.

#### **505.9 SAFETY CHECKS**

A staff member shall conduct a face-to-face safety check of all special management incarcerated persons, including those housed in administrative separation or protective custody, at least twice per hour at random intervals ensuring there are at least 10 minutes between checks. There shall be no more than a 60-minute lapse between safety checks.

Incarcerated persons who are at risk of suicide shall be under continuous observation until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional.

#### **505.10 LOG PROCEDURES**

Handwritten logs should be completed in ink. Once an entry is made it should not be modified. If corrections or changes are needed, they should be done by way of a supplemental entry. Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Incarcerated person's name
- Incarcerated person's booking number
- Classification status
- Housing assignment
- Date and time initially housed
- Date and time of entry and exit from the cell
- Reason for the special housing
- Medical, psychological, or behavioral considerations
- Counseling for behavior
- Removal date and time from special housing

Log entries should be legible, entered promptly, and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate.

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All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check.

##### 505.10.1 LOG INSPECTION AND ARCHIVE OF LOGS

The designated Sergeant shall review and evaluate the logs and pass any significant incidents via the chain of command to the Facility Manager for review.

The logs will be retained by the Office in accordance with established records retention schedules, but in no case for less than one year.

## Civil Detainees

### 506.1 PURPOSE AND SCOPE

This policy provides safeguards to ensure that persons held under a civil detainee are afforded appropriate standards of custody.

Nothing in this policy prevents application of discipline under the Inmate Discipline Policy.

#### 506.1.1 DEFINITIONS

Definitions related to this policy include:

**Civil detainee** - Any person in custody held for a reason other than for criminal matters.

### 506.2 POLICY

It is the policy of the Sonoma County Sheriff's Office that any restrictions placed on civil detainees must be for legitimate, non-punitive purposes that cannot be reasonably accomplished through less restrictive means.

### 506.3 SCREENING

Civil detainees shall undergo the same screening process as inmates, including attention to whether the person poses an enhanced security concern. Any reason for departure from the standard treatment of civil detainees as defined in this policy or in related procedures should be documented with specific recommendations included addressing the risks.

### 506.4 ORIENTATION

Civil detainees shall receive orientation materials that explain the benefits and rules that are applicable to civil detainees.

### 506.5 CONDITIONS OF CONFINEMENT IN HOUSING

All civil detainees should be housed separately from other inmates (Penal Code § 4002(a)).

#### 506.5.1 USE OF RESTRAINTS AND TRANSPORTATION

Civil detainees may be handcuffed in the event there is a need to control the detainee based on enhanced security concerns.

Civil detainees should be transported separately from inmates.

#### 506.5.2 RECREATION

Civil detainees shall have access to recreation time (indoor and outdoor) no less than that of an inmate housed in general population.

#### 506.5.3 ACCESS TO MAIL AND TELEPHONE

Civil detainees shall have the same access to books, periodicals and magazines as any other general population inmate.

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Outgoing and incoming mail may be inspected but not read, unless there is specific and articulable information to believe a particular security or safety issue is at hand.

Civil detainees shall be allowed telephone access no less than that of an inmate housed in general population.

#### 506.5.4 VISITING

Civil detainees shall be allowed visitation of a frequency no less than that of an inmate housed in general population.

#### **506.6 SEARCHES**

Strip searches of civil detainees will be conducted in accordance with the Searches policy.

Cell searches of civil detainees will be conducted in accordance with the Searches policy.

#### **506.7 INMATES PENDING CIVIL PROCESS UNDER SEXUALLY VIOLENT PREDATOR LAWS**

Inmates who are held pending civil process under the sexually violent predator laws shall be housed in separate and secure housing that does not involve any deprivation of privileges other than what is necessary to protect the inmates and staff.

An alleged sexually violent predator held pending civil process may waive placement in secure housing by petitioning the court for a waiver. A person granted a waiver shall be placed with inmates charged with similar offenses or with similar criminal histories pursuant to the Inmate Classification policy. (Penal Code § 4002(b)).

## Classification

### 507.1 PURPOSE AND SCOPE

This policy describes the Sonoma County Sheriff's Office's classification process, which is designed to properly assign inmates to housing units and activities according to the categories of sex, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior and other criteria which will provide for the safety of the inmates and staff (15 CCR 1050).

#### 507.1.1 DEFINITIONS

Definitions related to this policy include:

**Classification** - A system designed to properly assign inmates to housing units and activities according to specific criteria and categories providing for the safety of staff and inmates.

**Classification/ Health Services Input** - Forms used by staff to provide information to classification or medical services staff (including mental health staff) regarding inmate behavior and problems while the inmate is in custody.

**Override** - A process that allows for a Classification Deputy, with approval of the Classification Sergeant, to assign an inmate a security level other than the security level designated by the Primary Classification Decision Tree Instrument. The Classification Deputy must base their professional judgment on reasonable and logical factors.

**Primary Classification Decision Tree** - A formal and objective decision instrument that is used to assess and evaluate an inmate's level of risk and need based on specific criteria to include:

- (a) Current Felony charges
- (b) Prior Felony charges
- (c) Institutional behavior history
- (d) Medical observable or history
- (e) Mental health observable or history
- (f) Suicidal observable or history
- (g) Victimization history or observed propensities
- (h) Special needs housing
- (i) Special Handling Alerts

**Primary Classification Decision Tree Data Dictionary** - A document that provides a working definition for each of the data elements of the Primary Classification Decision Tree Instrument.

**Administrative Separation Inmate** - Inmates who are determined to be prone to: escape; assault staff or other inmates; disrupt the operations of the jail, or likely to need protection from other inmates, if such administrative separation is determined to be necessary in order to obtain the objective of protecting the welfare of inmates and staff. Administrative Separation shall consist of

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separate and secure housing but shall not involve any other objective or protecting the inmates and staff.

**LGBTQI** - A common abbreviation for lesbian, gay, bisexual, transgender, queer, and intersexed community.

**Civil detainee** - Any person held in custody for a reason other than for criminal matters.

#### **507.2 POLICY**

It is the policy of this office to process all arrestees and detainees entering this facility to determine whether they will be housed in the facility, cited, and released, released on bail, or released back to the community through an appropriate release mechanism, including alternatives to incarceration programs, such as electronic supervision.

Anyone housed in the facility shall be properly classified by trained personnel which will include security and health risks so that appropriate supervision, temporary holding, and housing assignments may be made.

#### **507.3 RELEASE AT OR FOLLOWING CLASSIFICATION**

Individuals arrested for intoxication only, with no further proceedings anticipated, should be released as soon as custodial staff reasonably determine they are no longer impaired to the extent that they cannot care for their own safety.

Misdemeanor incarcerated persons who meet criterion established by local courts may be cited and released on O.R. by the Sheriff or the authorized designee. Incarcerated persons who meet the established criteria will be interviewed by classification personnel and a determination will be made whether there is good cause to release the incarcerated person on O.R. (15 CCR 1029(a)(5)).

#### **507.4 CLASSIFICATION PLAN**

The Facility Manager or the authorized designee should create and maintain a classification plan to guide staff in the processing of individuals brought into the facility.

The plan should include an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42). The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, intake and housing forms, and a process to ensure that all classification and housing records are maintained in each incarcerated person's permanent file. The plan should include an evaluation of the following criteria (15 CCR 1050):

- Age
- Gender identity
- Current charges
- Behavior during arrest and intake process
- Criminal and incarceration history

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- Emotional and mental condition
- Potential risk of safety to others or self
- Special management status
- Special needs assessment for vulnerable incarcerated persons
- Behavioral or physical limitations or disabilities and physical/mental health needs
- Medical condition
- Level of sobriety at booking
- Suicidal ideation
- Escape history and degree of escape risk
- Prior assaultive or violent behavior
- The need to be separated from other classifications of incarcerated persons (e.g., gang affiliation, confidential informant, former law enforcement, sexual orientation)
- Prior convictions for sex offenses against an adult or child
- Whether the incarcerated person is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming (see the Prison Rape Elimination Act Policy for transgender and intersex definitions)
- Previous sexual victimization
- The incarcerated person's own perceptions of vulnerability
- Whether the incarcerated person is a foreign national and, if so, from what country (see the Foreign Nationals and Diplomats Policy)
- Prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the Office (28 CFR 115.41)
- Any other criteria as deemed appropriate by the Sheriff or the authorized designee
- Any other requirements for a classification plan under 15 CCR 1050

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know (28 CFR 115.41).

#### 507.4.1 INCARCERATED PERSON RESPONSE TO SCREENING

Incarcerated persons may not be compelled by threat of discipline to provide information or answers regarding (28 CFR 115.41):

- (a) Whether the incarcerated person has a mental, physical, or developmental disability.
- (b) Whether the incarcerated person is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming.

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- (c) Whether the incarcerated person has previously experienced sexual victimization.
- (d) The incarcerated person's own perception of vulnerability.

#### **507.5 INITIAL CLASSIFICATION**

Objective Jail Classification will be utilized to assign classification designations and housing assignments to inmates housed in the Sonoma County Detention Facilities. The first, formal classification assignment will be made by Classification staff. Classification staff will interview the inmate and complete the Primary Classification Decision Tree Instrument that is used to assess and evaluate the inmate's level of risk and need based on specific criteria. This process will allow Classification staff to designate primary housing assignments.

Classification shall be administered equitably and consistently, without discrimination against any individual based on gender, race, color, creed, culture, religion, background, disabilities, sexual preference, or national origin. The classification process occurs:

- (a) In the pedestrian sally port
- (b) During the booking process
- (c) During housing placement
- (d) Constantly during incarceration

Booking, Medical and Mental Health Staff assist Classification staff with the initial assessment of each inmate. Classification Staff may modify or reassess an inmate's classification status as needed when new information is received, such as changes in behavior, judicial status or at an inmate's request.

Civil detainees should undergo the same screening process as inmates, including attention to whether the person poses an enhanced security concern. Any reason for departure from the standard treatment of civil detainees should be documented with specific recommendations included addressing the risks.

#### **507.6 CLASSIFICATION UPON HOUSING**

Once it has been determined that the person arrested will not be released from custody on bail or O.R., a more in-depth classification of the incarcerated person will be conducted as soon as possible after which the person will be moved to more permanent housing.

##### **507.6.1 INTERVIEW**

The comprehensive classification process begins with a review of any initial classification information obtained during the reception and booking process, as well as an interview by the classification correctional deputy. The review of initial classification documents and the questions, answers, and observations from the incarcerated person's interview will be documented, representing the security level and housing assignment appropriate for each incarcerated person.

Individualized determinations shall be made about how to ensure the health and safety of each incarcerated person (28 CFR 115.42; 15 CCR 1050).

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##### 507.6.2 OVERRIDE

There will be occasions when the security level of an inmate designated by the Primary Classification Instrument does not fit the profile of an inmate. The following are examples of criteria that may cause an override:

- (a) Absence of force or violence on probable cause.
- (b) Abundance of force or violence on probable cause.
- (c) Attitude/ behavior during the classification interview/ booking process
- (d) Gang status/ prior classification

When the Classification Deputy makes the decision to override a classification/housing assignment, they will indicate that on the Primary Classification Decision Tree form in the space provided with the reason for override. Any additional documentation should be attached to the form. The Classification deputy will submit the file to the Classification Sergeant to review. The Classification Sergeant will review the inmate's file and reasons for the override and either approve or deny the override in the space provided.

Any risk reclassification resulting in a move of more than one (1) level from an original classification requires supervisory override approval.

##### **507.7 REVIEWS AND APPEALS**

Once an incarcerated person is classified and housed, the person may appeal the decision of the classification correctional deputy. The appeal process shall begin at the first-line supervisor level. The decision by the supervisor may be appealed to the Facility Manager or the authorized designee. The decision by the Facility Manager or the authorized designee is final. Appeal decisions will be provided to the incarcerated person in writing and documented in the incarcerated person's classification file.

Incarcerated persons may appeal their classification assignment a maximum of once every 30 days. The appeal must be submitted within 14 days of the classification action which is being appealed.

##### 507.7.1 PERIODIC CLASSIFICATION REVIEWS

The classification correctional deputy shall review the status of all incarcerated persons who have been incarcerated in the facility for more than 30 days. Additional reviews should occur each 30 days thereafter. The review should examine changes in the incarcerated person's behavior or circumstances and should either raise, lower, or maintain the classification status. The review shall also reassess an incarcerated person's risk of victimization or abusiveness based on any additional relevant information since an incarcerated person's initial assessment. (28 CFR 115.41).

Classification staff shall schedule a review of any incarcerated persons that has been placed in separated housing every 30 days to determine whether or not there is a continuing need for separation from the general population. If continued separation is deemed necessary,

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classification deputies will notify the classification sergeant of an incarcerated person's continued need for separation.

Housing and program assignments for each transgender or intersex incarcerated person shall be reassessed at least twice each year to review any threats experienced by the person (28 CFR 115.42).

Incarcerated person risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the incarcerated person's risk of sexual victimization or abusiveness (28 CFR 115.41).

In addition, an inmate's classification may be reassessed for any of the following reasons, but not limited to:

- Change in judicial status
- Institutional behavior
- Program participation
- Written request by the inmate
- Needs of the facility
- Length of confinement

#### 507.7.2 STAFF REQUESTED REVIEW

It is the responsibility of all correctional and support services staff to monitor inmate behavior and provide input to classification staff when behavior warrants such input. This input shall be documented in the inmate's management notes, in an incident report and/or on a classification input.

The inmate's management notes shall be continuously updated with behavioral changes exhibited by the inmate throughout the inmate's incarceration. This information is for staff use only, when making decisions regarding inmate discipline, housing assignment, and classification and shall not be discussed with any inmate.

At any point during an incarcerated person's incarceration, a staff member may request a review of the incarcerated person's classification. The reason for the review, the review itself, and the outcome of the review shall be documented in the incarcerated person's permanent file. Nothing in this section shall prohibit staff from immediately moving an incarcerated person to another location in the facility based on exigent circumstances. Under such circumstances, the staff member moving the incarcerated person must immediately document the action and notify the classification correctional deputy.

#### 507.7.3 INCARCERATED PERSON REQUESTED REVIEW

Incarcerated persons may request a review of their classification plan no more often than 30 days from their last review (15 CCR 1050).

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#### **507.8 HOUSING ASSIGNMENTS**

The housing plan provides for the placement of inmates into security levels. Inmates with different security levels may be housed together in a cross-classification housing unit. The structure, supervision, programming, and privilege level of the housing units will be suited for the custody level of the inmates housed there. Classification Deputies will be responsible for designating primary housing assignments for all inmates.

With the exception of new commitments and weekenders, no inmate will be assigned housing at the North County Detention Facility (NCDF) until they have been classified.

##### **507.8.1 SEPARATION**

Incarcerated persons shall be housed to ensure visual and physical separation based on gender.

Civil detainees shall be housed separately from pretrial and sentenced incarcerated persons.

#### **507.9 CLASSIFICATION SPACE ALLOCATION**

The classification plan depends on the ability of the facility to physically separate different classes of incarcerated persons. To ensure that allocated space meets the current population needs, the Facility Manager or the authorized designee should periodically meet with representatives of the classification correctional deputies to discuss the fixed resources (e.g., cells, dorms, dayrooms).

The Facility Manager should report at least quarterly to the custody management team any space issues.

#### **507.10 SINGLE-OCCUPANCY CELLS**

Single-occupancy cells may be used to house the following categories of incarcerated persons:

- Administrative separation
- Medical condition or disabilities (upon consultation with medical staff and the availability of medical beds)
- Mental condition (upon consultation with mental health staff and the availability of mental health beds)
- Sexual predators
- Incarcerated persons pending classification review for double occupancy cell clearance
- Any incarcerated person with an elevated risk of being taken advantage of, being mistreated, or becoming a victim of sexual abuse or harassment
- Any other condition or status for single-occupancy housing

The classification supervisor shall notify the Facility Manager or the authorized designee when single-occupancy cells are not available for housing the above described incarcerated persons. In such cases, a risk assessment shall be used to identify incarcerated persons in the above categories who may be safely housed together.

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#### **507.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS**

All incarcerated persons shall be assessed for their risk of being abused by other incarcerated persons or sexually abusive towards other incarcerated persons by classification staff with 72 hours of arrival at a detention facility. If the classification assessment pursuant to this policy indicates that an incarcerated person has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, classification staff shall notify Medical and Mental Health staff to ensure the incarcerated person is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

Housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

If such an assessment cannot be conducted immediately, the incarcerated person may be placed in involuntary separation for a period of time, not to exceed 24 hours, while classification completes an assessment. Incarcerated persons placed in separated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If restrictions to access are required to programs, privileges, education, or work opportunities, the specific restriction, duration of the restriction and the reasons for the restriction shall be documented by the classification sergeant.

Classification deputies shall assign such incarcerated persons to involuntary separation housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment will not ordinarily exceed 30 days.

If an involuntary separation housing assignment is made, the basis for the facility's concern for the incarcerated person's safety and the reason why no alternative means of separation can be arranged shall be clearly documented by classification deputies. This documentation will be forwarded to the Classification Lieutenant and the PREA Compliance Manager.

Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any related supervisory, management, or facility security concerns (15 CCR 1050). A transgender or an intersex incarcerated person's views with respect to their own safety shall be given serious consideration.

Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons.

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Lesbian, gay, bisexual, transgender, or intersex incarcerated persons shall not be placed in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement, or legal judgment (28 CFR 115.42).

#### **507.12 STAFF TRAINING IN CLASSIFICATION**

Classification correctional deputies should receive training specific to incarcerated person classification before being assigned primary classification duties. Individuals not specifically trained in classification may work in classification provided that they are under the immediate supervision of a trained and qualified staff member.

## Control of Incarcerated Person Movement

### 508.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of incarcerated persons between areas within the facility and transportation from the facility to court, medical appointments, or other jurisdictions (15 CCR 1029(a)(6)).

### 508.2 POLICY

The staff should be vigilant in the control and movement of incarcerated persons between areas within the facility and when transporting persons outside the secure confines of the facility. Control may be by direct or indirect visual observation. All staff should consider all incarcerated person movement as high-risk activity. The staff should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

### 508.3 CONTROL OF MOVEMENT

Staff shall not allow incarcerated persons to leave their assigned housing area unless they have approved activities that may include but are not limited to the following:

- (a) Court
- (b) Transportation to another facility
- (c) Receiving a visit
- (d) Law enforcement interview or to participate in a lineup
- (e) Reporting for work
- (f) Receiving dental or medical care
- (g) Attending educational classes or religious services
- (h) Release
- (i) Facility Emergency
- (j) Any other reason deemed appropriate by staff

### 508.4 MOVEMENT OF INCARCERATED PERSONS

Movement of one or more incarcerated persons in the facility should be done in an orderly manner with incarcerated persons walking in a single-file line. Staff members should have situational awareness during the movement of incarcerated persons and should consider the design of the facility, areas of poor visibility, and the presence of other persons being moved. The staff should avoid areas where incarcerated persons may have access to contraband items.

#### 508.4.1 SECURITY MOVEMENT LOCKDOWN

A facility lockdown may be authorized by the Watch Commander or the authorized designee to safely accommodate the movement of a high-risk or high-profile inmate within the detention facility outside the inmate's housing area.

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##### **508.5 MOVEMENT OF SPECIAL MANAGEMENT INCARCERATED PERSONS**

Incarcerated persons should be restrained during movement based upon individual security classification, with higher risk persons in handcuffs, waist chains, and leg irons. An exception to this procedure is when an incarcerated person has a physical disability where restraint devices may cause serious injury. Pregnant incarcerated persons shall be moved in accordance with the Use of Restraints Policy.

Whenever a high-security incarcerated person is not able to be restrained, the staff should compensate by utilizing wheelchairs and should secure the incarcerated person to the chair. It may also be necessary to increase the number of staff present to ensure the safe movement of high-security incarcerated persons.

The staff should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

## Use of Restraints Within the Detention Facilities

### 509.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application, supervisory oversight, and restrictions on the use of restraints on persons incarcerated in this facility.

This policy shall apply to the use of specific types of restraints, such as four/five-point restraints, restraint chairs, ambulatory restraints, and similar restraint systems, as well as all other restraints, including handcuffs, waist chains, and leg irons when such restraints are used to restrain any incarcerated person for prolonged periods.

This policy does not apply to the use of electrical restraints (see the Electronic Restraints Policy).

#### 509.1.1 DEFINITIONS

Definitions related to this policy include:

**WRAP** - A temporary restraining device comprised of a hobble strap, leg restraint and shoulder harness.

**Restraint Chair** - A chair designed to restrain or limit the movement of an incarcerated person.

### 509.2 POLICY

The Sonoma County Sheriff's Office authorizes the use of restraint devices in accordance with this policy, the Office Handcuffing and Restraints policy, the Office Use of Force policy and office training.

It is the policy of this office that restraints shall be used only to prevent self-injury, injury to others, or property damage. Restraints may also be applied according to an incarcerated person's classification, such as maximum security, to control the behavior of a high-risk incarcerated person while the person is being moved outside the cell or housing unit.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the incarcerated person. Restraints are to be applied only when less restrictive methods, including verbal de-escalation techniques, have been attempted and are deemed ineffective in controlling the dangerous behavior of an incarcerated person (15 CCR 1029(a)(4); 15 CCR 1058). Each incident where restraints are used shall be documented.

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg irons to control an incarcerated person during movement and transportation inside or outside their cell and/or facility (see Handcuffing and Restraints Policy).

### 509.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any incarcerated person. Whenever feasible, the use of restraints, other than routine use during transfer or controlled movement (including out of cell activity), shall require the approval of the Watch Commander prior to

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application. In instances where prior approval is not feasible, the Watch Commander shall be apprised of the use of restraints as soon as practicable.

Restraint devices, such as restraint chairs and the WRAP, shall only be used on an incarcerated person when it reasonably appears necessary to overcome resistance, prevent escape, or bring an incident under control, thereby preventing injury to the incarcerated person or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals.

Excluding short-term use to gain immediate control, placing an incarcerated person in a restraint chair, the WRAP or other restraints for extended periods requires approval from the Facility Manager or the authorized designee prior to taking action. The medical staff shall be called to observe the application of the restraints, when feasible, prior to the application or as soon as practicable after the application, and to check the incarcerated person for adequate circulation.

The use of restraints for purposes other than for the controlled movement or transportation of an incarcerated person shall be documented on appropriate logs and shall be video recorded unless exigent circumstances prevent staff from doing so. The documentation shall include, at a minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed, the name of the person authorizing placement, names of staff involved in the placement, any injuries sustained, when the restraints were removed and the duration of placement (15 CCR 1058).

The following provisions shall be followed when utilizing restraints to control an incarcerated person (15 CCR 1058):

- (a) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained incarcerated persons shall not be placed facedown or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure.
- (d) Incarcerated persons in restraints shall be housed either alone or in an area designated for restrained persons.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the incarcerated person or others from harm.
- (f) Staff members shall conduct continuous direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the incarcerated person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the incarcerated person's behavior. Any actions taken should also be noted in the log.

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- (g) The specific reasons for the continued need for restraints shall be reviewed, documented, and approved by the Facility Manager or the Watch Commander at least every hour.
- (h) Continuous direct visual observation shall be maintained until a medical opinion can be obtained.
- (i) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.
- (j) As soon as practicable, but within one hour of placement in restraints, the incarcerated person shall be medically assessed to determine whether the person has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional and shall recur once every two hours of continued restraint thereafter. A qualified health care professional shall physically check the restraints a minimum of once every two hours or upon the request of custody staff.
- (k) As soon as practicable, but within four hours of placement in restraints, the incarcerated person must be evaluated by a mental health professional to assess whether the incarcerated person needs immediate and/or long-term mental health treatment.
- (l) The Watch Commander, or the authorized designee, shall consult with responsible health care staff if an incarcerated person cannot be safely removed from restraints after four hours, this consultation shall include whether the incarcerated person should be taken to a medical facility for further evaluation.
- (m) If the Facility Manager, or the authorized designee, in consultation with responsible health care staff determines that the incarcerated person cannot be safely removed from restraints after eight hours, the person shall be taken to a medical facility for further evaluation.
- (n) An audit will be completed by the Sergeant and Watch Commander of all restraint chair and WRAP uses.
- (o) Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an incarcerated person have failed or appear likely to fail.
- (p) Where applicable, the Facility Manager shall use the restraint device manufacturer's recommended maximum time limits for placement.

#### **509.3.1 COURT APPROVAL**

Prior judicial approval should be obtained for the use of restraints when the incarcerated person is in court if the restraints will be visible to a jury.

#### **509.4 RANGE OF MOTION**

Incarcerated persons placed in restraints for longer than one hour should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (i.e., right arm and left leg) no less than once every hour.

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Range of motion exercises will be documented. If it is not possible to safely exercise the incarcerated person's extremities, the Watch Commander or the authorized designee will consult with a qualified health care professional and will document the consultation and the reason they were unable to conduct the exercise.

#### **509.5 HYDRATION, AND SANITATION**

Incarcerated persons who are confined in restraints shall be given fluids. Provisions shall be made to accommodate any toileting needs at least once every two hours. Hydration (water or juices) will be provided no less than once every two hours or when requested by the incarcerated person.

Offering hydration to incarcerated persons will be documented to include the time, the name of the person offering the water/juices, and the incarcerated person's response (receptive, rejected) and the amount of fluids consumed. Incarcerated persons shall be provided the opportunity to clean themselves or their clothing while they are in restraints.

#### **509.6 AVAILABILITY OF CPR EQUIPMENT**

CPR equipment, such as barrier masks, shall be provided by the facility and located in proximity to the location where incarcerated persons in restraints are held.

#### **509.7 RESTRAINED INCARCERATED PERSON HOLDING**

Restrained incarcerated persons should be protected from abuse by other incarcerated persons. Under no circumstances will restrained incarcerated persons be housed with incarcerated persons who are not in restraints. In most instances, restrained incarcerated persons are housed alone or in an area designated for restrained persons (15 CCR 1058).

#### **509.8 PREGNANT INCARCERATED PERSONS**

Restraints will not be used on incarcerated persons who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the incarcerated person, the staff, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

Incarcerated persons who are known to be pregnant will not be handcuffed behind their backs or in recovery after delivery shall not be restrained by the use of leg irons, waist chains, or handcuffs behind the body.

Once pregnancy has been confirmed, a pregnant incarcerated person should be advised of the policies and procedures regarding the restraint of pregnant persons (Penal Code § 3407; 15 CCR 1058.5).

##### **509.8.1 INCARCERATED PERSONS IN LABOR**

No incarcerated person who is in labor, delivery, or recovery from a birth shall be restrained by wrists, ankles, or both, unless deemed necessary for the safety and security of the inmate, the staff, or the public (Penal Code § 3407; 15 CCR 1058.5).

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#### *Use of Restraints Within the Detention Facilities*

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No incarcerated person who is in labor, delivering, or recovering from a birth shall be otherwise restrained except when all of the following exist (Penal Code § 3407; 15 CCR 1058.5):

- (a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the incarcerated person, the staff of this or the medical facility, other incarcerated persons, or the public.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.
- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

Restraints shall be removed when medical staff responsible for the medical care of the pregnant incarcerated person determines that the removal of restraints is medically necessary (Penal Code § 3407).

#### **509.8.2 INCARCERATED PERSONS IN RECOVERY AFTER TERMINATED PREGNANCY**

Incarcerated persons recovering from a termination of pregnancy shall not be restrained using leg restraints/irons, waist restraints/chains, or handcuffs behind the body unless an exception identified in the Incarcerated Persons in Labor subsection of this policy applies (15 CCR 1058.5).

Restraints shall be removed when medical staff responsible for the medical care of the incarcerated person determines that the removal of restraints is medically necessary (15 CCR 1058.5).

## Searches

### 510.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants, or weapons into the Sonoma County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors, and the public. Any item that is not available to all inmates may be used as currency by those who possess the item, and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself, seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

#### 510.1.1 DEFINITIONS

Definitions related to this policy include:

**Contraband** - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized quantity.

**Modified strip search** - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks, or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing once it has been removed.

**Pat-down search** - The normal type of search used by correctional deputies within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the correctional deputy, the inmate or other inmates.

**Physical body cavity search** - A search that includes a visual inspection and may include physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

**Strip search** - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia, or female breasts are visible to the monitoring employee.

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#### Searches

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##### **510.2 POLICY**

It is the policy of this office to ensure the safety of staff, inmates, and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws (15 CCR 1029(a)(6)).

Searches shall not be used for intimidation, harassment, punishment, or retaliation.

##### **510.3 PAT-DOWN SEARCHES**

Pat-down searches will be performed on all inmates/arrestees upon entering the secure booking area of the facility. Additionally, pat-down searches should occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that include:

- (a) When inmates leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.
- (b) During physical plant searches of entire housing units.
- (c) When inmates come into contact with other inmates housed outside of their housing units, such as work details.
- (d) Any time the staff believes the inmates may have contraband on their persons.

Except in emergencies, male staff may not pat down female inmates. All pat-down searches by a male staff member on a female inmate shall be documented (28 CFR 115.15).

##### **510.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES**

Correctional deputies will generally consider the reason for the search, the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search.

###### **510.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT**

Strip searches prior to placement in a housing unit shall be conducted as follows:

- (a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:
  1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
  2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
  3. Custody history (past possession of contraband while in custody, assaults on staff, escape attempts, etc.).

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4. The person's actions or demeanor.
5. Criminal history (level of experience in a custody setting, etc.).
- (b) No modified strip search or strip search of an inmate shall be conducted prior to admittance to a housing unit without prior authorization from the Sergeant on-duty.
- (c) The staff member conducting the modified strip search or strip search shall:
  1. Document the name and sex of the person subjected to the strip search.
  2. Document the facts that led to the decision to perform a strip search of the inmate.
  3. Document the reasons less intrusive methods of searching were not used or were insufficient.
  4. Document the supervisor's approval.
  5. Document the time, date and location of the search.
  6. Document the names, sex and roles of any staff present.
  7. Itemize in writing all contraband and weapons discovered by the search.
  8. Process all contraband and weapons in accordance with the office's current evidence procedures.
  9. If appropriate, complete a crime report and/or disciplinary report.
  10. Ensure the documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

#### 510.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Strip searches will be conducted on all inmates upon admission into a housing unit.

Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed inmates.

Arrestees who are arranging bail shall be permitted a reasonable period of time, not less than three hours, before being placed in a housing unit.

#### 510.4.3 MODIFIED STRIP SEARCHES AND STRIP SEARCHES OF INMATES IN A HOUSING UNIT

A strip search of an inmate in a housing unit should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- (a) Upon return from contact visits
- (b) Upon leaving the kitchen, shop, farm, etc.

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- (c) Upon return to the housing unit from outside the confines of the facility (court, work-release, work detail, medical visits)

Inmates returning from court with release orders shall not be subject to strip searches or modified strip searches unless the reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The inmate should not be returned to the housing unit, except for retrieving his/her personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of inmates outside the above listed circumstances only with supervisor approval. Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The staff member conducting a modified strip or strip search outside the above listed circumstances shall:

- Document in writing the facts that led to the decision to perform a strip search of the inmate.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date and location of the search.
- Document the names of staff present, their sex and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the office's current evidence procedures.
- If appropriate, complete a crime report and/or disciplinary report.
- Ensure the completed documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

#### 510.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same sex as the person

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being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

Whenever possible, a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.

The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.

- (a) The searching staff member will instruct the inmate to:
  - 1. Remove his/her clothing.
  - 2. Raise his/her arms above the head and turn 360 degrees.
  - 3. Bend forward and run his/her hands through his/her hair.
  - 4. Turn his/her head first to the left and then to the right so the searching correctional deputy can inspect the inmate's ear orifices.
  - 5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the correctional deputy can inspect the interior of the inmate's mouth. Remove dentures if applicable.
  - 6. Turn around and raise one foot first, then the other so the correctional deputy can check the bottom of each foot.
  - 7. For a visual cavity search, turn around, bend forward and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or detention facility-supplied clothing, as appropriate.

#### 510.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

- (a) No person shall be subjected to a physical body cavity search without the approval of the Facility Manager or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search (15 CCR 1206(o)).

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- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030).
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements are the same as required for a strip search.
- (e) All such searches shall be documented including:
  - 1. The facts that led to the decision to perform a physical body cavity search of the inmate.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The Facility Manager's approval.
  - 4. A copy of the search warrant.
  - 5. The time, date and location of the search.
  - 6. The medical personnel present.
  - 7. The names, sex and roles of any staff present.
  - 8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the office's current evidence procedures.
- (h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

#### 510.4.6 BODY SCANNER SEARCH

When a scanner is reasonably available, a body scanner should be performed on all inmates/arrestees upon entering the secure booking area of the facility.

If a body scanner is used, members (Penal Code § 4030):

- (a) Within sight of the visual display of a body scanner depicting the body during a scan shall be of the same sex as the person being scanned, except for physicians or licensed medical personnel.
- (b) Should ask female inmates if they are pregnant prior to a body scan and should not knowingly use a body scanner on a woman who is pregnant.

The body scanner should generally be used whenever reasonably practicable in place of a modified strip search, strip search or body cavity search of an inmate in housing unless one of those searches is reasonably necessary after the scan.

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##### **510.5 TRANSGENDER SEARCHES**

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

##### **510.6 CONTRABAND SEARCHES**

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

##### **510.7 HOUSING UNIT SEARCHES**

Housing unit searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

- (a) All inmates shall vacate their living areas and be searched by staff.
- (b) Inmates should be escorted to a separate holding area, such as the recreation yard.
- (c) Staff shall search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) The staff shall attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, closely supervised inmate workers should clean the unit. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition.

##### **510.8 PHYSICAL PLANT SEARCHES**

The following areas of this facility shall be periodically searched for contraband:

- (a) Exercise yards shall be searched for contraband prior to and after each inmate group occupies the yard.
- (b) Holding cells shall be searched prior to and after each inmate occupies the cell.

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- (c) Program areas, such as classrooms and multipurpose rooms shall be searched after each use by an inmate or inmate group.
- (d) Laundry areas shall be searched before and after each inmate group occupies the area.
- (e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.
- (f) Inmate visiting and public areas shall be frequently inspected for contraband.
- (g) During the hours of daylight, the perimeters of the facilities shall be searched for contraband and structural integrity at least once per shift.

#### 510.8.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canines Policy).

#### 510.9 CRIMINAL EVIDENCE SEARCHES

The Facility Manager or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

#### 510.10 TRAINING

The Training Manager shall provide training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.15).

## Reporting In-Custody Deaths

### 511.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

#### 511.1.1 DEFINITIONS

Definitions related to this policy include:

**In-custody death** - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated at any facility of this office.

### 511.2 POLICY

It is the policy of this office to follow state and local guidelines for reporting in-custody deaths (15 CCR 1046).

### 511.3 MANDATORY REPORTING

All in-custody deaths shall be reported within 10 days of the death to the state Attorney General's office, in accordance with reporting guidelines and statutory requirements (Government Code § 12525).

If the decedent is a boarder for another agency, the Facility Manager shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the decedent's name, identification number, date and time of death, and the attending physician's name.

In the event that a juvenile dies while in custody, the Facility Manager or the authorized designee shall notify the court of jurisdiction and the juvenile offender's parent or guardian (15 CCR 1047). A copy of the report provided to the state Attorney General's office shall be submitted to the Board of State and Community Corrections within 10 days of the death (15 CCR 1046(b)(1)).

The Sheriff or the authorized designee should ensure that all specified information relating to the in-custody death is posted on the office's website as prescribed and within the timeframes provided in Government Code § 10008.

### 511.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this office, the Watch Commander is responsible for ensuring that the Sheriff and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

The Watch Commander shall also promptly notify the Facility Manager and make any other notifications required by policy or direction. The Facility Manager shall observe all pertinent laws and allow appropriate investigating agencies full access to all facts surrounding the death.

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The Office shall establish policies and procedures for the investigation of any in-custody death.

The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

The individual designated by the decedent shall be notified of all pertinent information as required by law.

During an investigation, all inquiries regarding the death shall be referred to the Public Information Officer. Correctional deputies shall not make a public comment.

#### **511.5 IN-CUSTODY DEATH REVIEW**

The Sheriff is responsible for establishing a team of qualified staff to conduct an administrative review of every in-custody death. At a minimum, the review team should include the following (15 CCR 1046(a); 15 CCR 1030):

- (a) Sheriff and/or the Facility Manager
- (b) County Counsel
- (c) District Attorney
- (d) Investigative staff
- (e) Responsible Physician, qualified health care professionals, supervisors, or other staff who are relevant to the incident

The in-custody death review should be conducted no later than 30 days after the incident.

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## Staff and Incarcerated Person Contact

### 512.1 PURPOSE AND SCOPE

Interaction with incarcerated persons allows for continual assessment of the safety and security of the facility and the health and welfare of the incarcerated persons. However, inappropriate interaction can undermine security and order in the facility and the integrity of the supervision process.

This policy provides guidelines for appropriate and professional interaction between members and incarcerated persons, and is intended to promote high ethical standards of honesty, integrity, and impartiality as well as increase facility safety, discipline, and morale.

Violation of this policy may result in disciplinary action up to and including dismissal. Members who seek information or clarification about the interpretation of this policy are encouraged to promptly contact their supervisor.

### 512.2 POLICY

The Facility Manager shall ensure that incarcerated persons have adequate ways to communicate with staff and that the staff communicates and interacts with incarcerated persons in a timely and professional manner.

### 512.3 GENERAL CONTACT GUIDELINES

Members are encouraged to interact with the incarcerated persons under their supervision and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All members should present a professional and command presence in their contact with incarcerated persons. Members shall address incarcerated persons in a civil manner. The use of profanity, and derogatory or discriminatory comments is strictly prohibited.

Written communication (e.g., request forms, incarcerated person communication, grievances, rules infraction forms, disciplinary reports) shall be answered in a timely manner. Such communication shall be filed with the person's records.

Members shall not dispense legal advice or opinions, or recommend attorneys or other professional services to incarcerated persons.

While profanity and harsh language are prohibited, the Office recognizes the necessity for staff to give incarcerated persons direction in a firm, determined, and authoritative manner in order to maintain proper supervision and control. Authoritative directions to persons are particularly instructed when activities or events pose a threat to the safety or security of this facility.

### 512.4 ANTI-FRATERNIZATION

Personal or other interaction not pursuant to official duties between facility staff with current incarcerated persons, persons whom they know or should know are persons under felony criminal investigation or indictment, or have a reputation in the community or the Sheriff's Office for present

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involvement in felonious or criminal behavior, and/or are racketeers, convicted sexual offenders, felons, gang members, or individuals who associate with gang members, their family members or known associates have the potential to create conflicts of interest and security risks in the work environment.

Members shall not knowingly maintain a personal or unofficial business relationship with any persons described in this section unless written permission is received from the Facility Manager.

Prohibited interactions include, but are not limited to:

- (a) Communications of a sexual or romantic nature.
- (b) Salacious exchanges.
- (c) Sexual abuse, sexual assault, sexual contact or sexual harassment.
- (d) Exchanging letters, phone calls or other similar communications, such as texting.
- (e) Exchanging money or other items.
- (f) Extending privileges, giving or accepting gifts, gratuities or favors.
- (g) Bartering.
- (h) Any financial transactions.
- (i) Being present at the home of an incarcerated person for reasons other than an official visit without reporting the visit.
- (j) Providing an incarcerated person with the staff member's personal contact information, including social media accounts.

#### **512.4.1 EXCEPTIONS**

The Facility Manager may grant a written exception to an otherwise prohibited relationship on a case-by-case basis based upon the totality of the circumstance. In determining whether to grant an exception, the Facility Manager should give consideration to factors including, but not limited to:

- Whether a relationship existed prior to the incarceration of the person.
- Whether the relationship would undermine security and order in the facility and the integrity of the supervision process.
- Whether the relationship would be detrimental to the image and efficient operation of the facility.
- Whether the relationship would interfere with the proper discharge of, or impair impartiality and independence of, judgment in the performance of duty.

#### **512.5 REPORTING**

Members shall promptly report all attempts by incarcerated persons to initiate sexual acts or any salacious conversations, and forward any correspondence from an incarcerated person or former incarcerated person to the Facility Manager or the authorized designee.

Members shall report all attempts by incarcerated persons to intimidate or instill feelings of fear to their supervisor.

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Members shall promptly notify their immediate supervisor in writing if:

- A family member or close associate has been incarcerated or committed to the custody of the facility.
- The member is involved in a personal or family relationship with a current incarcerated person or with a person who has been discharged within the previous year.

## Safety, Sobering and Observation Cells

### 513.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing inmates into and the continued placement of inmates in safety cells, observation cells, or sobering cells.

#### 513.1.1 DEFINITIONS

Definitions related to this policy include:

**Safety cell** - An enhanced protective housing designed to minimize the risk of injury or destruction of property used for inmates who display behavior that reveals intent to cause physical harm to themselves or others or to destroy property.

**Sobering cell** - A holding cell designed to minimize the risk of injury by falling or dangerous behavior. It is used as an initial sobering place for arrestees or inmates who are a threat to their own safety or the safety of others as a result of being intoxicated from any substance, and who require a protected environment to prevent injury or victimization by other inmates.

**Observation cell** - A designated cell that provides Correctional staff with an enhanced ability to visually supervise an inmate in a more protective environment, due to its design and build.

### 513.2 POLICY

This facility will employ the use of safety, observation, and sobering cells to protect inmates from injury or to prevent the destruction of property by an inmate in accordance with applicable law.

A sobering, observation, or safety cell shall not be used as punishment or as a substitute for treatment. The Detentions Division Assistant Sheriff or the authorized designee shall review this policy annually with the Responsible Physician.

### 513.3 SAFETY CELL PROCEDURES

The following guidelines apply when placing any inmate in a safety cell:

- (a) Placement of an inmate into a safety cell requires approval of the Watch Commander or responsible health care staff (15 CCR 1055). These placements are temporary and shall last only as long as necessary to deescalate behaviors and ensure the inmate is safe for transfer to a less restrictive setting without causing harm or damage.
- (b) An Inmate Safety Cell Record shall be initiated every time an inmate is placed into the safety cell and shall be maintained for the entire time the inmate is housed in the cell. Inmate Safety Cell Records will be retained in accordance with established office retention schedules.
- (c) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least twice every 30 minutes (15 CCR 1055). The intervals of the checks within the 30 minutes should vary, be no greater than 15 minutes apart and should not be on a routine schedule the inmate can predict. Each safety check shall include the actual time of the observations, with any pertinent

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observation of the inmate's behavior and recorded on the Inmate Observation Record by the staff member when making the check.

- (d) Inmates should be permitted to remain normally clothed (in jail-issued clothing) or should be provided a safety garment, except in cases where the inmate has demonstrated that clothing articles may pose specific, identifiable risks to the inmate's safety or the security of the facility. In these cases, the reasons for not providing clothing shall be documented on the Inmate Observation Record.
- (e) Inmates in safety cells shall be given the opportunity to have fluids (water, juices). Correctional deputies shall provide the fluids in paper cups. The inmates shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an inmate is provided the opportunity to drink fluids will be documented on the Inmate Safety Cell Record.
- (f) Inmates will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers, and the inmates will be monitored while eating the meals. Inmates shall be given ample time to complete their meals prior to the plate or container being removed. All meals provided to inmates in safety cells will be documented on the Inmate Safety Cell Record.
- (g) The Watch Commander shall review the appropriateness for continued retention in the safety cell at least every four hours (15 CCR 1055). The reason for continued retention or removal from the safety cell shall be documented on the Inmate Observation Record.
- (h) A medical assessment of the inmate in the safety cell shall occur as close to the time of placement as reasonably possible, but in any event, no later than within one hour of placement. Continued assessment of the inmate in the safety cell shall be conducted by a qualified health care professional and shall occur at least every four hours thereafter and shall medically clear an inmate for continued retention at least every 24 hours. Medical assessments shall be documented.
- (i) A mental health assessment shall be conducted as close to the time of placement as reasonably possible, but in any event, no later than within four hours of placement in the safety cell. Continued assessment of the inmate in the safety cell shall be conducted by a qualified mental health professional and shall occur at least every four hours thereafter. The mental health professional's assessments and recommendations shall be documented.
- (j) The viewports of all safety cells shall remain open to enable optimal observation unless a mental health staff member has a clinical reason why the viewport should be closed. A correctional sergeant or above may also authorize a port to be closed. The determination and specific reason for the viewport closure will be documented in writing.

#### **513.4 SOBERING CELL PROCEDURES**

The following guidelines apply when placing any inmate in a sobering cell:

- (a) A Sobering Cell Monitoring Log shall be initiated every time an inmate is placed into a sobering cell. The log shall be maintained for the entire time the inmate is housed

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in the cell. Cell logs will be retained in accordance with established office retention schedules.

- (b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least twice every 30 minutes on an irregular schedule, with rounds being completed at least 10 minutes apart. Each visual observation of the inmate by staff shall be documented. Supervisors shall check the logs for completeness at the end of each shift and document this action on the Sobering Cell Monitoring Log.
- (c) Qualified health care professionals shall assess the medical condition of the inmate in the sobering cell as close to the time of placement as reasonably possible, but in any event, no later than within one hour of placement and at least every four hours thereafter (15 CCR 1056). Only inmates who continue to need the protective housing of a sobering cell will continue to be detained in such housing.
- (d) Inmates will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.
- (e) Females and males will be detained in separate sobering cells.

#### **513.5 OBSERVATION CELL PROCEDURES**

The following guidelines apply when placing any inmate in an observation cell:

- (a) An Inmate Observation Record shall be initiated every time an inmate is placed into an observation cell and shall be maintained for the entire time the inmate is housed in the cell. An Inmate Observation Record is not required if the observation cell is being utilized as an "overflow" cell. Inmate Observation Records will be retained in accordance with established office retention schedules.
- (b) If an inmate is housed in an Observation Cell for medical reasons, medical staff will document a medical placement on the Inmate Observation Record.
- (c) Intermittent direct visual observation rounds of inmates held in Observation Cells shall be completed by Correctional Staff two times every 30 minutes, with rounds being completed at least 10 minutes apart.
- (d) Inmates housed in Observation Cells will be re-evaluated daily by Mental Health staff.
- (e) Inmates housed in Observation Cells as a medical placement will be re-assessed based on the discretion of the designated health authority that directed the placement.

## End of Term Release

### 514.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of incarcerated persons to ensure that incarcerated persons are not released in error (15 CCR 1029).

### 514.2 POLICY

It will be the policy of the Sonoma County Sheriff's Office to provide for the timely, efficient, and legal release of incarcerated persons.

### 514.3 RELEASE PROCEDURE

The Watch Commander or authorized designee shall sign and date the release paperwork authorizing the release.

Incarcerated persons shall not be released or moved during count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility, unless approved by the responsible Sergeant.

All incarcerated persons must be positively identified by the staff prior to being released from the facility. Incarcerated persons identities should be verified using intake records bearing the incarcerated person's name, photograph, and facility identification number or a single digit fingerprint match system, if available.

Before any incarcerated person may be released, the following conditions must be met:

- (a) The identity of the incarcerated person has been verified.
- (b) All required paperwork for release is present. The staff shall review the active file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters following guidelines on the pre-release check off form.
- (c) Records Detention Specialists processing the release must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders. If any agency has outstanding charges against the incarcerated person, the staff shall notify the agency that the incarcerated person is available for release.
- (d) The Records Supervisor or Sergeant shall review the release paperwork to ensure:
  1. All calculations and release-date adjustments for good time are verified.
  2. There are no pending arrangements for follow-up, such as medications needed, appointments, or referral to community or social resources.
- (e) If an incarcerated person has known mental health concerns, the incarcerated person shall be evaluated by a qualified health care professional and medically authorized for release. To the extent reasonably practicable, individuals who have been determined

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to be severely mentally ill should be released during business hours to facilitate their ability to receive services immediately after release.

- (f) All personal property shall be returned to the incarcerated person during the release process. The incarcerated person must acknowledge receiving their property by signed receipt. Any discrepancies shall be promptly reported to the on-duty Supervisor.
- (g) All facility property must be returned by the incarcerated person. Any missing or damaged facility property should be documented and promptly reported to the Sergeant. The incarcerated person shall remain in custody until the Sergeant determines whether additional criminal charges should be filed against the incarcerated person for the damage.
- (h) A forwarding address for the incarcerated person should be on file and verified with the incarcerated person.
- (i) Incarcerated persons on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release.
- (j) Incarcerated persons shall have access to at least three free telephone calls to plan for a safe and successful release (Penal Code § 4024.5).
- (k) Upon completion of a sentence, release ordered by court to be effected the same day, an incarcerated person issued a citation, or posted bail, the incarcerated person may voluntarily remain in custody for up to an additional 16 hours – or until normal business hours, whichever is shorter in order to offer the incarcerated person the ability to be discharged to a treatment center or during daytime hours. The incarcerated person may revoke his or her consent and be discharged as soon as practicable. (Penal Code § 4024).
- (l) A facility issued re-entry I.D. card may be issued to Mental Health incarcerated persons upon release. This I.D. will allow them an I.D. for use at pre-approved Banks, Pharmacies, and Human/Social Services. This I.D., accompanied by a Verification of Incarceration (provided by records) has already been approved by select vendors in Sonoma County.

The housing sheet, release log, and daily census log shall be updated accordingly after the incarcerated person's release. The Watch Commander or authorized designee shall ensure all release documents are complete and properly signed by the incarcerated person and the staff where required.

#### 514.3.1 GOOD, WORK AND PROGRAM CREDITS

For the purposes of time served release date calculations, incarcerated persons confined in the detention facilities shall receive good and work time credits in accordance with Penal Code § 4019.

An incarcerated person may also earn program credit reductions for successful completion of specific graduated program performance objectives of approved rehabilitative programming. Program credit is a privilege, not a right. An incarcerated person shall have a reasonable opportunity to participate in program credit qualifying assignments in a manner consistent with institutional security, available resources, and guidelines set forth by the Office. Evidence that an

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incarcerated person has participated in, or attempted to participate in, an approved rehabilitation program eligible for credit pursuant to this section is not admissible in any proceeding as an admission of guilt. (Penal Code § 4019.4)

Good, work and program credits can be forfeited pursuant to the provisions of Penal Code § 4019 and as a result of a formal disciplinary hearing.

#### 514.3.2 DISCHARGE OF INMATES CONVICTED OF FELONIES

Inmates who have been convicted of a felony and meet the conditions in Penal Code § 4852.01 shall be advised of the right to petition for certificate of rehabilitation and pardon prior to release. The Office shall inform the inmate in writing of the inmate's right to petition, and of the procedures for filing a petition and obtaining the certificate (Penal Code § 4852.21).

#### 514.3.3 DISCHARGE OF SEX OFFENDER REGISTRANTS

The Central Information Bureau shall inform the California Department of Justice when incarcerated persons required to register changes in address under Penal Code § 290.013 have been released from the detention facility within 15 days of release (Penal Code § 290.013).

#### 514.3.4 ARRESTEE RELEASED FROM CUSTODY

Upon request, a detained arrestee released from custody shall be provided with the appropriate Judicial Council forms to petition the court to have the arrest and related records sealed (Penal Code § 851.91).

The detention facility shall display the required signage that complies with Penal Code § 851.91 advising an arrestee of the right to obtain the Judicial Council forms.

#### 514.3.5 RELEASES DUE TO INMATE POPULATION

Whenever the actual inmate count exceeds the actual facility bed capacity, the Sheriff's Office may apply to the presiding judge of the Superior Court to receive general authorization for a period of 30 days to release inmates pursuant to the provisions of California Penal Code § 4024.1.

#### 514.3.6 BAIL RELEASES

Eligible inmates shall be encouraged to post bail, and be assisted in the process, if necessary, by staff. Bails shall be accepted in all instances where the cases(s) are not eligible for other pre-arraignment release and where a bail amount is listed on the warrant, court disposition, or set by the bail schedule. Bail shall be processed in accordance with State and Federal laws.

Before any person booked for a violent felony [(any crime specified in subdivision (c) of California Penal Code § 667.5), Penal Code § 262, Penal Code § 273.5, Penal Code § 646.9 or Penal Code § 243(e)(1)] may be released on bail, in an amount that is either higher or lower than the amount listed in the bail schedule, a hearing must be held in open court before a magistrate or judge (Penal Code § 1270.1). When there is a question regarding a particular case that may or may not fall into this area, the Booking Sergeant will contact the on-call Deputy District Attorney.

# Transgender and Intersex Incarcerated Persons

## 515.1 PURPOSE AND SCOPE

Discrimination or harassment of any kind, based on actual or perceived gender, gender identity, and/or gender expression is strictly prohibited and will not be tolerated. The gender identity of all persons will be respected.

### 515.1.1 DEFINITIONS

**Full Body Scanner** -A device that for security purposes can detect suspicious items on, and inside a person's body, without the need for a person to physically remove their clothes or for the operator to make physical contact with the individual.

**Gender** - Means sex, and includes a person's gender identity and gender expression. Gender is the range of characteristics pertaining to, and differentiating between a man and a woman, both, or neither. Depending on the context, these characteristics may include biological sex, sex-based social structures, or gender identity.

**Gender Identity** - An individual's sense of being either male, female, something other, in-between, or neither. This may be different from what is traditionally associated with an individual's assigned sex at birth.

**Gender Expression** - A person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

**Gender-Variant** - A person whose gender identity or gender expression does not conform to socially defined male or female gender norms. People who exhibit gender variance may be called gender variant, gender non-conforming, gender diverse, gender atypical, or genderqueer, and may be transgender or otherwise variant in their gender identity. In the case of transgender individuals, they may be perceived, or perceive themselves as, gender nonconforming before transitioning, but might not be perceived as such after transitioning. Some intersex people may also exhibit gender variance.

**Intersex** - A person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sexual development.

**Sex Assignment** - This is sometimes known as gender assignment and is the determination of an infant's sex at birth. In the majority of births, a relative, midwife, nurse, or physician inspects the genitalia when a baby is delivered and sex and gender are assigned, without the expectation of ambiguity.

**Sexual Orientation** - An enduring pattern of romantic or sexual attraction (or a combination of these) to persons of the opposite sex or gender, the same sex or gender, or to both sexes or more than one gender.

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**TGI** - An acronym for transgender, gender variant and intersex. Previously referred to as gender non-conforming.

**Transgender** - A person whose gender identity and/or gender expression (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

**Pat Down Search** - A thorough, manual search of a clothed individual including but not limited to a search of all pockets, shoes, and socks of the incarcerated person.

**Strip Search** - A search which requires a person to remove or arrange some or all of his or her clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of such person.

#### **515.2 POLICY**

It is the policy of the Sonoma County Sheriff's Office to identify all transgender and intersex incarcerated persons at intake, to evaluate them on a case-by-case basis and to make housing decisions that provide for the safest housing environment possible, consistent with law and applicable regulations. Programming opportunities are available to all incarcerated persons based on their classification level and after an evaluation of all safety and security concerns. All contacts with transgender and intersex incarcerated persons will be conducted in a respectful, courteous, and professional manner while maintaining the necessary level of safety and security.

#### **515.3 GENERAL INFORMATION**

All staff are trained to communicate effectively and professionally with incarcerated persons, including lesbian, gay, bi-sexual, transgender, intersex, and gender nonconforming incarcerated persons.

- (a) Members of the public are welcome to provide input to the Office on any recommendations and/or matters of concern that impact how the Office manages all incarcerated persons including transgender and intersex incarcerated persons.
- (b) Transgender or intersex incarcerated persons shall not be searched or physically examined for the sole purpose of determining the incarcerated person's genital or gender status. If the incarcerated person's genital or gender status is unknown, it may be determined during conversations with the incarcerated person, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.
- (c) All correctional deputies will be trained annually in how to conduct cross-gender pat down searches, and searches of transgender and intersex incarcerated persons, in a professional and respectful manner, and in the least intrusive manner possible, consistent with safety and security needs.
- (d) Barring exigent circumstances, all transgender and intersex incarcerated persons will be pat searched by a deputy in accordance with the incarcerated person's stated gender (male or female) preference.

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- (e) All transgender and intersex incarcerated persons that require placement in a sobering cell will be placed in a sobering cell by themselves. Refer to the Sobering Cell Use policy.
- (f) A transgender or intersex incarcerated person with male genitalia that has stated a preference to be searched by a male deputy, can be strip searched by a male deputy. A transgender and/or intersex incarcerated person with female genitalia that has stated a preference to be searched by a female deputy, can be strip searched by a female deputy. All strip searches will be conducted in compliance with the Searches-Pat Searches and Strip Searches policy.
  - 1. A transgender or intersex incarcerated person with a stated preference to be searched by a deputy with opposite genitalia than their own will not generally be strip searched, unless one of the following two circumstances apply:
    - (a) The strip search is deemed necessary for their own safety pursuant to their placement in a safety cell. Refer to the Safety Cell Use policy.
    - (b) The strip search is deemed necessary for safety and security reasons. A watch commander must first authorize the strip search unless exigent circumstances apply. If this is the case, the search must be documented in an incident report.
- (g) If one of the two above circumstances apply the strip search must be conducted as follows:
  - 1. The deputy conducting the strip search must be of the same sex as the incarcerated person being searched, except for physicians, licensed medical personnel, or if exigent circumstances require otherwise. The sex of the deputies chosen to conduct or participate in the search shall be determined based on the predominate sexual characteristics of the genitalia of the transgender or intersex incarcerated person being searched.
  - 2. All strip searches will be conducted in a respectful, courteous and professional manner while maintaining the necessary level of safety and security.
- (h) Every attempt will be made to book all transgender and intersex incarcerated persons with their legal name. A name other than an incarcerated persons legal name, which is preferred by the incarcerated person will be entered into the computer system as an alias.
  - 1. Legal names will be determined by government issued identification such as, but not limited to passports, driver's licenses, etc.
- (i) The Office will comply with the requirements of the Prison Rape Elimination Act of 2003, with the goal of protecting all transgender and intersex incarcerated persons from sexual abuse, sexual harassment, and sexual assault.

#### 515.3.1 INTAKE

- (a) Barring exigent circumstances, during the initial intake process every arrival will be asked the following question:
  - 1. Do you consider yourself to be transgender or intersex?

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- (b) Every person who answers yes to question 3.1 A 1, will be asked the following three additional questions:
  - 1. What was your gender at birth?
  - 2. Do you identify as male, female or neither male nor female?
  - 3. Do you prefer to be searched by a male deputy or a female deputy?
- (c) A classification deputy will interview and screen all transgender and intersex incarcerated persons in the booking area before a housing decision is made. The classification deputy shall use all information learned to make individualized housing determinations about how best to ensure the safety and security of each incarcerated person. A transgender or intersex incarcerated person's own views with respect to their own safety and housing preference will be given serious consideration by the classification deputy. The goal being to keep separate those incarcerated persons at a high risk of being sexually or physically victimized from those incarcerated persons at a high risk of being sexually or physically abusive.
  - 1. Classification deputies shall control dissemination within the facility of responses to questions asked to ensure that sensitive information is not exploited to the incarcerated person's detriment by staff or other incarcerated persons.
  - 2. In the absence of a classification deputy, the booking sergeant will assign incarcerated persons to their housing assignment. A classification deputy will interview and screen all incarcerated persons within 24 hours of the booking sergeant's housing decision.
  - 3. The classification deputy will enter an alert in the computer system that the incarcerated person is transgender or intersex, what the incarcerated person's gender was at birth, whether the incarcerated person identifies as male, female, or neither male or female, and whether the incarcerated person prefers to be searched by a male or a female deputy.
- (d) A classification deputy in deciding to assign a transgender or intersex incarcerated person to a housing area for male or female incarcerated persons, and in making other housing assignments, shall consider on a case-by-case basis whether the housing assignment would ensure the incarcerated person's health and safety, and whether the housing assignment would present management or security concerns.
- (e) All transgender and intersex incarcerated persons who are not strip searched before being housed will be full body scanned by a deputy in accordance with the incarcerated person's stated gender (male or female) preference.
- (f) All transgender and intersex incarcerated persons will be issued undergarments consistent with their gender identity and/or gender expression.

#### 515.3.2 HOUSING

- (a) The Office will not place transgender or intersex incarcerated persons in housing areas or wings solely on the basis of such identification or status.
- (b) Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons.

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- (c) All transgender and intersex incarcerated persons will be identified in the Classification footnotes along with the incarcerated person's own gender perception and search preferences. Module/Unit deputies, barring exigent circumstances, will be responsible to ensure that all transgender and intersex incarcerated persons are pat searched according to an incarcerated person's stated gender (male or female) preference with the following exceptions:
  - 1. Detention court deputies are responsible to ensure that all transgender and intersex incarcerated persons going to court are pat searched with an incarcerated person's stated gender (male or female deputy) preference.
  - 2. Program deputies are responsible to ensure that all program movement lists identify all transgender and intersex incarcerated persons, and also state whether an incarcerated person prefers to be pat searched by a male or female deputy.

#### 515.3.3 HOUSING REVIEW

Within a set time period, not to exceed 30 days from the incarcerated person's arrival at the facility, a classification deputy will reassess an incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since an incarcerated person's initial assessment.

Classification deputies will schedule an interview with all transgender and intersex incarcerated persons at least every six months in order to reassess housing placements, programming assignments, and to review any incarcerated person concerns or threats to an incarcerated person's safety. A transgender or intersex incarcerated person's own views with respect to his or her own safety shall be given serious consideration. All interviews will be documented.

#### 515.3.4 PROTECTIVE CUSTODY

- (a) Transgender or intersex incarcerated persons at a high risk for sexual or physical victimization or who allege to have suffered physical and/or sexual abuse shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made by Classification that there are no available alternative means of separation from likely abusers. If such an assessment cannot be conducted immediately, the incarcerated person may be placed in involuntary separated housing for a period of time, not to exceed 24 hours, while Classification completes an assessment.
- (b) Classification deputies shall assign such incarcerated persons to involuntary separated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment will not ordinarily exceed 30 days.
  - 1. Incarcerated persons placed in separated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If restrictions to access are required to programs, privileges, education, or work opportunities, the classification sergeant shall document:
    - (a) The opportunities that have been limited.
    - (b) The duration of the limitation.

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- (c) The reasons for such limitations.
- (c) If an involuntary separated housing assignment is made, classification deputies shall clearly document:
  - 1. The basis for the facility's concern for the incarcerated person's safety,
  - 2. The reason why no alternative means of separation can be arranged. Such documentation will be forwarded to the Classification Lieutenant and the PREA Compliance Manager.
- (d) Every 30 days, Classification shall schedule a review of any transgender or intersex incarcerated person that has been placed in separated housing to determine whether or not there is a continuing need for separation from the general population. If continued separation is deemed necessary, classification deputies will notify the classification sergeant of an incarcerated person's continued need for separation. Refer to the Classification-Review/Reclassification policy.

#### 515.3.5 SEXUAL/PHYSICAL ABUSE INCIDENT REVIEWS

- (a) Sexual abuse incident reviews shall be completed at the conclusion of every sexual abuse investigation as required in the Office-Wide Prison Rape Elimination (PREA) policy.
- (b) Physical abuse incident reviews shall be completed and documented at the conclusion of every physical abuse investigation by the Facility Manager. Such a review shall ordinarily occur within 30 days of the conclusion of an investigation.
- (c) All sexual and physical abuse reviews will consider whether the incident or allegation was motivated by transgender or intersex identification status, or perceived status, gang affiliations or was motivated or otherwise caused by other group dynamics at the facility.

## **Chapter 6 - Inmate Due Process**

## Discipline

### 600.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of incarcerated person rules and disciplinary actions for those who fail to comply (15 CCR 1081).

### 600.2 POLICY

It is the policy of this office to maintain written general categories of prohibited incarcerated person behavior that are clear, consistent, and uniformly applied. Written rules and guidelines will be made available to all incarcerated persons. They will include a process for resolving minor infractions and a hearing process for a more serious breach of incarcerated person rules. Criminal acts may be referred to the appropriate criminal agency.

### 600.3 DUE PROCESS

Incarcerated persons who are subject to discipline as a result of rule violations shall be afforded the procedural due process by the Sheriff that is established in the policies, procedures, and practices relating to incarcerated person discipline. All incarcerated persons will be made aware of the rules of conduct related to maintaining facility safety, security, and order, as well as clearly defined penalties for rule violations. Staff will not engage in arbitrary actions against incarcerated persons. All disciplinary actions will follow clearly established procedures. All disciplinary actions will be fairly and consistently applied (15 CCR 1081 et seq.).

The process for an incarcerated person accused of a major rule violation includes:

- (a) A fair hearing in which the Facility Manager or the authorized designee presents factual evidence supporting the rule violation and the disciplinary action.
- (b) Advance notice to the incarcerated person of the disciplinary hearing, to allow the incarcerated person time to prepare a defense.
- (c) An impartial hearing officer.
- (d) The limited right to call witnesses and/or present evidence on the person's behalf.
- (e) The appointment of an assistant or representative in cases where the incarcerated person may be incapable of self-representation.
- (f) A formal written decision that shows the evidence used by the hearing officer, the reasons for any actions, and an explanation of the appeal process.
- (g) Reasonable actions for violating rules that relate to the severity of the violation.
- (h) The opportunity to appeal the finding.
- (i) Incarcerated persons who have received discipline for any rule violation shall not be subjected to a disciplinary hearing on that same violation.

#### 600.3.1 INMATE RULES AND SANCTIONS

The Detention Division Assistant Sheriff is responsible for ensuring that rules and actions are developed, distributed, reviewed annually, and revised as needed.

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Inmate rules are divided into three categories and are coded with numbers for easy reference:

- (a) Criminal – 100 code plus the citation of the law violated
- (b) Major – 200 code
- (c) Minor – 300 code

Incarcerated persons cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited should be available in each housing unit. All incarcerated persons, regardless of their housing unit, shall have access to these rules. Inmate rules shall be translated into the languages that are understood by the incarcerated persons.

Disciplinary procedures governing rule violations should address rules, minor and major violations, criminal offenses, disciplinary reports, prehearing detention, and prehearing actions or investigations.

#### 600.3.2 POSTING

The Office is responsible for conspicuously posting notices about rules, disciplinary procedures, and actions in a conspicuous location, as set forth in 15 CCR 1080, and establishing procedures for communicating the rules effectively to inmates with disabilities and those who cannot read English sufficiently.

#### 600.3.3 RULE VIOLATION REPORTS

California Penal Code § 4019.5 requires that all disciplinary actions administered be documented. All disciplinary infractions will be documented in the incarcerated person's management notes. The Office will retain copies of rule violation reports, including the disposition of each violation (15 CCR 1084) in accordance with the Office records retention policy. Rule violation incident reports are required for major rule violations or any other violation that will require investigation or a formal resolution. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation incident report. The rule violation incident report shall include, at a minimum:

- The date, time, and location of the incident.
- Specific rules violated.
- A written description of the incident.
- The identity of known participants in the incident.
- Identity of any witnesses to the incident.
- Description and disposition of any physical evidence.
- Action taken by staff, including any use of force.
- Name and signature of the reporting correctional deputy.

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- Date and time of the report.

The Disciplinary Grievance Deputy investigating the violation shall ensure that certain items are documented in the investigation or rule violation incident report, including:

- Date and time the explanation and the written copy of the complaint and appeal process was provided to the incarcerated person.
- The incarcerated person's response to the charges.
- Reasons for any sanctions.
- The identity of any staff or witnesses involved, as revealed by the incarcerated person.
- The findings of the Disciplinary Review Board.
- The incarcerated person's appeal, if any.
- The appeal findings, if applicable.

#### **600.4 RULE VIOLATION PROCEDURES**

Minor acts of non-conformance to the rules may be handled informally by any correctional deputy (15 CCR 1081).

A violation of rules observed by general service employees, volunteers, or contractors will be reported to a correctional deputy for further action. Correctional deputies are authorized to recommend informal actions on minor violations.

Any staff member imposing informal discipline shall complete a Minor Rule Violation Report and review the form with the Sergeant for approval prior to the imposition of the action.

Any incarcerated person who violates a minor rule of the facility can be subject to the following informal disciplinary actions:

- (a) Removal from programs (Not to exceed one (1) session)
- (b) An extra work detail, not to exceed four (4) hours.
- (c) Confinement to cell, not to exceed four (4) hours.
- (d) Removal from a work assignment with no loss of work time credits.
- (e) Loss of cleanliness inspections rewards, not to exceed one (1) reward.
- (f) Loss of personal telephone privileges, not to exceed one 24-hour period. (Special Housing Only)
- (g) Loss of television privileges, not to exceed a 24-hour period. (Special Housing Only)
- (h) Loss of one personal visit.
- (i) Loss of one commissary service, except personal care items.
- (j) Loss of one Out-of-Cell Activity.

An incarcerated appeal may appeal the disciplinary sanction to the supervising Sergeant. However, this request must be made within one hour of receiving notice of the action. The

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supervisor should respond to the appeal within a reasonable time (generally within two hours) and shall have final authority as to the imposition of informal discipline.

Correctional deputies shall check to ensure compliance with minimum jail standards prior to the imposition of discipline for minor rule violations.

All minor rule violations and informal discipline imposed shall be documented in the inmate's management notes.

#### 600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation incident report if an incarcerated person is charged with three or more minor rule violations within a six-week period or three violations of the same minor rule. Copies of all minor rule violations will be attached to the major rule violation incident report. The Disciplinary Grievance Deputy shall conduct a hearing according to the procedures of a major rule violation.

#### 600.4.2 MAJOR RULE VIOLATIONS

Major rule violations are considered a threat to the safety, security, or efficiency of the facility, its staff members, incarcerated persons, or visitors. Staff members witnessing or becoming aware of a major rule violation shall take immediate steps to stabilize and manage the situation, including immediate notification of a supervisor. The supervisor shall assess the situation and initiate any emergency action, if necessary, and notify the Watch Commander.

The staff member who learned of the rule violation shall write and submit a disciplinary incident report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift (15 CCR 1081).

Any incarcerated person found guilty of a major violation or who is being processed administratively for a criminal violation can be subject to one or more of the following punitive actions:

- (a) Any disciplinary action given for a minor violation.
- (b) Loss of good time credits (sentenced individuals only).
- (c) Loss of work time credits per PC 4019 (sentenced individuals only).
- (d) Loss of visiting privileges, not to exceed three (3) weeks per violation.
- (e) Disciplinary separation, not to exceed thirty (30) days.
- (f) Restriction of personal phone calls, not to exceed one (1) week, with the exception of calls to bail bond agents, attorneys or doctors.
- (g) Loss of commissary privileges, except for personal hygiene items, for up to three (3) commissary days.
- (h) Removal of clothing and/or bedding. (Only when destruction of clothing or bedding is involved in the violation).
- (i) A 24- or 48-hour lockdown period during which the incarcerated person must stay in his cell with the exception of one hour out of cell each day.

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- (j) Loss of daily out-of-cell activity periods, not to exceed two 24-hour periods per violation.

Correctional Deputies may reduce a major violation to a minor violation and shall, at a minimum, counsel incarcerated persons who have committed the violation. When doing so, deputies should take into account recent behaviors, strive for progressive discipline and document the violation(s) in the management notes.

An incarcerated person who has been charged with a major violation, and had the major violation reduced to a minor violation, will not be subject to a disciplinary hearing. The deputy shall document this in the management notes.

#### **600.4.3 PREHEARING DETENTION**

Incarcerated persons who are accused of a major rule violation may be moved to administrative restrictive housing for prehearing detention, with the Watch Commander's approval, if there is a threat to safety or security. Incarcerated persons placed in prehearing detention are subject to the property and privilege restrictions commensurate with segregated confinement (15 CCR 1081).

The Facility Manager or the authorized designee shall, within 72 hours including weekends and holidays, review the status of any incarcerated person in prehearing detention to determine whether continued prehearing restrictive housing is appropriate.

#### **600.4.4 CRIMINAL LAW VIOLATIONS**

All inmates must obey all laws of the United States, the State of California, and the County of Sonoma. Any violations of law by an inmate may be prosecuted both criminally through the Courts and administratively through the formal disciplinary process within the guidelines of due process.

#### **600.5 INVESTIGATIONS**

Investigations involving major rule violations should be initiated within 24 hours of the receipt of the initial report and completed in sufficient time for the incarcerated person to have a disciplinary hearing, which is required within 72 hours of the time the incarcerated person was informed, in writing, of the charges. The hearing may be postponed or continued for a reasonable time through a written waiver by the incarcerated person, or for good cause. The incarcerated person will be notified in writing of the delay.

If upon completion of the investigation, the Disciplinary Grievance Officer finds insufficient evidence to support a major rule violation, he/she may discuss alternative sanctions with the supervising Sergeant, including handling the incident as a minor violation or recommending that charges be removed. Such alternatives shall be documented in the incarcerated person's management notes.

If the Disciplinary Grievance Officer determines that sufficient evidence exists to support a major rule violation, they will act as the hearing coordinator and will be responsible for:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.

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- Making a determination as to the final charges.
- Making preliminary decisions about the appointment of a staff member to act as an assistant to the incarcerated person.
- Identifying any witnesses that may be called to the hearing.

#### **600.6 NOTIFICATIONS**

An incarcerated person charged with a major rule violation shall be given a written description of the incident and the rules violated at least 24 hours prior to a disciplinary hearing.

Unless waived in writing by the incarcerated person, hearings may not be held in less than 24 hours from the time of notification (15 CCR 1081).

#### **600.7 DISCIPLINARY REVIEW BOARD**

A Disciplinary Review Board shall preside and conduct disciplinary hearings of major rule violations. The Disciplinary Review Board will consist of at least one Disciplinary Grievance Deputy and an impartial witnessing correctional deputy. The Disciplinary Review Board will have the responsibility and authority to rule on charges of rule violations. The Disciplinary Review Board shall also have the power to impose actions. Members of the Disciplinary Review Board shall not investigate nor preside over any disciplinary hearing on cases where he/she was a witness or was directly involved in the incident that generated the complaint (15 CCR 1081).

#### **600.8 HEARING PROCEDURE**

Incarcerated persons charged with major rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security, and order (15 CCR 1081). Staff shall inform the Disciplinary Grievance Deputy when any incarcerated person is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal in the incarcerated person's management notes and on the Disciplinary Hearing Disposition form.

The Disciplinary Review Board has the responsibility to terminate a disciplinary hearing if the incarcerated person becomes uncooperative, displays inappropriate behavior, or poses a threat to the safety and security of the facility. The Disciplinary Review Board shall decide guilt or innocence based upon the evidence provided. The incarcerated person, in this circumstance, will forfeit the right to another hearing and the ability to appeal. The Disciplinary Review Board's termination of the hearing and the reasons shall be documented on the Disciplinary Hearing Disposition form.

Hearings may be postponed or continued for a reasonable period of time for good cause and only for the time required to address the cause of the delay. Reasons for postponement or continuance shall be documented on the Disciplinary Hearing Disposition form (15 CCR 1081).

The Disciplinary Review Board shall disclose to the accused incarcerated person all witnesses who will be participating in the hearing. Incarcerated person's have no right to cross-examine witnesses. However, the accused may be permitted to suggest questions that the hearing officer, in his/her discretion, may ask.

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##### 600.8.1 EVIDENCE

Accused incarcerated persons have the right to make a statement, present evidence, and call witnesses at the hearing (15 CCR 1081). Requests for witnesses shall be submitted in writing by completing the appropriate section on the Disciplinary Hearing Disposition form before the scheduled start of the hearing.

The Disciplinary Review Board may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, when the witness's information would not be relevant or would be unnecessarily duplicative or is otherwise unnecessary. The reason for denying a witness to testify shall be documented on the Disciplinary Hearing Disposition form. The reason for denial of any documents requested by the incarcerated person shall also be documented in the hearing record.

A witness's signed written statement may be submitted by the incarcerated person as an alternative to a live appearance. The Disciplinary Review Board shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Absent a safety or security concern, all staff reports (which may be redacted as is deemed necessary) and evidence, including exculpatory evidence, obtained during the disciplinary investigation shall be made available to the accused prior to the hearing.

##### 600.8.2 CONFIDENTIAL INFORMANTS

If information from any confidential informant is to be presented at the hearing, information establishing the reliability and credibility of the informant shall be provided to the Disciplinary Grievance Deputy prior to the hearing. The Disciplinary Grievance Deputy shall review such information to determine whether the informant is reliable and credible.

##### 600.8.3 STAFF ASSISTANCE

A staff member shall be assigned to assist an incarcerated person who is incapable of self-representation at a disciplinary hearing due to limited literacy, developmental disabilities, language barriers, or mental status (15 CCR 1081). The scope of the duties of the assistant shall be commensurate with the reasons for the appointment. The assistant should be allowed sufficient time to confer with the incarcerated person to fulfill the individual's obligations. In these cases, the incarcerated person does not have a right to appoint a person to assist in the individual's disciplinary hearing. The final decision regarding the appointment rests with the Disciplinary Review Board.

Incarcerated person discipline is an administrative and not a judicial process. Incarcerated persons do not have a right to an attorney in any disciplinary hearing. Additionally, disciplinary matters may be referred for criminal prosecution and jail disciplinary action concurrently as there is no double jeopardy defense for an administrative process.

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##### **600.8.4 DISCIPLINARY DECISIONS**

Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

The disciplinary process shall consider whether an incarcerated person's mental disabilities or mental illness contributed to the incarcerated person's behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.78(c)).

##### **600.8.5 REPORT OF FINDINGS**

The Disciplinary Review Board shall complete the Disciplinary Hearing Disposition form regarding the decision and detailing the evidence and the reasons for the disciplinary action. A copy of the form shall be provided to the incarcerated person. The original shall be filed with the record of the proceedings. All documentation related to the disciplinary process shall be retained and a copy should be placed in the incarcerated person's file (15 CCR 1081).

If it is determined that the incarcerated person's charge is not sustained at the end of the disciplinary hearing, the documentation shall be removed from the incarcerated person's file but otherwise maintained in accordance with records retention requirements.

All disciplinary hearing reports and dispositions shall be reviewed by the Inmate Programs Sergeant soon after the final disposition (15 CCR 1081).

##### **600.9 DISCIPLINARY APPEALS**

Incarcerated person's wishing to appeal the decision of the Disciplinary Review Board must do so in writing within 24 hours of the receipt of the final Disciplinary Hearing Disposition. All appeals will be forwarded to the Programs Sergeant for review (15 CCR 1081).

A final disposition shall be rendered as soon as possible if the appeal is granted, or discipline is reduced but no later than 10 days after the appeal. The decision of the review authority shall be final, and the result of the appeal shall be provided to the incarcerated person in writing.

##### **600.10 LIMITATIONS ON DISCIPLINARY ACTIONS**

The U.S. and state constitutions expressly prohibit all cruel or unusual punishment. Additionally, there shall be the following limitations:

- In no case shall any incarcerated person or group of incarcerated persons be delegated the authority to punish any other incarcerated person or group of incarcerated persons (Penal Code § 4019.5; 15 CCR 1083).
- In no case shall a safety cell be used for disciplinary purposes (15 CCR 1083).
- In no case shall any restraint device be used for disciplinary purposes (15 CCR 1083).
- Food shall not be withheld as a disciplinary measure (15 CCR 1083).
- Correspondence privileges shall not be withheld except in cases where the incarcerated person has violated correspondence regulations, in which case correspondence other than legal mail may be suspended for no longer than 72 hours without the review and approval of the Facility Manager (15 CCR 1083).

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- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure (15 CCR 1083).
- No incarcerated person may be deprived of the implements necessary to maintain an acceptable level of personal hygiene (15 CCR 1083; 15 CCR 1265).
- Disciplinary separation in excess of 30 days without review by the Detention Division Assistant Sheriff is prohibited. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended (15 CCR 1083).
- Discipline may be imposed for sexual activity between incarcerated persons. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No incarcerated person may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).
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#### **600.11 GUIDELINES FOR DISCIPLINARY ACTIONS**

Discipline shall be commensurate with the nature and circumstances of the offense committed, the incarcerated person's

disciplinary history, and the actions imposed for comparable offenses by other incarcerated persons with similar histories (28 CFR 115.78(b); 15 CCR 1082).

In all cases, actions should be imposed for the purpose of controlling or changing an incarcerated person's behavior and not for the purpose of punishment (15 CCR 1082).

All sexual contact between incarcerated persons is prohibited and shall be investigated, documented in an incident report, referred to the Disciplinary Grievance Deputy to ensure due process rights, which may result in punitive action.

Acceptable forms of discipline shall consist of but not be limited to the following (15 CCR 1082):

- Loss of privileges
- Extra work detail
- Short-term lockdown for less than 24 hours
- Removal from work details
- Forfeiture of work time credits earned under Penal Code § 4019
- Forfeiture of good time credits earned under Penal Code § 4019
- Disciplinary separation

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The Sheriff or the Detention Division Assistant Sheriff shall be responsible for developing and implementing a range of disciplinary actions for violations.

Incarcerated persons shall be subject to disciplinary actions pursuant to a formal disciplinary process following an administrative finding that the incarcerated person engaged in incarcerated person-on-incarcerated person sexual abuse or following a criminal finding of guilt for incarcerated person-on-incarcerated person sexual abuse (28 CFR 115.78(a)).

To the extent that there is available therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the facility shall consider whether to require an incarcerated person being disciplined for sexual abuse to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.78(d)).

#### **600.12 TRAINING**

The Facility Manager or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that preprinted forms are available for documenting rule violations in a consistent and thorough manner.

The Training Manager is responsible for developing and delivering, or procuring, training for staff members who participate in the disciplinary hearing process. Training topics should include the legal significance of due process protections and the hearing officer's role in assuring that those protections are provided.

## Disciplinary Separation

### 601.1 PURPOSE AND SCOPE

This policy specifically addresses disciplinary separation and guiding principles relating to the conditions attached to that separation. It will provide guidance to the staff on acceptable practices with regard to management of incarcerated persons in disciplinary separation.

#### 601.1.1 DEFINITIONS

Definitions related to this policy include:

**Disciplinary separation** - A status assigned to an incarcerated person after a disciplinary hearing in which the person was found to be in violation of a detention facility rule or state or federal law. This status results in separating the person from the rest of the incarcerated person population to serve the consequence imposed.

### 601.2 POLICY

The Sonoma County Sheriff's Office will maintain a disciplinary separation status for incarcerated persons who, after an impartial due process hearing, are being sanctioned for violating one or more detention facility rules. Restrictions on privileges will be subject to the disciplinary process and in accordance with this policy.

### 601.3 DISCIPLINARY SEPARATION

Inmates may be placed into disciplinary separation only after an impartial hearing to determine the facts of the rule violation, in accordance with the office Inmate Discipline Policy. The hearing officer shall impose discipline in accordance with the discipline schedule established by the Office.

If an inmate is on disciplinary separation status for 30 consecutive days, there shall be a review by the Detention Division Assistant Sheriff before the disciplinary separation status is continued. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended. These reviews shall be documented (15 CCR 1082(g); 15 CCR 1083(a)).

#### 601.3.1 BEHAVIOR MODIFICATION PROGRAM

All incarcerated persons who are assigned to disciplinary separation for a period of two (2) days or longer will be eligible to participate in the Behavior Modification Program which allows an incarcerated person to earn back privileges based on good behavior.

The Behavior Modification Program will begin when the incarcerated person has completed twenty-four (24) hours of his stay in disciplinary separation without any rule violations.

If an incarcerated person commits a minor or major rule violation during his first twenty-four (24) hours in disciplinary separation a new twenty-four (24) hour period will begin before the incarcerated person may participate in the Behavior Modification Program. The incarcerated person will be allowed to start a new twenty-four (24) hour period after each disciplinary problem

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until the incarcerated person is able to participate in the program or is released from disciplinary separation.

However, if at any time during the Behavior Modification Program the incarcerated person commits a rule violation the incarcerated person will be removed from the program and will not be allowed to participate in the program for the remainder of their stay in disciplinary separation. Formal Disciplinary action may also be taken.

Participation in the Behavior Modification Program will be documented in the incarcerated person's Disciplinary Separation File on the Behavior Observation form. Documentation should include the incarcerated person's behavior, privileges returned, and observations by the Module Deputies.

#### **601.4 INMATE ACCESS TO SERVICES**

Absent legitimate government reasons, incarcerated persons continue to have a right to receive certain services while in disciplinary separation.

Services to provide for basic human needs must continue to be made available. There are minimum service requirements that must be maintained to ensure the facility continues to operate in a constitutional manner. All custody staff will adhere to the following policy sections to guide them in the supervision of incarcerated persons held in disciplinary separation.

##### **601.4.1 MEDICATION, CLOTHING, AND PERSONAL ITEMS**

Incarcerated persons placed in disciplinary separation shall not be denied prescribed medication.

Absent unusual circumstances, incarcerated persons placed in disciplinary separation will continue to have the same access to personal care items as general population incarcerated persons have, including the following:

- Clean laundry
- Barbering and hair care services
- Clothing exchanges
- Bedding and linen exchanges

Incarcerated persons in disciplinary separation shall not be deprived of bedding or clothing except in cases where the incarcerated person destroys such articles or uses them to attempt suicide (15 CCR 1083(a)(2)). The decision to continue to deprive the incarcerated person of these articles must be made by the Detention Division Assistant Sheriff or the authorized designee and reviewed every 24 hours.

##### **601.4.2 SHOWERING AND PERSONAL HYGIENE**

Incarcerated persons in disciplinary separation should be allowed to shower with the same frequency as the general population, if reasonably practicable, but at a minimum shall be afforded the opportunity to shower at least every other day and shave daily (15 CCR 1083(d)). The opportunities for each incarcerated person to shave and shower will be documented on the disciplinary separation unit log.

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Exceptions to this policy can only be made when the restriction is determined to be reasonably necessary for legitimate government purposes. Any exceptions to this basic requirement must be reviewed and approved by the Watch Commander. The circumstances necessitating a restriction must be clearly documented on the unit log.

#### 601.4.3 DENIAL OF AUTHORIZED ITEMS OR ACTIVITIES

Authorized personal items may be withheld when it reasonably appears that the items will be destroyed by the incarcerated person, or it is reasonably believed that the personal item will be used for a self-inflicted injury or to harm others.

Whenever an incarcerated person in disciplinary separation is denied personal care items or activities that are usually authorized to the general population, except for restrictions imposed as a result of a disciplinary hearing, the correctional deputy taking such action shall document the circumstances that necessitated the need to restrict personal items or activities in the incarcerated person's management notes.

#### 601.4.4 MAIL AND CORRESPONDENCE

Incarcerated persons in disciplinary separation shall have the same privileges to write and receive correspondence as incarcerated persons in general population, except in cases where incarcerated persons violated correspondence regulations. In such cases, mail privilege may be suspended. The Facility Manager or the authorized designee shall approve all mail privilege suspensions that exceed 72 hours. Legal mail shall not be suspended from delivery to the incarcerated person (15 CCR 1083(f)).

#### 601.4.5 LIMITED VISITATION PRIVILEGES

Incarcerated persons in disciplinary separation may have their visiting privilege restricted or denied. Exceptions include the following:

- (a) Visits with legal counsel
- (b) Responding to verified family emergencies, when approved by the sergeant or Facility Manager

Incarcerated persons may earn back visiting privileges for positive behavior while in disciplinary separation.

#### 601.4.6 READING AND LEGAL MATERIALS

Incarcerated persons in disciplinary separation may have their recreational reading privilege restricted or denied. Access to legal paperwork and reading materials shall not be restricted.

Incarcerated persons may earn back recreational reading material access for positive behavior while in disciplinary separation.

Access to courts and legal counsel shall not be suspended as a disciplinary measure (15 CCR 1083(i)).

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##### **601.4.7 EXERCISE**

Incarcerated persons in disciplinary separation shall be given a minimum of three hours of exercise per week outside of their cell. Exceptions to this may occur if there are legitimate security or safety considerations. The circumstances relating to the limitation of exercise shall be documented in an incident report. The report shall be reviewed and the restriction shall be approved by a supervisor.

##### **601.4.8 LIMITED TELEPHONE PRIVILEGES**

Incarcerated persons in disciplinary separation may have their telephone privilege restricted or denied. Exceptions include the following:

- (a) Making legal calls
- (b) Responding to verified family emergencies, when approved by the sergeant or Facility Manager

All telephone access based on the above exceptions shall be documented on the unit log.

Incarcerated persons may earn back telephone access for positive behavior while in disciplinary separation.

##### **601.4.9 BEDDING AND CLOTHING**

Incarcerated persons in disciplinary separation shall not be deprived of bedding or clothing except in cases where the person destroys such articles or uses them for self-harm or to harm others or for something other than the intended purpose. Clothing and bedding shall be returned to the incarcerated person as soon as it is reasonable to believe the behavior that caused the action will not continue. The decision to continue to deprive the incarcerated person of these articles must be made by the Facility Manager or the authorized designee and reviewed at least every 24 hours. This review shall be documented and placed into the incarcerated person's management notes..

##### **601.5 DIET**

Under no circumstances will an incarcerated person be denied food as a means of punishment (15 CCR 1083(e)).

##### **601.5 DISCIPLINARY SEPARATION FILE**

Each incarcerated person in disciplinary separation shall have a Disciplinary Separation File.

At a minimum, the Disciplinary Separation File will contain the following:

- (a) A copy of the incident report(s)
- (b) A copy of the Disciplinary Hearing Disposition Form
- (c) A Behavior Observation Form
- (d) A copy of the Disciplinary Separation Information Form

Entries on the Behavior Observation Form should be legible, be entered promptly, and provide sufficient detail to adequately reflect the deputy's observations.

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The date and time of the observation or incident and the name and identification number of the staff member making the entry shall be included on each entry.

Supervisors should review the logs and enter comments as appropriate.

#### 601.5.1 ARCHIVAL OF FILES

The Disciplinary Separation File will be retained by the Office in accordance with established records retention schedules.

## Incarcerated Persons with Disabilities

### 602.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of incarcerated persons detained by this office in accordance with the Americans with Disabilities Act (ADA).

#### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Disability** - The ADA defines a disability as a physical or mental impairment that limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity.

### 602.2 POLICY

This office will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. Inmates with a disability are entitled to an equal opportunity to participate in programs, services, or activities offered by the Sonoma County Sheriff's Office.

### 602.3 DETENTION DIVISION ASSISTANT SHERIFF RESPONSIBILITIES

The Detention Division Assistant Sheriff, in coordination with the Responsible Physician and the ADA Coordinator, will establish written procedures to assess and reasonably accommodate disabilities of inmates. The procedures will include, but not be limited to:

- Establishing housing areas that are equipped to meet the physical needs of disabled inmates, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with inmates.
- Establishing classification criteria to make housing assignments to inmates with disabilities.
- Assigning individuals with adequate training to assist disabled inmates with basic life functions as needed.
- Establishing transportation procedures for moving inmates with limited mobility.
- Establishing guidelines for services, programs and activities for the disabled and ensuring that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.16).
- Enlisting or contracting for trained service personnel who have experience working with persons with disabilities.
- Ensure effective communication with inmates who are deaf or hard of hearing and, when necessary will provide access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the Sheriff's Office will ensure that written

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materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are sight impaired or have low vision.

- Establishing procedures for the request and review of accommodations.
- Establishing guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight and mobility impairments, developmental disabilities and common medical issues, such as epilepsy.
- Identification and evaluation of all developmentally disabled inmates, including contacting the regional center for the developmentally disabled to assist with diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends (15 CCR 1057).

The Detention Division Assistant Sheriff is responsible for ensuring the Sonoma County Sheriff's Office Detention Facilities are designed or adapted to reasonably accommodate inmates with disabilities. At a minimum this includes:

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for inmates who are deaf, hard of hearing or speech-impaired.
- If orientation videos are used to explain facility rules to newly admitted inmates, subtitles may be displayed on the video presentation to assist inmates who have impaired hearing.
- Some cells and dormitories should be equipped with wheelchair accessible toilet and shower facilities. Inmates with physical disabilities should be allowed to perform personal care in a reasonably private environment.
- Tables designed for eating should be accessible to those in wheelchairs.

#### **602.4 CORRECTIONAL DEPUTY RESPONSIBILITIES**

Correctional deputies should work with qualified health care professionals to aid in making accommodations for those with physical disabilities.

Correctional deputies who work in the classification process should be aware of inmates with disabilities before making housing decisions. For example, persons with mobility issues may require a lower bunk and accessible toilet and shower facilities. When necessary or required, a supervisor of classification correctional deputy should consult with the qualified health care professional or the Responsible Physician regarding housing location.

Correctional deputies should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate's disability. If there are no current guidelines in place, correctional deputies receiving an inmate request for accommodation of a disability should direct the inmate to provide the request in writing or assist the inmate in doing so, as needed. The written request should be immediately forwarded to the ADA Coordinator. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the detention facility. The formal written request should still be submitted to the ADA Coordinator.

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Requests that are minor and do not reasonably appear related to a significant or ongoing need may be addressed informally, such as providing extra tissue to an inmate with a cold. Such requests need not be made in writing.

#### **602.5 ACCOMMODATION REQUESTS**

Inmates shall be asked to reveal any accommodation requests during the intake medical screening process. Any such request will be addressed according to the classification process.

Requests for accommodation after initial entry into the facility may be made as follows:

- An inmate may notify custody or medical staff orally or in writing of his/her request.
- An inmate may submit an ADA Request for Accommodation Form.
- A third party such as an inmate's family member or friend may request an accommodation on behalf of the inmate.
- If there is an unresolved request regarding a disability or an accommodation, an inmate may submit an Inmate Grievance Form.

Any requests for accommodation shall be immediately forwarded to the ADA Coordinator and appropriate health care staff. The ADA Coordinator will meet with the inmate within two working days of receiving the request, evaluate the request and, if approved, notify any staff as necessary to meet the accommodation. The ADA Coordinator will make a record of the accommodation in the inmate's management notes and create/maintain an ADA file for the inmate.

If an accommodation request is not granted by the ADA Coordinator, either in part or in full, the reasons for denial shall be thoroughly documented on the ADA Coordinator Review Form and should be forwarded to the ADA Division Representative for review.

#### **602.6 TRAINING**

The ADA Coordinator should work with the Training Manager to provide periodic training on such topics as:

- (a) Policies, procedures, forms, and available resources for incarcerated persons with developmental disabilities.
- (b) Working effectively with interpreters, telephone interpretive services and related equipment.
- (c) Training for management staff, even if they may not interact regularly with disabled individuals, so that they remain fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

## Inmate Access to Courts and Counsel

### 603.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates to access the courts and legal counsel, while holding inmates accountable to the rules and regulations that govern conduct in this facility. The staff at every level is reminded the fundamental constitutional right of access to courts does not end when a person is incarcerated.

### 603.2 POLICY

It is the policy of this office that all inmates will have access to the courts and the ability to consult with legal counsel (15 CCR 1068).

### 603.3 INMATE ACCESS

Staff should not unreasonably interfere with inmates' attempts to seek counsel and where appropriate should assist inmates with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney or legal assistant visits, telephone conversations or written communication. To facilitate access, this facility will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the inmate can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate inmates and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes and postage for indigent inmates for legal communications and correspondence.

The Facility Manager shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the inmate handbook, that is provided during inmate orientation.

#### 603.3.1 ACCESS TO LEGAL REFERENCE MATERIALS

Nothing in this policy shall confer a right to access to a law library and, unless it is specified by a court order, the Sheriff may provide access to the legal system by a variety of means that may include public or private legal research services (e.g., legal paging system).

All inmates shall have reasonable access to legal reference materials.

Inmates desiring access to legal reference materials shall submit a completed legal information request to the housing correctional deputy. Only one request (of up to five items/topics) per inmate per 30-day period is allowed unless the inmate is acting as pro per. Inmates in disciplinary

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separation shall have the same access to legal reference materials as the general population unless a restriction is directed by the court.

The housing correctional deputy will collect completed request forms and deliver them to the Detention Operations Secretary. Upon receipt, the Secretary will time stamp, log, and number the request and forward to the contracted legal research service for processing. Records of access to legal references and whether the requests were fulfilled or denied should be documented and maintained in accordance with established records retention schedules.

#### **603.4 CONFIDENTIALITY**

All communication between inmates and their attorneys is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

#### **603.5 INMATE REQUEST FOR ASSISTANCE**

Written materials addressing how an inmate can access local attorneys and key legal documents shall be available in each housing unit. Staff shall provide these materials to any inmate upon request. However, staff shall not provide legal advice or assist any inmate in the completion of any legal document.

Habeas corpus forms shall be made available to any inmate by staff upon request.

#### **603.6 VISITATION RELATED TO LEGAL DEFENSE**

Visits with inmates that are related to legal defense, including attorneys, paralegals and investigators, will be permitted only in the areas designated for legal visitation or by way of video visitation to assure confidentiality (15 CCR 1068(b)). Contact visits may be approved by the Administrative Lieutenant for special circumstances.

- (a) Visits shall be of a reasonable length of time to discourage any allegation the defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service or other required activities.
- (b) All materials brought into this facility by professional visitors shall be subject to security inspections by custody staff.

#### **603.7 MAIL**

Legal mail shall be handled in accordance with the Inmate Mail Policy.

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#### **603.8 IN PROPRIA PERSONA (PRO PER) INMATES**

An inmate is acting in propria persona (pro per) if the inmate is representing him or herself, rather than an attorney, in a legal matter, rather than through an attorney.

##### **603.8.1 PRO PER STATUS MISUSE**

Any inmate who is acting as pro per and is found to be misusing or abusing that status to the extent that it poses a demonstrable threat to the safety and security of the facility shall be immediately reported to the Administrative Lieutenant. The Administrative Lieutenant may recommend the suspension or a limitation of the inmate's pro per privileges if they adversely affect the safety and security of the detention facility.

Upon the concurrence with the findings and recommendation of the Administrative Lieutenant, the Sheriff or the authorized designee shall consult with the Office's legal counsel prior to notifying the court of any intent to limit the described pro per privileges.

The inmate may petition the court if he/she is dissatisfied with the action taken.

##### **603.8.2 PRO PER STATUS - MATERIALS AND SUPPLIES**

The facility may provide pro per materials and supplies to a pro per inmate. These items may be retained by the inmate but must be kept in the container supplied for such purpose.

Replacement of any pro per items shall be accomplished through a written request to the Program Deputy. Supplies provided by a court legal liaison will be received and distributed by the Program Deputy. All supplies distributed to the inmate will be recorded in the inmate's management notes. Supplies not listed in this policy are subject to approval by the Administrative Lieutenant or the authorized designee.

Copies of an inmate's final legal (criminal case) work product, upon the inmate's request, may be provided subject to arrangements with the court.

Inmates may purchase their own legal books and materials. However, such materials will be subject to safety inspection and rules pertaining to items permitted to be in the inmate's possession. Personal books must be marked with the inmate's name and booking number.

Any books or materials found in the inmate's possession beyond what is authorized will be placed in the inmate's property.

##### **603.8.3 PRO PER INMATES INTERVIEWING WITNESSES**

A pro per inmate may be permitted to interview prospective witnesses in the regular visitation area. Requests for visits outside of normal visiting hours will be directed to a supervisor for approval and should be accommodated when practicable.

Interviews conducted by pro per inmates are subject to the following rules and restrictions:

- (a) No interview will be permitted without notification from a judge confirming or validating the prospective witness. The pro per inmate is responsible for providing the judge with the list of prospective witnesses for validation.

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- (b) No visit shall be permitted by a prospective witness who is in the custody of this office or otherwise detained by a government agency, except upon a specific court order.

#### 603.8.4 TELEPHONE USAGE

Pro per inmates may use the telephones in their housing areas to place calls concerning their cases. Court-authorized pro per telephone calls shall not be monitored and shall be provided to the inmate in accordance with the orders of the court (see the Inmate Telephone Access Policy).

#### 603.8.5 PRO PER INMATES PLACED IN ADMINISTRATIVE SEGREGATION

Pro per inmates who are rehoused to Administrative Segregation shall be entitled to an Administrative Segregation placement hearing prior to the initial placement unless a genuine, documentable reason exists for prior placement.

The Administrative Lieutenant shall notify the court of the pro per inmate's placement in Administrative Segregation and restrictions, if court action is pending.

A pro per inmate who is placed in Administrative Segregation is entitled to have his/her situation brought before the court. This is necessary so the court may determine if placement in Administrative Segregation restricts the pro per inmate's ability to adequately present his or her case.

## Foreign Nationals and Diplomats

### 604.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

### 604.2 POLICY

The Sonoma County Sheriff's Office Detention Facility will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Office will investigate all claims of immunity and accept custody of the person when appropriate.

The Sonoma County Sheriff's Office Detention Facility will also honor the laws related to foreign nationals in custody by making proper consular notifications and by assisting those who wish to contact their consular representative.

### 604.3 DIPLOMATIC AND CONSULAR IMMUNITY

#### 604.3.1 AVAILABILITY OF RESOURCES

The Watch Commander will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for office members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

#### 604.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Sonoma County Sheriff's Office Detention Facility the receiving correctional deputy shall first inform the Watch Commander and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting Law Enforcement Officer. The person should not be brought inside the Sonoma County Sheriff's Office Detention Facility unless doing so would facilitate the investigation of his/her claim of immunity.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that he/she will be detained until his/her identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.
- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

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- (e) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

It will be the responsibility of the Watch Commander to communicate the claim of immunity to the on-duty supervisor of the arresting office (if not the Sonoma County Sheriff's Office). The Watch Commander may assist another agency in determining the person's immunity status.

The Watch Commander is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

#### 604.3.3 REPORTING

If the person's immunity status has been verified, the Watch Commander should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

#### **604.4 CONSULAR NOTIFICATIONS**

##### 604.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Facility Manager will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted.

##### 604.4.2 CONSULAR NOTIFICATION ON BOOKING

Office members assigned to book inmates shall:

- (a) Inform the foreign national, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
- (c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that his/her consular officers be notified, then:
  1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
  2. Forward any communication from the foreign national to his/her consular officers without delay.
- (d) If the foreign national's country is on the list for mandatory notification, then:

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1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
  2. Tell the foreign national that this notification has been made and inform him/her without delay that he/she may communicate with his/her consular officers.
  3. Forward any communication from the foreign national to his/her consular officers without delay.
  4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the inmate's file.
- (e) If the foreign national would like to have contact with his/her consulate:
1. Inmates may use the inmate phones to contact consular officials. Inmates may also correspond with and receive visits from consular officials.
  2. Consular Officials who desire to visit a foreign national will be considered professional visitors.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the inmate is requesting asylum. Requests for asylum should be forwarded to the Watch Commander.

## Prison Rape Elimination Act

### 605.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office is committed to maintaining a program of education, prevention, detection, investigation, criminal and administrative sanctions against perpetrators, data collection, treatment and support for any incarcerated person who is a victim of sexual abuse. Those contracted, employed by, or volunteering for the Sheriff's Office are subject to punitive sanctions for any violation of this policy.

#### 605.1.1 DEFINITIONS

**Contractor** - A person who provides services pursuant to a contractual agreement.

**Intersex** - A person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sexual development.

**Jail** - A confinement facility of a Federal, State, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges, or persons adjudicated guilty who are awaiting transfer to a correctional facility.

**Lockup** - A facility that contains holding cells, cell blocks, or other secure enclosures that are: Under the control of a law enforcement, court, or custodial officer; and primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency.

**PREA** - The Prison Rape Elimination Act of 2003 was signed into law by President George W. Bush. The purpose of this law is to protect incarcerated persons at all levels from sexual assault, sexual harassment and all forms of sexual abuse from other incarcerated persons and facility staff.

**PREA Coordinator** - An upper-level manager with authority, designated to develop, implement, oversee and maintain efforts to comply with PREA standards.

**PREA Compliance Manager** - An upper level manager responsible for the coordination of a facility's efforts to comply with PREA standards.

**PREA related incident** - Any sexual abuse, sexual assault and/or sexual harassment of an incarcerated person.

**Retaliation** - Any negative act by any person toward or against another for reporting or cooperating with an investigation involving sexual abuse, sexual assault or sexual harassment.

**Sexual Abuse** - Sexual abuse can be committed by incarcerated persons or detainees, staff, contractors, and volunteers. It includes, but is not limited to contact of the genitals or other parts of the suspect's body with the genitals, anus, mouth or other body parts of the victim without consent or under coercion, by overt or implied threats of violence, or if the victim is unable to consent, as defined by the California Penal Code. This is to include any incidents of penetration using foreign

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objects, however slight. Other acts of abuse include acts of voyeurism, exposure or any other touching without consent.

**Sexual Harassment** - Repeated and unwelcome sexual advances, verbal comments or gestures of a sexual nature, or requests for sexual favors to an incarcerated person or detainee, demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures by another incarcerated person or detainee, staff member, contractor, or volunteer.

**Staff Member** - Any employee of the County of Sonoma.

**Transgender** - A person whose gender identity and/or gender expression (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

**Volunteer** - An individual who donates time and effort to the benefit of the Sheriff's Office activities and programs for incarcerated persons.

**Voyeurism** - An invasion of privacy of an incarcerated person or detainee by staff for reasons unrelated to official duties, such as peering at an incarcerated person who is using a toilet in his or her cell to perform bodily functions; requiring an incarcerated person to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an incarcerated person's body or of an incarcerated person performing bodily functions.

#### **605.2 POLICY**

The Sonoma County Sheriff's Office, in compliance with the Prison Rape Elimination Act of 2003, mandates zero tolerance toward all forms of sexual abuse, sexual harassment and sexual assault of any incarcerated person in custody. There shall be zero tolerance for retaliation of any sort against anyone who reports or cooperates with the investigations of such acts. All incidents of sexual abuse that occur in the Sonoma County Detention Facilities shall be thoroughly investigated, documented and reported in accordance with the mandates set forth in the 2003 Prison Rape Elimination Act (PREA) and the Department of Justice National PREA Standards.

#### **605.3 MANDATES**

- 42 U.S.C. 1997
- Prison Rape Elimination Act of 2003
- Department of Justice National PREA Standards
- Sheriff's Office-Wide Rules and Regulations Regarding Conduct Policy
- Sheriff's Office-Wide Discrimination and Harassment Policy

#### **605.4 GENERAL INFORMATION**

The purpose of the Department of Justice National PREA Standards is to prevent, detect, and respond to rape pursuant to the Prison Rape Elimination Act of 2003.

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The Sheriff's Office shall appoint a PREA Coordinator with sufficient time and authority to coordinate, develop, implement, oversee and maintain efforts to comply with all PREA standards.

The Sheriff's Office shall appoint a PREA Manager for each facility responsible for the coordination of efforts to comply with PREA standards.

The Sheriff's Office will not enter into any contract, or renew any contract, for the confinement of Sonoma County incarcerated persons that does not include the agencies obligation to adopt, monitor and comply with PREA standards.

The Sheriff's Office will not enter into or renew any collective bargaining agreement or any other agreement that limits the Sheriff Office's ability to remove alleged staff sexual abusers from contact with any incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

- (a) Nothing in this standard shall restrict entering into or renewal of agreements that govern:
  - 1. The conduct of the disciplinary process, as long as such agreements are not inconsistent with provisions of PREA mandates 115.72 or 115.76.
  - 2. Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the employees personnel file following a determination that the allegation of sexual abuse is not substantiated.

All reports of sexual abuse/harassment or expressed fear of sexual abuse/harassment shall result in prompt action and documentation which shall include, but not be limited to:

- (a) Medical and mental health attention.
- (b) Immediate initiation of an investigation.
- (c) Preservation of evidence.

The Sheriff's Office shall ensure meaningful access and take reasonable steps in its effort to prevent, detect, and respond to sexual abuse and sexual harassment to incarcerated persons who are limited in their English proficiency.

- (a) Written PREA informational and educational material provided to incarcerated persons shall be in formats or through methods, including the use of interpreters if necessary, that ensure effective communication with incarcerated persons who are limited in English proficiency.
- (b) Incarcerated person interpreters, incarcerated person readers, or other types of incarcerated person assistants shall not be used, except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the incarcerated person's safety, the performance of first-response duties under 28 C.F.R. § 115.64, or the investigation of the incarcerated person's allegations.

There is no consensual sex in a custodial or supervisory relationship. Any sexual abuse or sexual harassment between staff, contractor, or volunteer with an incarcerated person is inconsistent with the policy and procedures of the Sheriff's Office and shall be investigated.

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Sexual abuse includes:

- (a) Sexual abuse of an incarcerated person or detainee by another incarcerated person or detainee, includes, but not limited to, any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
  - 1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
  - 2. Contact between the mouth and the penis, vulva, or anus.
  - 3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
  - 4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
- (b) Sexual abuse of an incarcerated person or detainee, by a staff member, contractor, or volunteer includes, but not limited to, any of the following acts, with or without consent of the incarcerated person or detainee:
  - 1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
  - 2. Contact between the mouth and the penis, vulva, or anus.
  - 3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
  - 4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
  - 5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in section (a.) through (e.) of this section is sexual abuse.

Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an incarcerated person or detainee is sexual harassment.

Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means the invasion of privacy of an incarcerated person or detainee for reasons unrelated to official duties, such as, but not limited to:

- (a) Peering at an incarcerated person who is using a toilet in his or her cell to perform bodily functions.
- (b) Requiring an incarcerated person to expose his or her buttocks, genitals, or breasts.

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- (c) Taking images of all or part of an incarcerated person's naked body or of an incarcerated person performing bodily functions.
  - 1. Incidental viewing while performing one's duties is not voyeurism.

Sexual harassment includes, but is not limited to:

- (a) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one incarcerated person or detainee, directed toward another.
- (b) Repeated verbal comments or gestures of a sexual nature to an incarcerated person or detainee, by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with incarcerated persons, and if applicable, reported to relevant licensing bodies.

- (a) The Sheriff's Office shall take appropriate remedial measures, and shall consider whether to prohibit further contact with incarcerated persons, in the case of any other violation of sexual abuse or sexual harassment policies by a contractor or volunteer.

Correctional Staff upon learning of an incarcerated person's substantial risk of imminent sexual abuse will take immediate steps to protect the incarcerated person.

When designing or acquiring any new facility and in planning any substantial expansion or modifications of existing facilities, the Sheriff's Office shall consider the effect of the design, acquisition, expansion, or modification upon the ability to protect incarcerated persons from sexual abuse.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Sheriff's Office shall carefully evaluate and consider how such technology may enhance the Sheriff's Office ability to protect incarcerated persons from sexual abuse.

#### **605.5 TRAINING**

All staff, including contractors and volunteers who may have incarcerated person contact, shall receive training on the following topics:

- (a) The Office's zero tolerance policy for sexual misconduct, sexual assault, and sexual harassment.
- (b) The rights of incarcerated persons, staff, contractors and volunteers to be free from sexual misconduct, sexual abuse and sexual harassment.
- (c) The rights of incarcerated persons, staff, contractors and volunteers to be free from retaliation for good faith reporting of suspected or observed instances of sexual misconduct, sexual abuse or sexual harassment.
- (d) How staff and volunteers can fulfill their responsibilities under the Sheriff's Office sexual abuse and harassment prevention, detection, reporting and response policies.

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- (e) The dynamics of sexual misconduct, abuse and harassment in confinement.
- (f) The common reactions of sexual misconduct, abuse and harassment in confinement.
- (g) How to detect and respond to signs of threatened and actual sexual misconduct, abuse or harassment.
- (h) How to avoid inappropriate relationships with detainees and incarcerated persons.
- (i) How to communicate effectively and professionally with incarcerated persons, including lesbian, gay, bisexual, transgender, intersex and gender nonconforming incarcerated persons.
- (j) Mandatory reporting requirement.

All employees shall receive refresher training every two years.

All employees, in years when the above listed training is not provided, refresher information shall be provided on current sexual abuse and sexual harassment policies.

All training shall be documented through staff member, contractor or volunteer signature or electronic verification that staff members, contractors and volunteers understand the training they have received.

The Detention Division's training unit is the custodian of records for all PREA training for Detention staff. The Law Enforcement Division is the custodian of records for all PREA training for the Law Enforcement Division. The Detention Division's Program Sergeant shall ensure training is completed for all volunteers who have contact with incarcerated persons. The Detention Division's research and planning Lieutenant shall ensure training is completed for all contractors who have contact with incarcerated persons. The training unit will audit the training files for medical staff, mental health staff, domestic violence and sexual assault detectives, contractors and volunteers.

#### **605.6 INCARCERATED PERSON EDUCATION**

All incarcerated persons shall be given a PREA advisement during the booking process, to read and sign, pertaining to the Sheriff Office's zero tolerance policy towards all forms of sexual abuse and sexual harassment, and how to report such incidents of sexual abuse or sexual harassment. This signed advisement shall be maintained in the incarcerated person's D-file.

All incarcerated persons shall be provided an incarcerated person orientation handbook that explains the Sheriff Office's zero tolerance policy regarding sexual abuse. The handbook informs incarcerated persons that any staff member can receive a report of sexual abuse and all reports of sexual abuse will be thoroughly investigated.

All housed incarcerated persons shall be provided a PREA informational brochure that describes, but not limited to, what sexual abuse is, ways to stay safe while incarcerated, a warning to potential abusers, why abuse should be reported and to whom, the availability of counseling, medical services and contact information for outside agencies that can provide further support.

incarcerated person education shall be provided to all housed incarcerated persons regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation

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for reporting such incidents, and Sheriff Office's policies and procedures for responding to such incidents.

Each facility has PREA education and reference materials available to incarcerated persons. These materials include, but are not limited to: posters placed in conspicuous locations throughout the facilities, handbooks and brochures.

#### **605.7 RESPONSE TO PREA INCIDENT**

##### **605.7.1 MAIN ADULT DETENTION FACILITY**

- (a) Correctional Staff shall take immediate steps to protect an incarcerated person from sexual abuse and shall separate abusers from potential victims.
- (b) Correctional Staff shall preserve and protect the crime scene until appropriate steps can be taken to collect evidence.
  - 1. If the first staff responder is not a Correctional Staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify Correctional Staff
- (c) The Sergeant shall request a patrol Deputy via Sheriff's Dispatch to respond to all PREA-related crimes that occur in a facility.
  - 1. A Patrol Deputy will refer all PREA-related crimes to the DVSA unit for investigation.
- (d) The Sergeant is responsible to ensure reasonable steps are taken to prevent the alleged abuser from taking any actions that could destroy physical evidence including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- (e) Correctional Staff shall request mental health and/or medical staff to respond to all PREA-related crimes/incidents.
  - 1. On-site medical staff shall be trained and will advise any alleged victim whose sexual abuse occurred within a time period that may still allow for the collection of physical evidence, not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
  - 2. Forensic medical evaluations will not be conducted at the detention facility. Any forensic medical evaluation necessary will be conducted at an off-site medical facility by qualified medical professionals.
- (f) The reporting Deputy will access the CJS system to complete an incident report.
- (g) The Sergeant shall ensure staff members, contractors and/or volunteers submit an incident report, civilian incident or memorandum detailing their observations and the role they played in the incident.
- (h) The Sergeant shall brief the Watch Commander of the incident and investigation. The Sergeant shall ensure the crime report and incident report numbers are cross

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referenced, and that copies of the incident reports, supplemental reports and any memorandums are forwarded to the Patrol Deputy and the PREA Coordinator

- (i) The Watch Commander shall review the measures taken to ensure the incident is being investigated and documented appropriately. All victims of sexual abuse shall be afforded the opportunity to have a Victims Rights Advocate made available to accompany and support the victim through the forensic medical examination process, the investigative interviews and shall provide emotional support, crisis intervention, information and referrals, at no cost to the incarcerated person.
- (j) When a victim of abuse returns from the hospital the booking Deputy will notify classification of the incarcerated person's return before being housed. In the absence of a Classification Deputy, the booking Sergeant shall make the appropriate housing decision. The booking Deputy will refer the incarcerated person to medical and mental health practitioners to ensure that any necessary follow-up treatment services are provided.
- (k) The PREA Coordinator shall receive an automated daily report of any PREA-related incidents and review the Detention incident report, any supplemental reports and crime reports.

#### 605.7.2 NORTH COUNTY DETENTION FACILITY

- (a) Correctional Staff shall take immediate steps to protect an incarcerated person from sexual abuse and shall separate abusers from potential victims.
- (b) Correctional Staff shall preserve and protect the crime scene until appropriate steps can be taken to collect evidence.
  - 1. If the first staff responder is not a Correctional Staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify Correctional Staff
- (c) The Sergeant shall request a patrol Deputy via Sheriff's Dispatch to respond to all PREA-related crimes that occur in a facility.
  - 1. A Patrol Deputy will refer all PREA-related crimes to the DVSA unit for investigation.
- (d) The Sergeant is responsible to ensure reasonable steps are taken to prevent the alleged abuser from taking any actions that could destroy physical evidence including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- (e) Correctional Staff shall request mental health and/or medical staff to respond to all PREA-related crimes/incidents.
  - 1. On-site medical staff shall be trained and will advise any alleged victim whose sexual abuse occurred within a time period that may still allow for the collection of physical evidence, not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

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2. Forensic medical evaluations will not be conducted at the detention facility. Any forensic medical evaluation necessary will be conducted at an off-site medical facility by qualified medical professionals.
- (f) The reporting Deputy will access the CJS system to complete an incident report.
  - (g) The Sergeant shall ensure staff members, contractors and/or volunteers submit an incident report, civilian incident or memorandum detailing their observations and the role they played in the incident.
  - (h) The Sergeant shall brief the Watch Commander of the incident and investigation. The Sergeant shall ensure the crime report and incident report numbers are cross referenced, and that copies of the incident reports, supplemental reports and any memorandums are forwarded to the Patrol Deputy and the PREA Coordinator
  - (i) The Watch Commander shall review the measures taken to ensure the incident is being investigated and documented appropriately. All victims of sexual abuse shall be afforded the opportunity to have a Victim Rights Advocate made available to accompany and support the victim through the forensic medical examination process, the investigative interviews and shall provide emotional support, crisis intervention, information and referrals, at no cost to the incarcerated person.
  - (j) When a victim of abuse returns from the hospital the booking Deputy will notify classification of the incarcerated person's return before being housed. In the absence of a Classification Deputy the booking Sergeant shall make the appropriate housing decision. The booking Deputy will refer the incarcerated person to medical and mental health practitioners to ensure that any necessary follow-up treatment services are provided.
  - (k) The PREA Coordinator shall receive an automated daily report of any PREA-related incidents and review the Detention incident report, any supplemental reports and crime reports.

#### **605.8 REPORTING AND INVESTIGATIONS**

Staff members, contractors and volunteers shall accept all allegations made verbally, in writing, anonymously, from third parties and promptly notify a supervisor or manager. Allegations may be made through the grievance process as well (refer to Incarcerated person Grievances). All incidents of sexual abuse, sexual assault and sexual harassment upon incarcerated persons shall be investigated promptly, thoroughly, objectively and forwarded through the chain of command. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. The departure of the alleged abuser or victim from employment, control or custody shall not provide a basis for terminating an investigation. The standard used to substantiate allegations of sexual abuse shall be no higher than a preponderance of the evidence.

- (a) The Sheriff's Office shall maintain all written reports, investigations to include internal affair investigations for all sexual abuse investigations for as long as the alleged abuser is incarcerated or employed by the Sheriff's Office, plus five years.

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- (b) The credibility of an alleged victim, suspect or witness shall be assessed on an individual basis and shall not be determined by the person's status as an incarcerated person or staff.
- (c) The Sheriff's Office shall cooperate fully with any outside investigations of sexual abuse and endeavor to remain informed about the process and disposition of any such investigation.
- (d) Third parties are encouraged to report all allegations of sexual abuse or harassment by phone (707-565-1412 or 707-565-1410) and request to speak with a correctional supervisor. Allegations can also be submitted on a citizen's complaint form. Citizen complaint forms can be obtained from the front lobby of each facility, be mailed upon request or by downloading the form from the Sheriff Office's website.

All staff members, contractors and volunteers have an affirmative duty to report to a supervisor or manager all allegations, suspicions, or knowledge of sexual abuse, sexual harassment, sexual assault or any sexual misconduct involving incarcerated persons that takes place within any Sheriff's Office facility or within any other jurisdiction or agency. Failure to report is akin to committing the act and may be punishable as such.

Any staff member, volunteer or contractor who has knowledge, information or suspects retaliation against anyone who reports sexual abuse, cooperates with an investigation or that a staff member violated their responsibilities that may have contributed to an incident shall immediately notify a supervisor or manager. This notification may be made in private, but shall occur immediately upon obtaining knowledge. There is no requirement for any employee to use the chain of command.

- (a) Apart from reporting sexual abuse to a supervisor or manager, any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners unless otherwise precluded by Federal, State, or local law shall be required to report all allegations of sexual abuse or retaliation. Medical and mental health practitioners shall obtain informed consent from incarcerated persons before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the incarcerated person is under the age of 18. All incarcerated persons must be informed of their duty to report, and the limitations of confidentiality, at the initiation of services.

If the alleged victim is under the age of eighteen (18) or considered a vulnerable adult under a State or local vulnerable persons statute, the Office shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

A patrol deputy shall be called to respond to all PREA related crimes that occur within the Detention Division. A patrol deputy shall refer all felony PREA related crime investigations to a domestic violence and sexual assault (DVSA) investigator. The DVSA investigators shall conduct investigations in compliance with all applicable PREA standards.

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- (a) When the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

Staff members, contractors and volunteers accused of harassment or abuse of an incarcerated person shall not have any contact with the reporting staff member or others involved in the investigation. Any form of retaliation shall be subject to punitive action.

Incarcerated persons may privately (if they so choose) report sexual harassment, abuse, or assault, retaliation for reporting, or staff indifference to any employee, volunteer or contractor.

- (a) These reports can be made verbally or in writing through incarcerated person request forms, letters, or any other medium. These reports can be made by third parties on behalf of the incarcerated person.
  - 1. An incarcerated person who alleges sexual abuse shall not be required to submit to a polygraph or any other truth-telling device as a condition for proceeding with the investigation of such an allegation.
- (b) Retaliation reports filed against other incarcerated persons shall be investigated.
- (c) Reports of retaliation by staff shall be documented in a memorandum and forwarded to the Assistant Sheriff or designee.
- (d) Incarcerated persons can confidentially and anonymously report sexual abuse to the Sonoma County Rape Crisis Center, using incarcerated person telephones by dialing #141. The Sonoma County Rape Crisis Center will comply with mandatory reporting requirements by reporting sexual abuse directly to a Sergeant.
  - 1. Incarcerated persons who do not speak English may request a translator upon contacting the Sonoma County Rape Crisis Center.
  - 2. Incarcerated persons who are hearing impaired shall be provided a TDD machine and may dial the Sonoma County Rape Crisis Center using a direct telephone number. Staff members shall accept reports made verbally, in writing, anonymously and from third parties, such as advocates or family members. All such reports shall be immediately documented and the employees' immediate supervisor notified. The PREA Coordinator, the PREA Compliance Manager and the Facility Manager shall be notified, and an investigation shall immediately commence.
- (e) Incarcerated persons detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Staff members shall accept reports made verbally, in writing, anonymously and from third parties, such as advocates or family members. All such reports shall be immediately documented and the employee's immediate supervisor notified. The PREA Coordinator, the PREA Compliance Manager and the Facility Manager shall be notified, and an investigation shall immediately commence.

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If the person who receives the report is a non-custody employee, he or she shall immediately notify any custodial supervisor.

Reports can be made through the Sheriff's Office website by downloading, completing and submitting a citizen's complaint form. A PREA related citizen's complaint form submitted anonymously will be accepted.

PREA-related crimes that involve incarcerated persons that are elderly or suffer from any disability will be referred to the DVSA Unit for investigation.

Copies of all completed PREA-related incidents and investigations shall be forwarded to the PREA Coordinator.

Upon completion of an investigation involving an incarcerated person's allegation they were sexually abused in a Sheriff's Office facility, the incarcerated person shall be informed as to the final determination of the investigation (Sustained, Not Sustained, Inconclusive or Unfounded). If an outside agency conducts the investigation, the Sheriff's Office shall request the relevant information from the investigative agency in order to inform the incarcerated person.

- (a) All investigations shall include efforts to determine whether staff actions or failures to act contributed to the abuse.

Following an incarcerated person's substantiated allegation that a staff member committed a sexual assault against the incarcerated person, unless the allegation is determined to be unfounded, the Sheriff's Office shall inform the incarcerated person by memorandum whenever:

- (a) The staff member is no longer assigned to the incarcerated person's housing area.
- (b) The staff member is no longer employed or assigned to the facility.
- (c) The staff member has been indicted or criminally charged related to abuse within the facility.
- (d) The Sheriff's Office learns that a staff member has been convicted on a charge related to sexual abuse within the facility.
- (e) The Sheriff Office's obligation to report under this standard shall terminate if the incarcerated person is released from custody.

Following an allegation by an incarcerated person that he was abused by another incarcerated person, the victim shall be informed by memorandum whenever:

- (a) The alleged abuser has been indicted or criminally charged on charges related to sexual abuse within the facility; or
- (b) The alleged abuser has been convicted on a charge related to abuse within the facility.
- (c) The Sheriff Office's obligation to report under this standard shall terminate if the victim is released from custody.

Incarcerated persons can report sexual abuse they experienced while confined at another facility. Upon report of an allegation of an incarcerated person being sexually abused while confined at another facility, the Assistant Sheriff or their designee shall notify in writing the head of the facility

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or appropriate office of the agency where the alleged abuse occurred. Such notifications shall be provided and documented as soon as possible, but no later than 72 hours after receiving the allegation.

When informed by another agency that an incarcerated person in our custody was sexually abused while incarcerated, the allegation shall be thoroughly investigated and if necessary, forwarded for criminal prosecution.

Upon receipt of a completed investigation, the PREA Coordinator shall document the incident using a U.S. Department of Justice Bureau of Justice Statistics (USDOJ BJS) form SSV-1A and maintain the copy for use in the report submitted annually to USDOJ BJS. A copy shall be retained for no less than 10 years.

The PREA Coordinator shall compile all information pertaining to assaults, abuse, and harassment on incarcerated persons, annually. This information shall be submitted to the USDOJ BJS using form SSV-3. This form shall be submitted to the USDOJ BJS electronically. A copy of the SSV-3 as well as copies of all reports included in the SSV-3 shall be forwarded to the Detention Division Assistant Sheriff and the PREA Compliance Manager. A copy of this data shall be maintained for no less than 10 years.

The PREA Coordinator shall create an annual report using the data collected during the previous year and submit the report to the Sheriff for review. Once approved, this report shall be placed on the Sheriff's Office web site for public viewing. Names of all involved parties shall be redacted.

#### **605.9 ACCESS TO EMERGENCY MEDICAL AND MENTAL HEALTH CARE SERVICES**

Incarcerated person victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

Incarcerated person victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Treatment services shall be provided to the victim without financial cost, regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

#### **605.10 ACCESS TO ONGOING MEDICAL AND MENTAL HEALTH CARE SERVICES**

Any incarcerated person victimized by sexual abuse or subject to a PREA related incident shall be referred by a Correctional Deputy to medical and/or mental health practitioners for evaluation and treatment consistent with the community level of care. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

- (a) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

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Incarcerated person victims of sexually abusive vaginal penetration (while in custody) shall be offered pregnancy tests. If pregnancy results, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.

Incarcerated person victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

#### **605.11 VICTIM ADVOCACY**

All victims of sexual abuse shall be afforded the opportunity to have a Victims Rights Advocate made available to accompany and support the victim through the forensic medical examination process, the investigative interviews and shall provide emotional support, crisis intervention, information and referrals, at no cost to the incarcerated person.

The following Victim Rights Agencies addresses and telephone numbers are provided to all incarcerated persons:

- (a) Sonoma County Rape Crisis Center
- (b) Family Justice Center.
- (c) Young Women's Christian Association (YWCA) counseling for women in abusive relationships.
- (d) National Human Trafficking hotline.

#### **605.12 PROTECTION AGAINST RETALIATION**

The Sheriff's Office shall take immediate appropriate measures to protect anyone who expresses a fear of retaliation because they reported or cooperated with an investigation of sexual abuse.

Multiple protection measures shall be employed against any forms of retaliation, such as housing transfers or transfers for incarcerated person victims or abusers, removal of alleged staff or incarcerated person abusers from contact with victims, and emotional support services for incarcerated persons or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, the PREA Coordinator shall monitor the conduct and treatment of incarcerated persons, or staff who reported the sexual abuse, and of incarcerated persons who were reported to have suffered sexual abuse to determine if there are indicators to suggest possible retaliation intentions by incarcerated persons or staff, and shall act promptly to remedy any such retaliation.

The PREA Coordinator may delegate this responsibility to any correctional staff member.

- (a) Monitoring activities may include, but is not limited to, incarcerated person disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff.
- (b) The PREA Coordinator or his/her designee shall continue such monitoring beyond 90 days if initial monitoring indicates a continuing need.

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The PREA Coordinator shall coordinate with classification staff to ensure incarcerated persons who report sexual abuse are monitored by periodic status checks. The frequency and duration of the status checks shall be determined on a case by case basis.

Monitoring shall terminate if it is determined an allegation is unfounded.

#### **605.13 DISCIPLINARY SANCTIONS FOR STAFF**

Employees shall be subject to disciplinary actions up to and including termination for any violations of sexual abuse or harassment policies.

Termination shall be the presumptive disciplinary action for employees who have engaged in sexual abuse.

Disciplinary action for violations of Sheriff's Office and County of Sonoma policies, and rules relating to sexual abuse or sexual harassment shall be commensurate with the nature and circumstances of the acts committed, the employee's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by employees who would have been otherwise terminated, if not for their resignation, shall be reported to law enforcement agencies for any offenses outside the jurisdiction of the Sheriff's Office, unless the activity was clearly not criminal, and to any relevant licensing bodies.

#### **605.14 SEXUAL ABUSE INCIDENT REVIEWS**

The PREA Coordinator shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such review shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include the Assistant Sheriff and the PREA Manager or their designees, with input, as necessary, from line supervisors, investigators, and medical and/or mental health practitioners.

The review team shall:

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, gang affiliation or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in the housing locations during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

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The PREA coordinator shall prepare a report of the review's findings and any recommendations for improvement. Recommendations for improvements shall be made and any reasons for not implementing the recommendations shall be explained. The final report shall be submitted to the Assistant Sheriff and the PREA Compliance Manager.

#### **605.15 DATA COLLECTION AND ANNUAL REPORT**

The Sheriff's Office shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

- (a) The Sheriff's Office will obtain incident based and aggregated data from any agency contracted to provide confinement for Sonoma County incarcerated persons.

All managers and supervisors shall forward all PREA data to the PREA Coordinator, while maintaining a copy for their files. This data shall be securely maintained.

The PREA Coordinator shall aggregate the incident-based sexual abuse data on an annual basis using the most recent version of the Survey of Sexual Violence form from the Department of Justice.

- (a) Upon request, the Sheriff's Office will provide all data from the previous calendar year to the Department of Justice no later than June 30.

The information from all the incidents in the prior calendar year will be reviewed and compiled into an annual report. The report shall also include corrective actions for each facility, the Sheriff's Office as a whole, along with a comparison to the previous year's data and submitted to the Sheriff for review. Upon approval of the Sheriff, the report shall be posted on the Sheriff Office's website annually after all necessary redactions have been made pursuant to California Penal Code 293.

All documents pertaining to investigations shall be securely retained by the PREA Coordinator for no less than 10 years.

Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.

#### **605.16 AUDITS**

The PREA Coordinator shall annually review and document each facilities compliance with PREA standards, which shall also include each facility's staffing plan to ensure adequate levels of staffing and where applicable, video monitoring systems to protect incarcerated persons from sexual abuse and sexual harassment. The review shall assess, determine and document any discrepancies and where adjustments are needed to:

- (a) Staffing Plan.
- (b) Facility deployment of video monitoring systems and other monitoring technologies.
- (c) Resources available to commit to ensure adherence to the staffing plan.

All facilities under the Sheriff Office's control shall be individually audited by an outside auditor who has been certified by the Department of Justice, once every three years. The auditor

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shall be provided all relevant policies and procedures, reports, internal and external audits and accreditations for the facility being audited.

- (a) During the audit, the auditor shall have access to all areas of the facility and supplied any relevant documentation requested.
- (b) The auditor shall have access to incarcerated persons, staff, and administrators. Staff will be expected to cooperate fully during this audit.

The results of all PREA audits will be documented via memorandum to the Sheriff via the chain of command.

#### **605.17 HIRING AND PROMOTIONAL PROCESS**

##### 605.17.1 HIRING

The agency shall not hire or promote anyone who may have contact with incarcerated persons, and shall not enlist the services of any contractor or volunteer who may have contact with incarcerated persons, who:

- (a) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or any other institution.
- (b) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refused
- (c) Has been civilly or administratively adjudicated to have engaged in the activity described above.
- (d) All incidents of sexual harassment shall be considered when determining whether to hire or enlist the services of any contractor, volunteer, or staff member who may have contact with an incarcerated person.
- (e) Before hiring, all employees, contractors, and volunteers shall be subject to a criminal background check prior to employment. Consistent with Federal, State, and local law, the Office shall make its best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- (f) Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for disqualification.

##### 605.17.2 CURRENT EMPLOYEES

The agency is notified by the Department of Justice anytime an employee is fingerprinted as a result of any arrest.

##### 605.17.3 PROMOTIONS

The Sheriff's Office shall not promote anyone who may have contact with incarcerated persons who:

- (a) Have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997).

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- (b) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or,
- (c) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (C) (2) of this section.
- (d) The Sheriff's Office shall consider any incidents of sexual harassment in determining whether to promote an individual.
- (e) The Sheriff's Office shall ask all applicants and employees who may have contact with incarcerated persons directly about previous misconduct described in paragraph 5.0 (A) of this section in written applications or interviews for promotions. The Sheriff's Office shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- (f) Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

#### 605.17.4 FORMER EMPLOYEES

The Sheriff's Office shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work only upon receipt of a signed waiver from the former employee.

## Grooming

### 606.1 PURPOSE AND SCOPE

The purpose of this policy is to allow inmates to have freedom in personal grooming, except when a legitimate government interest justifies the development of grooming standards that are based upon orders of the court, inmate classification, work status, safety and security, or health and hygiene.

### 606.2 POLICY

It is the policy of this facility to allow inmates freedom in personal grooming, except when a valid government interest justifies that grooming standards be established. The Facility Manager or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, facility safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the inmate handbook.

### 606.3 HAIRCUTS

Inmates will be provided haircuts and hair-cutting tools subject to established facility rules. If hair length, style or condition presents a security or sanitation concern, haircuts may be mandatory. Inmates who significantly alter their appearance may be required to submit to additional booking photos.

Inmates shall not cut names, numbers or other designs into their hair. Inmates shall not manipulate their hair into any style that could facilitate the concealment and movement of contraband and weapons.

#### 606.3.1 HAIR CARE SERVICES

The Facility Manager or the authorized designee shall establish written procedures for inmate hair care services (15 CCR 1267(a)). The procedures will include schedules for hair care services and allow rescheduling for conflicts, such as court appearances.

Inmates shall generally be permitted to receive hair care services once per month after being in custody for at least 30 days. Staff may suspend access to hair care services if an inmate appears to be a danger to him/herself or others or to the safety and security of the facility.

### 606.4 SHAVING

Inmates may shave daily. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Inmates with facial hair who work around food shall wear appropriate facial coverings.

An inmate may be denied access to razors if he/she appears to be a danger to him/herself or others, or if such access may jeopardize the safety and security of the facility.

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Inmates may be restricted from significantly altering their appearance for reasons of identification in court (15 CCR 1267(b)).

#### **606.5 NAILS**

Nail clippers will be kept at the control station and will be issued to inmates upon request. Inmate workers are required to keep their nails clean and trimmed. Inmates with long nails may be required to trim their nails if there is a security concern and the inmate is admitted to general population.

#### **606.6 GROOMING EQUIPMENT**

Grooming equipment is to be inventoried and inspected by the staff at the beginning of each shift and prior to being issued to inmates. The staff shall ensure that all equipment is returned by the end of the shift and is not damaged or missing parts.

Grooming equipment will be disinfected before and after each use by the methods approved by the State Board of Barbering and Cosmetology to meet the requirements of (16 CCR 979; 16 CCR 980; 15 CCR 1267(c)). Cleaning methods include:

- Removing foreign matter.
- Cleaning tools with soap or detergent and water.
- Immersing non-electrical equipment in disinfectant.
- Spraying electrical equipment with disinfectant.
- Storing cleaned equipment in clear, covered containers that are labeled as such.

Disinfectant solution shall be changed at least once per week or whenever the solution is cloudy or dirty. Solution will be stored in covered containers with labeled instructions for its use and the Environmental Protection Agency registration number.

#### **606.7 SHOWERING**

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable (15 CCR 1266).

#### **606.8 PERSONAL CARE ITEMS**

Inmates are expected to maintain their hygiene using approved personal care items. Personal care items, including disposable razors, toothbrushes, combs and soap, are available through the inmate commissary and will be charged to the inmate's account.

Indigent inmates shall receive hygiene items necessary to maintain an appropriate level of personal hygiene.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (15 CCR 1265 et seq.).

## Nondiscrimination

### 607.1 PURPOSE AND SCOPE

The constitutional rights of persons regarding discrimination are protected during incarceration. These protections extend to administrative decisions ( e.g., classification, access to programs, availability of services). This policy is intended to guide the staff toward nondiscriminatory administrative decisions and to detail an incarcerated person complaint and discrimination investigation process.

### 607.2 POLICY

All decisions concerning incarcerated persons housed at this facility shall be based on reasonable criteria that support the health, safety, security, and good order of the facility.

### 607.3 DISCRIMINATION PROHIBITED

Discriminating against an incarcerated person based upon actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law is prohibited.

Reasonable and comparable opportunities for participation in services and programs including vocational, educational, and religious programs shall be made available to incarcerated persons in a nondiscriminatory manner.

The Facility Manager should periodically conduct interviews with incarcerated persons and staff members to identify and resolve potential problem areas related to discrimination before they occur.

### 607.4 INCARCERATED PERSONS REPORTING DISCRIMINATION

Incarcerated persons who wish to report an allegation of discrimination may communicate with facility management in any way, including:

- (a) Confidential correspondence addressed to the Facility Manager or the Sheriff or other government official, including the courts or legal representative.
- (b) Verbally to any supervisor or other staff member of this facility.

#### 607.4.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff shall promptly forward all written allegations of discrimination by inmates to the area Supervisor. If the allegation is presented verbally, the receiving staff member shall prepare a memorandum to the Supervisor identifying the circumstances prompting the allegation, the individuals involved, and any other pertinent information that would be useful to investigating the allegation.

Unless the complaint submitted by the inmate is clearly identified as confidential and addressed to the Detention Division Assistant Sheriff, Sheriff, or other official, the Supervisor shall review the complaint and attempt to resolve the issue. In any case, the Supervisor shall document the

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circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the appropriate Manager for review and further investigation or administrative action as needed.

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria:

- (a) The inmate's classification
- (b) The inmate's criminal history
- (c) Current and past behavior and disciplinary history
- (d) Housing availability
- (e) The availability of programs
- (f) The ability to safely provide the requested services

#### **607.5 DISCRIMINATION COMPLAINT AUDITS**

The Classification Lieutenant should perform an annual audit of all inmate discrimination complaints to evaluate whether any policy or procedure changes or training are indicated. The Classification Lieutenant should record these findings in a confidential memorandum to the Detention Division Assistant Sheriff via the chain of command. Specific details of complaints and identifying information, such as names of the involved persons, dates, or times, are not part of this process and should not be included in the memorandum. If the audit identifies any recommended changes or content that may warrant a critical revision to this Custody Manual, the Detention Division Assistant Sheriff should promptly notify the Sheriff.

Any training issues identified as a result of this audit should be forwarded to the Training Manager, who shall be responsible for ensuring all necessary and required training is scheduled and completed.

## Inmate Grievances

### 608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

### 608.2 POLICY

It is the policy of this office that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, safety, sexual abuse, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, and visiting (15 CCR 1073).

Retaliation for use of the grievance system is prohibited.

### 608.3 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with a grievance process for resolving complaints arising from facility matters with the right to appeal through the rank of Lieutenant.

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the inmate handbook. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include (15 CCR 1073(a) and (b)):

- (a) A grievance form or instructions for registering a grievance.
- (b) Instructions for the resolution of the grievance at the lowest appropriate staff level.
- (c) The appeal process to the next level of review.
- (d) Written reasons for denial of a grievance at each level of review.
- (e) A provision of required timeframes for responses.
- (f) A provision for resolving questions of jurisdiction within the facility.
- (g) Consequences for abusing the grievance system.

### 608.4 INMATE GRIEVANCE PROCEDURES

Staff shall attempt to informally resolve all grievances at the lowest level. All attempts to resolve a grievance shall be documented in the inmate's management notes. If there is no resolution at this level, the inmate may request a grievance form.

The inmate should be advised to complete the form and return it to any staff member. A grievance should be filed by an inmate within 14 days of the complaint or issue.

Inmates cannot file a grievance on behalf of another inmate, but an inmate may assist another inmate in the preparation of a grievance. Custody staff may take reasonable steps to assist the inmate in the preparation of a grievance if requested.

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Upon receiving a completed inmate grievance form, the staff member has two working days to meet with the inmate and two working days following that meeting to respond to the inmate in writing regarding the grievance.

All grievances alleging staff misconduct will be forwarded directly to the appropriate Supervisor. The staff member receiving the grievance form shall gather all associated paperwork and reports and immediately forward it to the appropriate supervisor.

#### 608.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Inmates may request to submit the grievance directly to a supervisor or mail it directly to the Detention Division Assistant Sheriff if they reasonably believe the issues to be grieved are sensitive or that their safety would be in jeopardy if the contents of the grievance were to become known to other inmates.

#### 608.4.2 TIMELY RESOLUTION OF GRIEVANCES

The inmate has two days following the initial staff member's response to request a supervisor review of the grievance (Step II). The staff member receiving the grievance form for supervisor review shall gather all associated paperwork and reports and immediately forward it to the appropriate supervisor.

Upon receiving a completed inmate grievance form, the supervisor shall ensure that the grievance is investigated and resolved or denied within 14 working days.

Upon receiving the supervisor's response, the inmate has two days to request a Disciplinary Grievance Officer review of the grievance (Step III). The Disciplinary Grievance Officer has five working days to meet with the inmate and an additional five working days to investigate the grievance and respond to the inmate in writing.

Grievances related to medical care should be investigated by the medical staff or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the Disciplinary Grievance Officer. Any appeals of the findings of the medical staff shall be forwarded to the appropriate Lieutenant as the final level of appeal.

Grievances about food-related matters should be investigated by the food services manager. The findings of that investigation, along with any recommendations, shall be forwarded to the sergeant. Any appeals shall be forwarded to the Facility Manager as the final level of appeal.

Other grievances relating to programs or other services provided by the Office shall be investigated by the custody staff with the assistance of the supervising employee in charge of those services. Findings relating to the investigation will be forwarded to the Disciplinary Grievance Officer. Any appeals shall be forwarded to the appropriate Lieutenant as the final level of appeal.

#### 608.4.3 APPEALS TO GRIEVANCE FINDINGS

Inmates may appeal the finding of a grievance to the appropriate Lieutenant as the final level of appeal within two days of receiving the findings of the original grievance. The Lieutenant will review

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the grievance and either confirm or deny it. If the Lieutenant confirms the grievance, he/she will initiate corrective actions. In either case, the inmate shall receive a written response to the appeal.

#### 608.4.4 EMERGENCY GRIEVANCES

There is no timeline for grievances submitted alleging inmate safety, sexual abuse or any PREA related incident.

A grievance regarding a PREA related incident can be submitted to any staff member. If the grievance involves a staff member, the grievance shall not be referred to the named staff member for a response. All grievances alleging sexual abuse shall immediately be forwarded to a sergeant.

A final decision on the merits of any portion of a grievance alleging sexual abuse shall be issued within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal. An extension of time to respond may be claimed, of up to 70 days, if the normal time for response is insufficient to make an appropriate decision. The inmate shall be notified in writing of any such extension and provide a date by which a decision will be made.

At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

If a grievance is submitted that alleges an inmate is at immediate risk for harm or sexual abuse, immediate corrective action shall be taken and the inmate shall be removed from the imminent risk. The grievance shall be forwarded to a sergeant as soon as possible and an initial response will be provided within 48 hours. A final agency decision shall be issued within 5 calendar days. Both responses shall document whether the inmate is at substantial risk of imminent sexual abuse and what actions were taken in response to the emergency grievance.

Sexual abuse may be reported by an inmate not involved in the sexual abuse incident. The sergeant shall immediately be notified and a response given that corrective action is being taken. Inmates who submit a sexual abuse grievance on another inmates' behalf are not to be given any additional details regarding the sexual abuse.

If demonstrated that an inmate filed an emergency sexual abuse grievance in bad faith, the inmate may be subject to the disciplinary process.

#### 608.4.5 RECORDING GRIEVANCES

The Disciplinary Grievance Officer should maintain a grievance log. The Disciplinary Grievance Officer shall assign each grievance a number and record the grievance, along with its finding, on the grievance tracking log. Periodic reviews of the log should be made by the Classification Lieutenant to ensure that grievances are being handled properly and in a timely manner.

A copy of each grievance, along with each response to that grievance should be retained in a file maintained by the Disciplinary Grievance Deputy and shall be retained in accordance with established records retention schedules.

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##### **608.4.6 FRIVOLOUS GRIEVANCES**

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, the Classification Lieutenant shall evaluate the concern and notify staff and the inmate in writing the process on how the inmate will submit future grievances.

##### **608.5 GRIEVANCE AUDITS**

The Classification Lieutenant should perform an annual audit of all inmate grievances and complaints filed the previous calendar year. The Classification Lieutenant should forward a memorandum to the Detention Division Assistant Sheriff via the chain of command detailing the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints. Specific identifying information regarding dates, times or individuals named in the complaints is not part of this process and should not be included in the memorandum.

The Detention Division Assistant Sheriff should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Manager, who will be responsible for ensuring all necessary and required training is scheduled and completed.

##### **608.6 TRAINING**

The Training Manager shall ensure that all custody staff receive initial and periodic training regarding all aspects of this policy.

## Voting

### 609.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible incarcerated persons the opportunity to vote during elections, pursuant to election statutes (15 CCR 1071).

### 609.2 POLICY

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right. Because inmates are unable to access public voting polls, the Facility Manager or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

Inmates should be advised of voting methods during the inmate orientation. The Office will assist incarcerated persons who wish to vote in an election.

### 609.3 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they are:

- (a) A citizen of the United States.
- (b) A California resident.
- (c) At least 18 years of age at the time of the next election.
- (d) Not been declared mentally incompetent by a court.
- (e) Not currently in state or federal prison or on state parole as a result of a felony conviction.

### 609.4 REGISTERING TO VOTE

Inmates who wish to register to vote must submit an Inmate Request Form to Program's Personnel. Program's Personnel will obtain an Affidavit of Registration from the Sonoma County Registrar of Voters Office. Program's Personnel will coordinate with the Sonoma County Registrar of Voters Office to ensure the completion of the inmate voting.

#### 609.4.1 REQUESTING AN ABSENTEE BALLOT

Any Inmate who wishes to obtain an Absentee Ballot from another County may do so by sending the following information to the Registrar of Voters in his County of residence:

- (a) Name and Address (as registered);
- (b) Personal signature; and
- (c) The address to which the ballot is to be sent

Upon receipt of the Absentee Ballot, the Inmate should complete the ballot and mail it, at his own expense, or at County expense if he is indigent, to his County's Registrar of Voters.

## **Chapter 7 - Medical-Mental Health**

# Health Care Administrative Meetings and Reports

## 700.1 PURPOSE AND SCOPE

The Office recognizes that the delivery of effective health care requires open and frequent communication between the Responsible Health Authority and the Facility Manager. This policy provides guidelines for the continuous monitoring, planning and problem resolution in providing health care that addresses the medical needs of the inmate population and prevents potential outbreaks of communicable and contagious illness.

### 700.1.1 DEFINITIONS

Definitions related to this entire chapter include:

**Access to care-** An inmate should be seen in a timely manner by a qualified health care professional. The inmate should be given a professional clinical diagnosis and receive treatment that is ordered.

**Clinical practice guidelines-** A systematically developed science-based statement designed to assist practitioners and inmates with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources and reduce the risk of legal liability for negligent care.

**Clinical setting** - An examination or treatment room, either on or offsite, which is appropriately supplied and equipped to address a patient's health care needs.

**Daily** - Seven days a week, including holidays.

**Health appraisal** - A comprehensive health evaluation completed within 14 days of an inmate's arrival at the facility.

**Health care** - The sum of all actions, preventive and therapeutic, taken for the physical and mental wellbeing of the inmate population. The term health care includes medical, both physical and psychological, dental, nutrition and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

**HIPAA** - Health Insurance Portability and Accountability Act

**Mental health staff-** Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

**Physical examination** - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation and percussion of a body to determine the presence or absence of physical signs of disease.

**Qualified health care professional** - Physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals or other persons who, by virtue of their

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education, credentials and experience are permitted by law to evaluate and care for patients within the parameters of his/her license or certification.

**Responsible Health Authority** - The Responsible Physician, health services administrator, or health agency responsible for providing all health care services or coordinating the delivery of all health care services.

**Responsible Physician**- An individual licensed to practice medicine and provide health services to the inmate population of the facility, or the physician at an institution with final responsibility for decisions related to medical judgment.

**Sick call** The evaluation and treatment of an ambulatory patient, either on- or off-site, by a qualified health care professional.

**Standing order**- Written orders issued by a physician that specify the same course of treatment for each patient suspected of having a given condition and the specific use and amount of prescription drugs (e.g., immunizations, insulin, seizure medications).

**Suicidal ideation** - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

**Treatment plan** - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

**Triage** - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered.

#### **700.2 POLICY**

The Sheriff shall select the Responsible Health Authority in accordance with the Health Authority Policy. It is the policy of this facility that the Responsible Health Authority should meet with the Facility Manager at least quarterly (Quality Assurance (QA) meeting). The Responsible Health Authority should be required to submit a report addressing the effectiveness of the health care system, a description of any environmental or access issues that require improvement, any security issues that may need improvement, and detail any progress that has been made in previously reported areas. The quarterly QA meeting should be documented through formal minutes, which should include the names of attendees and a list of the topics discussed. The minutes should be retained in accordance with established records retention schedules.

The data for the quarterly QA report should be gathered by the Responsible Health Authority via monthly Medical Administrative Committee (MAC) meetings with the designated facility managers/supervisors and qualified health care professionals. The monthly MAC meetings should cover the following topics:

- Health care services (Medical, Mental health, and Dental)
- Quality improvement findings
- Infection control efforts

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- Inmate grievances
- Environmental inspections report
- Other topics as they relate to the delivery of health care

#### 700.2.1 STATISTICAL REPORTS

In addition to the quarterly report described above, a statistical report will be provided annually to the Facility Manager (15 CCR 1202). The statistical report will be prepared by the Responsible Health Authority and shall include, but not be limited to, the following:

- (a) Service volume (e.g., the number of patients receiving health care services by licensure of each category of care: medical, dental, mental health) to include access, timeliness, and follow-up
- (b) Health inventory screenings
- (c) Food service worker screening
- (d) Referrals to specialists / off-site
- (e) Medical housing utilization
- (f) Suicide attempts
- (g) Deaths
- (h) Incidences of certain illnesses
- (i) Infectious disease monitoring (e.g., hepatitis, HIV, tuberculosis)
- (j) Hospital admissions
- (k) Pharmaceutical utilization
- (l) Patients with chronic illnesses and special needs
- (m) Types and numbers of communicable diseases diagnosed
- (n) Diagnostic services (i.e., laboratory tests performed, X-rays, EKGs, ultrasounds)
- (o) Emergency department visits/services
- (p) Grievances
- (q) Other facility-specific incidences as needed/when necessary

It is the responsibility of the Facility Manager to ensure that copies of the statistical reports and documentation of any remedies implemented are retained in accordance with established records retention schedules.

## Access to Health Care

### 701.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all incarcerated persons. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked incarcerated persons of the procedure to access health care services and how to use the grievance system, if necessary.

### 701.2 POLICY

It is the policy of this office that all incarcerated persons, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Sonoma County Sheriff's Office facility will provide medical, dental, and mental health services as necessary to maintain the health and well-being of incarcerated persons to a reasonable and socially acceptable standard (15 CCR 1200 et seq.; 15 CCR 1208).

### 701.3 ACCESS TO CARE

Incarcerated person medical requests will be evaluated by qualified health care professionals. Health care services will be made available to incarcerated persons from the time of admission until they are released. Timely access to services will be provided within seven days of request. Information regarding how to contact the medical staff will be posted in all incarcerated person housing areas (15 CCR 1200 et seq.; 15 CCR 1208). Medications and community health resources and referrals may be provided upon request when the incarcerated person is released.

Unreasonable barriers shall not be placed on an incarcerated person's ability to access health services. Health care that is necessary during the period of confinement shall be provided regardless of an incarcerated person's ability to pay, the size of the facility, or the duration of the person's incarceration. Such unreasonable barriers include:

- Punishing incarcerated persons for seeking care for their health needs.
- Deterring incarcerated persons from seeking care for their health needs by scheduling sick call at unreasonable times.

All routine requests for medical attention shall be promptly routed to a qualified health care professional.

Any incident of an incarcerated person refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in the incarcerated person's medical record and in an incident report, if applicable.

### 701.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of incarcerated person complaints and requests on an informal basis whenever possible.

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#### *Access to Health Care*

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Incarcerated persons will be informed of the grievance process during incarcerated person orientation. The grievance process is also explained in the incarcerated person handbook, which all incarcerated persons receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Grievances Policy (15 CCR 1073(a)).

Custody personnel should minimize technical requirements for grievances and allow incarcerated persons to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, incarcerated persons may meet with a qualified health care professional or may submit a written correspondence.

Incarcerated person grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The incarcerated person should be provided with a written response in accordance with the schedule set forth in the Grievances Policy. Responses to incarcerated person grievances should be based on the community standard of health care.

If an incarcerated person is not satisfied with the response, the incarcerated person may appeal the grievance as outlined in the Grievances Policy.

## Non-Emergency Health Care

### 702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a daily triage system of incarcerated person requests for health care services. This is to ensure that the health needs of the population are addressed properly and in a timely manner.

### 702.2 POLICY

It is the policy of this office to provide daily access to qualified health care professionals in order for incarcerated persons to request medical services (15 CCR 1200). All health care requests will be documented, triaged, and referred appropriately by medical staff. Qualified health care professionals will conduct sick call and clinics for health care services on a scheduled basis to ensure a timely response to requests for medical services (15 CCR 1211).

The Responsible Physician, in coordination with the Facility Manager or the authorized designee, is responsible for developing a process that includes:

- (a) A process for incarcerated persons to request health services on a daily basis.
- (b) A priority system for health care services to acquire and address requests for routine health care, and for urgent or emergent injuries, illnesses, and conditions.
- (c) Making health care request forms available in each housing unit and to all incarcerated persons upon request.
- (d) A system in which health care requests are documented, triaged, and referred appropriately.
- (e) Restrictions that prohibit non-health services personnel from diagnosing or treating an illness.

### 702.3 HEALTH CARE REQUESTS

Incarcerated persons will be instructed on how to obtain medical services during the orientation process and in the incarcerated person handbook. Incarcerated persons shall submit a medical request form through the module/unit sick call mailbox or the housing unit correctional deputy or the health-trained staff delivering medications, or a nurse, if appropriate.

Medical request forms should be available in languages representative of the population. Incarcerated persons who communicate in a language not available in printed form shall have access to interpreter services.

Incarcerated persons with disabilities should be provided with appropriate assistance or accommodation to ensure they are able to request health care services.

The housing unit correctional deputy shall ensure the reason for seeking medical attention is on the medical request form. If no reason is given, the correctional deputy shall encourage the incarcerated person to indicate whether the matter is urgent or confidential. The correctional deputy shall forward all requests to the detention facility nurse.

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#### *Non-Emergency Health Care*

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#### **702.4 TRIAGE OF HEALTH CARE REQUESTS**

Qualified health care professionals shall perform a daily triage. Sick call shall be available to incarcerated persons at least five days a week and shall be performed by a qualified health care professional.

Other qualified health care professionals should schedule incarcerated persons in need of specialized treatment for the next available providers' clinic.. The qualified health care professional shall document the referral in the providers' scheduling book and on the incarcerated person's medical record.

The frequency and duration of sick call should be sufficient to meet the needs of the incarcerated person population but should be conducted at least weekly by a qualified health care professional. If an incarcerated person's custody status precludes attendance at sick call, arrangements shall be made to provide sick call services in the place of the person's detention (15 CCR 1211).

#### **702.5 REQUESTS FOR OUTSIDE MEDICAL CARE**

Incarcerated persons who request access to health care services outside the facility may do so with advance authorization from the Facility Manager or the authorized designee. The person shall be required to provide proof of sufficient private funds available to pay for all costs associated with transportation to the off-site facility and all costs associated with the medical services, diagnostics, treatment plans, medications, or any other costs associated with off-site medical care.

## Referrals and Coordination of Specialty Care

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for referring incarcerated persons who need health care or specialty care that is beyond the resources available in the facility. The policy includes guidelines regarding transportation under appropriate security provisions and the formulation of advance written agreements for around the clock or on-call availability of alternate services. Specialty care includes specialist-provided health care, such as nephrology, surgery, dermatology, and orthopedics.

### 703.2 POLICY

It is the policy of this office that incarcerated persons have access to necessary hospitalization and specialty services for serious medical needs. This facility will provide, either directly or through contracted sources, specialty care and emergency medical services to incarcerated persons when the need is determined by the Responsible Physician (15 CCR 1206(b); 15 CCR 1206(c)).

### 703.3 FACILITY MANAGER RESPONSIBILITY

The Facility Manager or the authorized designee, in coordination with the Responsible Physician, is responsible for establishing written agreements with outside specialty health care services for emergency and urgent care that is not available within the facility. In addition, a plan shall be developed for the secure transportation of incarcerated persons to a facility where such care is available.

### 703.4 REFERRAL TO OFF-SITE MEDICAL CARE

A qualified health care professional shall evaluate the incarcerated person, and if indicated, shall recommend specialty appointments in writing on the order sheet in the incarcerated person's medical record. A referral form should be completed and any supporting documentation attached. The written referral shall be reviewed and authorized, if appropriate, by the Responsible Physician.

A court order is generally required when an incarcerated person requires medical or surgical treatment necessitating hospitalization. A court order is not required for an incarcerated person in need of immediate medical or hospital care, but an application for a court order should be made as soon as practicable when the person's condition requires them to be gone from the facility more than 48 hours (Penal Code § 4011.5).

### 703.5 OFF-SITE COORDINATION

The qualified health care professional is responsible for recommending off-site medical and psychiatric care for incarcerated persons, coordinating outside appointments, and notifying supervisory custody staff of off-site transportation needs. The Facility Manager should establish a written transportation procedure that ensures incarcerated persons are transported securely and in a timely manner for medical, mental health, dental clinic, or other specialty appointments. The procedure shall include the secure transfer of medical information to the receiving health care service.

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Any conflicts that arise regarding off-site consultation trips will be communicated by the correctional deputy responsible for transportation to the Responsible Physician and the Facility Manager or the authorized designee so that modifications may be made.

The health authority shall keep a log of missed appointments to determine if transportation issues are impeding the ability of incarcerated persons to access appropriate medical care. Any issues identified shall be discussed and resolved between the Responsible Physician and the Facility Manager (15 CCR 1206(c); 15 CCR 1206(n)).

## Emergency Health Care Services

### 704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceeds the licensure or certification of staff who are on-duty, and to define staff training requirements.

### 704.2 POLICY

It is the policy of this office that emergency medical, mental health and dental services are available 24 hours a day. These services may include off-site health care services.

### 704.3 PROCEDURES

The Detention Division Assistant Sheriff or the authorized designee shall work cooperatively with the Responsible Health Authority to develop plans and procedures for responding to emergency medical incidents that occur when the level of medical or mental health services needed exceeds the licensure or certification of staff who are on-duty. The plans should include on-site emergency first aid, basic life support and crisis intervention; emergency evacuation of an inmate from the facility, including security procedures to ensure an immediate transfer when appropriate; on-call physicians, dentists and mental health professionals; predetermined back-up health care services when the emergency health facility is not located in a nearby community; and the identification of primary, secondary and tertiary acute care facilities.

The plan may additionally include, but is not limited to, these components:

- (a) Health-trained staff shall respond to all emergencies immediately upon notification.
- (b) Contact information for emergency on-call health care services, both on- and off-site, is available and accessible for facility supervisors.
- (c) Qualified health care professionals shall respond by reporting to the area of the emergency with the necessary emergency equipment and supplies.
- (d) Emergency equipment and supplies are regularly maintained and accessible to the qualified health care professionals and trained custody staff.
- (e) Most inmates will be stabilized on-site and then transferred to an appropriate health care unit, if necessary.
- (f) Notification of on-call physicians and mental health staff will be done as soon as the situation reasonably allows.
- (g) The qualified health care professionals will determine if the inmate needs to be transported to a local emergency room for treatment.
- (h) When necessary, facility staff shall request EMS and notify a supervisor as soon as reasonably practicable.
- (i) The Detention Division Assistant Sheriff and the Responsible Physician will coordinate on the notification of the inmate's next of kin in cases of serious illness and injury.

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Death notifications will be made in accordance with the Inmate Death - Clinical Care Review Policy.

- (j) Procedures to implement a program wherein staff may possess and administer naloxone for suspected narcotics overdose according to Health and Safety Code § 1797.197(b)(1) and 22 CCR 100019, including the retention of related records pursuant to Business and Professions Code § 4119.9.
- (k) Identifying when court orders to transport prisoners outside the facility for hospitalization may be required and the processes for obtaining those court orders (Penal Code § 4011, 4011.5).
- (l) Identifying who is responsible to seek a court order when an inmate is expected to be gone from the facility more than 48 hours for medical or surgical treatment necessitating hospitalization (Penal Code § 4011.5).

The goal of any emergency medical response plan is to provide emergency medical care to those in need as expeditiously as possible. While facility size and patient proximity to the health care service will vary, staff training will emphasize responding to medical emergencies as soon as reasonably possible.

#### **704.4 EMERGENCY PROCEDURES**

The health services administrator or the authorized designee is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment (15 CCR 1206(c)):

- (a) A current list of names, addresses and telephone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care and custody staff at all times and should be updated quarterly.
- (b) Emergency drugs, equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.
- (c) A physician, dentist and mental health professional should be available on-call 24 hours a day, seven days a week (this can include off-site health care services) and there should be a back-up health care services plan.
- (d) Ambulances should be accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in place for the transportation of inmates.
- (e) The Watch Commander will be contacted and informed of any emergency as soon as practicable.
- (f) All decisions regarding medical treatment and the need for emergency transportation are to be made by the qualified health care professionals or trained custody staff.
- (g) Whenever reasonably possible, the on-call health care service should be notified prior to transporting the inmate to the hospital or other emergency care. However, in the event of a life- or limb-threatening emergency, the inmate shall be sent to the hospital

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in the most expedient way possible, which may require notifying the specific health care service after the inmate has been transported.

#### **704.5 FIRST-AID KITS**

The Responsible Physician or the authorized designee is responsible for determining the contents, number, location and procedures for monthly inspections of all first-aid kits in the facility. The Responsible Physician shall also ensure that (15 CCR 1220):

- (a) The contents of each first-aid kit are:
  - 1. Approved by the Responsible Physician.
  - 2. Appropriate for its location.
  - 3. Arranged for quick use.
  - 4. Documented on the outside cover.
  - 5. Inventoried every month.
  - 6. Secured with a plastic tamper-proof seal.
    - (a) Once the seal has been broken, the kit should be taken to the medical unit so the contents can be inventoried and restocked.
- (b) Written protocols and training materials are developed for the use of medical supplies and equipment by trained custody staff.
- (c) Inspections and testing of supplies and equipment are documented and maintained in accordance with established records retention schedules.

#### **704.6 TRAINING**

The Detention Division Assistant Sheriff or the authorized designee shall ensure that all facility staff members who have contact with inmates receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility. Training should include, but not be limited to:

- (a) The location of all emergency medical equipment and medications and the proper use of the equipment, such as AEDs.
- (b) How to properly summon internal and external emergency services.
- (c) Recognition of basic life support signs and symptoms and the actions required in emergency situations.
- (d) Administration of basic first aid.
- (e) Certification in CPR in accordance with the recommendations of the certifying health organization.
- (f) Recognition of the signs and symptoms of mental illness, violent behavior and acute chemical intoxication and withdrawal.
- (g) Procedures for inmate transfers to appropriate medical facilities or health care service.
- (h) Suicide recognition, prevention and intervention techniques.

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All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in employee's training file in accordance with established records retention schedules.

#### **704.7 AUTOMATED EXTERNAL DEFIBRILLATORS (AED)**

The Detention Division Assistant Sheriff or the authorized designee will ensure that Automated External Defibrillators (AED) are available in the facility and that all staff members are trained in its use. The AEDs shall be inspected and tested at a frequency consistent with the manufacturer's recommendations to ensure functionality.

#### **704.8 INTRANASAL NALOXONE ADMINISTRATION**

A. Trained members may administer opioid overdose medication (Civil Code§ 1714.22; Business and Professions Code§ 4119.9).

B. Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Detention Administrative Lieutenant.

C. Any staff member who administers an opioid overdose medication should contact Central Control as soon as possible and request medical response.

D. Any member administering opioid overdose medication should detail its use in an appropriate report and advise a supervisor as soon as practicable.

E. The Detention Administrative Lieutenant will ensure that the CIB Manager is provided enough information to meet applicable state reporting requirements.

F. The Detention Administrative Lieutenant should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any other applicable standards (Civil Code§ 1714.22).

G. The Detention Administrative Lieutenant shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

H. Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code§ 4119.9).

## Health Care for Pregnant Incarcerated Persons

### 705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for incarcerated persons who are pregnant. Services may include assistance recovering from the effects of potentially unhealthy lifestyles, which could include tobacco use, alcohol and drug abuse or addiction, and a lack of previous adequate medical care. Because of unhealthy lifestyle choices prior to incarceration, many incarcerated person pregnancies are classified as high-risk. This policy is intended to protect the health of the pregnant person and the fetus.

### 705.2 POLICY

It is the policy of this office that a qualified health care professional shall provide comprehensive prenatal and postpartum care for all pregnant persons during their incarceration.

All pregnant and postpartum incarcerated persons shall receive appropriate timely, culturally responsive, and medically accurate and comprehensive care, evaluation, and treatment of existing or newly diagnosed chronic conditions, including mental health disorders and infectious diseases (Penal Code § 4023.8).

### 705.3 BOOKING - PREGNANCY SCREENING

- (a) Upon booking, all female incarcerated persons shall be asked if they are currently pregnant, have had a recent miscarriage or abortion, or have given birth recently. The Responsible Health Authority will be responsible for confirming pregnancy through pregnancy testing and scheduling all appropriate follow-up care. A pregnancy test shall be offered upon intake, within seventy-two hours of arrival at the jail, and by request. Pregnancy tests shall be voluntary. (Penal Code § 4023.8).
- (b) Pregnant incarcerated persons who appear to be under the influence of or withdrawing from alcohol or other substances shall be immediately referred to a qualified health care professional.

### 705.4 HOUSING EXCEPTIONS

Incarcerated persons who are known to be pregnant may be housed in any unit appropriate for their classification, with the following exceptions:

- (a) All pregnant incarcerated persons identified at intake or the obstetric clinic to be high-risk or who are in their last trimester of pregnancy shall be housed in the medical unit.
- (b) Housing in the medical unit shall be by order of the obstetric specialist or the Responsible Physician.

### 705.5 COUNSELING AND TREATMENT REGARDING PROPER CARE

The Office will provide all necessary counseling and treatment to pregnant incarcerated persons to ensure they are receiving the proper care. To accomplish this, the following shall occur:

- (a) The directions of the obstetric specialist shall be followed throughout the pregnancy and postnatal period. No non-medical staff has the unilateral authority to change

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or overrule an order or care recommendation made by the Responsible Physician. The Facility Manager and Responsible Physician shall develop a process by which perceived conflicts between medical orders/recommendations and safety and security interests of the detention facility can be discussed and resolved. Ultimately, the detention facility must provide adequate treatment for an incarcerated person's medical needs.

- (b) The Responsible Physician shall be consulted immediately if a patient is under 10 weeks gestation and has medical concerns.
- (c) Any pregnant incarcerated person with medical problems that occur between scheduled obstetric appointments shall be seen by a qualified health care professional. If the qualified health care professional assesses the problem as urgent and a physician is not available on-site, the person shall be sent to the hospital for evaluation.
- (d) The incarcerated person shall be advised to notify health-trained custody staff immediately of the following:
  - 1. Vaginal bleeding
  - 2. Acute, persistent abdominal or pelvic pain and/or severe cramping
  - 3. Leaking fluid
  - 4. Decreased or no fetal movement
  - 5. Headache or blurred vision
  - 6. Rapid weight gain with swelling (edema)
  - 7. Abnormal vaginal discharge
  - 8. Symptoms of a urinary tract infection (UTI)
  - 9. Fever
- (e) Postpartum examinations and additional appointments shall be scheduled by the obstetric clinic as needed.
- (f) An incarcerated person shall have the right to summon and receive the services of any physician, nurse practitioner, certified nurse midwife, or physician assistant of the person's choice in order to determine pregnancy. The Facility Manager may develop reasonable rules and regulations governing the conduct of such examinations. If found to be pregnant, the incarcerated person is entitled to a determination of the extent of medical and surgical services needed from the medical professional of the person's choice. Expenses incurred by the services not provided by the Detention Facility shall be borne by the incarcerated person (Penal Code § 4023.6).

#### **705.6 RESTRAINTS**

Incarcerated persons who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy and other policies related to medical treatment and transportation outside the secure facility.

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##### **705.7 LABOR**

An inmate who goes into labor while in custody shall be treated as a medical emergency. The inmate will be transferred to the hospital in the least restrictive way possible while they are in labor (Penal Code §3407, 4023.8, subd. (l).)

Inmates may elect to have a support person present and will be afforded the maximum level of privacy possible while giving birth (Penal Code, §, subd. (m).)

##### **705.8 ABORTIONS**

An inmate who chooses to have an abortion shall be referred to outside counseling services for further information regarding available options. Counseling services shall be nondirective, unbiased and noncoercive (Penal Code § 4023.8, subs. (a)-(b).) The Office shall not impede the woman's access to abortion counseling or services, and shall provide necessary transportation and supervision to such services. Staff shall be prohibited from urging, forcing or influencing a pregnant person's decision. Authority shall not be conferred to nonmedical jail staff to decide if a pregnant person is eligible for an abortion (Penal Code §4023.8 subd. (b).) Any financial obligations for elective abortions will be the responsibility of the inmate only if they are financially able to pay (Penal Code § 4011.1). The jail will provide inmates with emergency care and basic healthcare services (Cal. Code Regs., tit. 15, § 1200.) These rights will be posted in all areas that house female inmates (Penal Code § 4028).

##### **705.9 LACTATION PROGRAM**

The Office, in collaboration with the responsible health authority, shall develop a program with written procedures for lactating inmates to express breast milk for feeding their infants or toddlers.

The responsible health authority will provide medically appropriate support and care related to the cessation of lactation or weaning.

Lactating inmates will be allowed access to a breast pump and allowed to express breast milk at any time with the exception of facility lockdowns, facility emergencies, facility counts or scheduled meal periods. Deviations from this will be assessed on a case-by-case basis by the Custody Sergeant. The responsible health authority will be responsible for maintaining the inmate's breast milk supply pending delivery to an approved person or the inmate's release.

The inmate's participation in the lactation program is conditional upon the inmate undergoing drug screening.

The policy and provisions of the policy shall be posted in all locations where medical care is provided and shall be communicated to members who interact with or oversee pregnant or lactating inmates (Penal Code § 4002.5).

## Health Authority

### 706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the responsibility of the health authority as arranging for all levels of health services, assuring the quality of all health services, identifying lines of medical authority for the incarcerated person health program, and assuring that incarcerated persons have access to all health services.

The policy also establishes properly monitored processes, policies, procedures, and mechanisms to ensure that the contracted scope of services is adequately and efficiently delivered.

The health authority is defined as the Responsible Physician, health services administrator, or health agency responsible for providing all health care services or coordinating the delivery of all health care services (see the Health Care Administrative Meetings and Reports Policy).

### 706.2 POLICY

The health authority is responsible and accountable for all levels of health care and has the final authority regarding clinical issues within this detention facility. The health authority is responsible for establishing, implementing, and annually reviewing/revising policies for all clinical aspects of the health care program and for monitoring the appropriateness, timeliness and responsiveness of care and treatment. The health authority also approves all medical decisions and protocols.

### 706.3 SELECTION PROCESS

The Sheriff or the authorized designee shall select a health authority using an existing County procurement or selection process. The individual or organization selected shall be designated as the health authority for incarcerated person health care on behalf of the facility.

The health authority shall be authorized and responsible for making decisions about the deployment of health resources and the day-to-day operation of the health services program. If the health authority is other than a physician, any final clinical judgments shall rest with a single, designated, Responsible Physician.

The health authority or the authorized designee will meet at least monthly with custody representatives to discuss the health care program and any issues that require correction or adjustment.

Security regulations are applicable to facility staff and health care personnel (15 CCR 1200(a)).

### 706.4 PROVISION OF HEALTH CARE

The health authority is responsible for arranging the availability of health care services. The qualified health care professionals should determine what medical services are needed on a case-by-case basis. The Facility Manager shall provide the administrative support for making the health care services available to incarcerated persons. Clinical decisions are the sole province of qualified health care professionals and should not be countermanded by non-health care professionals.

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If routine health services are provided by medical personnel outside this facility, all office policies regarding treatment, transfer, transportation, or referral of emergencies shall be followed.

The health authority is responsible for ensuring that the health services manual complies with all applicable state and federal law and that a review and update is conducted annually.

An annual audit of the quality and adequacy of health care services shall be done, with corrective action taken when deficiencies are identified (15 CCR 1202).

## Health Appraisals

### 707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process for conducting health appraisals on all incarcerated persons following their arrival at this facility and for the continuity of care for incarcerated persons who remain in custody for extended periods. Further, it is to ensure the incarcerated person's health care needs are met and that health care started at one facility continues as needed.

### 707.2 POLICY

It is the policy of this office that all incarcerated persons will receive a comprehensive health appraisal within 14 days of incarceration. In addition to the initial health appraisal, the person should have an annual evaluation to reassess their health status and to provide access to preventive medicine through education and lifestyle programs.

### 707.3 INITIAL HEALTH APPRAISAL

Qualified health care professionals shall have access to the daily incarcerated person roster. From this, they can determine who needs a health appraisal and hands-on physical evaluation. The health appraisal should include at least the following:

- (a) Review of the receiving screening results.
- (b) A qualified health care professional collecting additional data to complete the medical, dental, and mental health histories, including any follow-up from positive findings obtained during receiving screening and subsequent encounters.
- (c) A physical examination (as indicated by the patient's gender, age, and risk factors) - inspection, palpation, auscultation, and percussion of a patient's body to determine the presence or absence of physical signs of illness.
- (d) A qualified health care professional recording of vital signs (including height, weight, blood pressure, pulse, respiration rate, and temperature).
- (e) A screening test for latent tuberculosis, unless completed prior to the health appraisal.
- (f) Ordering other tests or examinations as appropriate.
- (g) The collection of any additional data needed to complete medical, dental, psychiatric, and immunization histories.
- (h) Initiation of treatment or therapy as appropriate.
- (i) Development and implementation of a treatment plan, including recommendations for housing, job assignment, and program participation.

#### 707.3.1 PRISON RAPE ELIMINATION ACT (PREA) SCREENING FOLLOW-UP

Incarcerated persons who have an identified history of sexual victimization shall be offered a follow-up meeting with a qualified health care or mental health provider within 14 days of intake screening (28 CFR 115.81).

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#### **707.4 ANNUAL HEALTH MAINTENANCE EXAMINATIONS**

The Responsible Physician will determine the criteria for periodic health examinations for incarcerated persons. For incarcerated persons undergoing prolonged incarceration, an age appropriate and risk factor-based health maintenance examination shall take place within the incarcerated person's second anniversary of incarceration. The specific components of the health maintenance examinations shall be determined by the Responsible Physician based on the age, gender, and health of the incarcerated person. Thereafter, the health maintenance examinations shall be repeated at reasonable intervals as determined by the Responsible Physician (15 CCR 1208.5).

## Transfer Screening

### 708.1 PURPOSE AND SCOPE

This policy recognizes that inmates are frequently transferred within the correctional authority's system and to facilities outside the system. This policy establishes a process for medical screening of transferred inmates to ensure continuation of care and to avoid unnecessary diagnostics.

### 708.2 POLICY

It is the policy of this office that inmates who are transferred to another detention facility, correctional system or health care facility will be screened prior to transfer to ensure that the receiving facility can assume and continue proper care. Medical needs of the inmate will be clearly communicated to the receiving facility, including the ongoing treatment plan, scheduled surgeries and outside appointments.

Inmates who are transferred to other facilities shall be sent with a discharge summary that includes information about the inmate's medical and mental health condition, including the need for follow-up care, diagnostic tests performed, medication prescribed, pending appointments, significant health problems, and any other information that is necessary for continuity of health care (15 CCR 1206(n)).

### 708.3 TRANSFERS

Any inmate being transferred to another correctional or health care facility will be medically screened prior to transfer.

Completed discharge summaries, including the medical screening results, shall accompany inmates being transferred to another office's jurisdiction to ensure that the receiving health care service can assume and continue necessary care.

The discharge summary and any related medical records being transferred shall be placed in a file or envelope that maintains the confidentiality of the inmate's medical information. The transporting personnel shall be provided separate written instructions regarding medication or health interventions, including necessary precautions that are required en route.

#### 708.3.1 EXTENDED TRANSPORTATION OF INMATES

When an inmate will be in transfer status for several days and housed temporarily at various custody facilities along the way, a medical transfer packet shall be prepared by the qualified health care professional in a form that will advise the temporary housing facilities of any medical needs of the inmate. When medically appropriate, a small supply of medication should be provided with the medical transfer packet so it will be available to the temporary housing facility as needed.

### 708.4 RECEIVING TRANSFERRED INMATES

When an inmate being transferred to this facility arrives without a full and comprehensive medical transfer packet from another facility, the inmate shall be medically screened and receive a comprehensive health appraisal in accordance with the Medical Screening Policy and Health

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Appraisals Policy. The medical department of the sending facility should be promptly contacted to determine if the transferred inmate has any medical needs that require immediate attention or any scheduled surgeries or appointments with community health care services. Arrangements should then be made with the sending facility for the delivery of a more detailed review of the inmate's medical needs.

## Medical Screening

### 709.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked incarcerated persons so that medical, mental health, and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

### 709.2 POLICY

It is the policy of this office that a medical screening be performed on all incarcerated persons upon arrival at the intake area to ensure that existing, emergent, and urgent health care, dental, or mental health needs are identified, risks are assessed, and incarcerated persons with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (15 CCR 1051; 15 CCR 1206.5(a); 15 CCR 1207).

### 709.3 ELEMENTS OF MEDICAL SCREENING

The medical screening shall be performed by health services personnel or trained correctional staff. The Responsible Health Authority, in cooperation with the Detention Division Assistant Sheriff, shall establish protocols for use by health-trained correctional staff during the medical screening. All completed medical screenings should be forwarded to the Responsible Health Authority. A review of any positive finding shall be performed by a qualified health care professional.

Regardless of training, no inmate should be allowed to conduct health care evaluations or provide treatment to any other inmate.

All inmates shall complete a medical screening as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the screener will complete as much of the health assessment as reasonably possible and the arrestee will be closely observed until he/she cooperates with the remainder of the screening process.

The Responsible Health Authority should work cooperatively with the Detention Division Assistant Sheriff to develop the medical screening forms, which should be applicable for general health, mental health and suicide screening purposes. The forms should be completed upon arrival to the facility, but no later than 24 hours after the arrival of an inmate but prior to an inmate being housed in the general population. All medical screening forms shall be forwarded to the Responsible Health Authority and the qualified health care professionals shall be alerted to those that need priority attention.

#### 709.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the inmate's prior detention facility medical record, if any, and document the following:

- History of infectious or communicable diseases that are considered serious in nature; current treatment, symptoms, medications, chronic illness, or health issues, including

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communicable diseases, or special health requirements and/or dietary needs (15 CCR 1051)

- Acute dental problems
- Past and recent serious communicable disease symptoms (e.g., chronic cough, coughing up bloody sputum, lethargy, weakness, weight loss, loss of appetite, fever, night sweats) (15 CCR 1051)
- Mental illness, including psychiatric hospitalizations
- Gender issues
- History of or current suicidal ideation
- Acute allergies
- History of or current prescription or illegal drug use, including the time of last use
- History or current symptoms of substance abuse withdrawal
- Current, recent, or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disability, body deformities, or other physical abnormalities
- Females who have given birth in the past year and are charged with murder or attempted murder of their infants shall be referred to mental health services at the time of booking (15 CCR 1207.5)
- Any other health issues as identified by the Responsible Health Authority

Qualified health care professionals should assist in developing specific mental health and medical screening questions and should provide training in analyzing inmate responses. The Responsible Health Authority should establish the role of the qualified health care professional in the medical screening process.

Should the medical screening identify a need for a more comprehensive medical assessment of the inmate, a qualified health care professional should initiate appropriate follow-up action, which may include transporting the inmate to an off-site medical facility.

#### 709.3.2 MEDICAL SCREENING OBSERVATION

The staff member completing the medical screening observation shall document the following observations:

- Appearance (e.g., sweating, tremors, anxious, disheveled)
- Behavior (e.g., disorderly, appropriate, insensible)
- State of consciousness (e.g., alert, responsive, lethargic)
- Ease of movement (e.g., body deformities, gait)
- Breathing (e.g., persistent cough, hyperventilation)

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- Skin (e.g., lesions, jaundice, rashes, infestations, bruises, scars, recent tattoos, needle marks or other indications of drug abuse)
- Any other observable health symptoms

The Detention Division Assistant Sheriff and the Responsible Health Authority should develop a procedure through which it can be reliably determined what prescription medications the inmate is taking and the medical urgency for continuing those medications without interruption.

#### **709.3.3 DOCUMENTATION**

Written documentation of the medical screening should include the name of the screener, the date and time and the following information:

- Immediate or scheduled referral to a medical, dental or mental health professional
- Guidance regarding housing placement, including administrative separation if necessary (15 CCR 1051)
- Guidance regarding activity limitations
- The inmate's responses to questions asked by the interviewer
- Other individualized observations and recommendations

The initial medical screening should become part of the inmate's medical record and should be retained in accordance with established records retention schedules.

#### **709.4 MEDICAL SCREENING DISPOSITIONS**

Persons who are brought to the facility and are obviously in need of immediate medical attention shall be referred to an emergency medical facility for clearance. Conditions that require a medical clearance prior to booking include but are not limited to the following:

- Unconsciousness
- Uncontrolled bleeding
- Obvious bone fractures
- Signs or symptoms of a head injury
- Complaint or demonstration of severe pain, trauma, or other severe illness or injury
- Intoxication to a degree that the individual cannot stand or walk unaided
- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Any other medical condition, which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel

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Inmates with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This office requires medical clearance from an outside entity when such inmates are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements, and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

The Office is responsible for notifying local police agencies and medical facilities of the detention facility admission refusal policy and the required clearance documentation.

Based upon the information obtained during the screening process, the medical classification disposition of the inmate shall be one of the following:

- General population or other appropriate cell assignment
- General population or other appropriate cell assignment and timely referral to appropriate health care services
- Immediate referral to health care services prior to housing

#### **709.5 HEALTH APPRAISAL**

Generally, a comprehensive health appraisal should occur within 14 days of booking (see the Health Appraisals Policy). However, when it is appropriate and based on an incarcerated person's health condition, an early health appraisal should be recommended. An incarcerated person may also be cleared for housing in general population with a prompt referral to the appropriate health care services when it is in accordance with the incarcerated person's overall classification. Upon the identification of a mentally disordered incarcerated person who may be in a behavioral crisis, a physician's opinion will be secured within 24 hours, or next sick call, whichever is earliest (15 CCR 1052).

##### **709.5.1 MEMBERS CONDUCTING HEALTH APPRAISALS**

Medical screening should be completed by licensed health personnel or trained facility staff, with documentation of staff training regarding site-specific forms with appropriate disposition based on responses to questions and observations made at the time of screening (15 CCR 1207).

##### **709.5.2 TELEHEALTH**

Telehealth may be incorporated into procedures used to identify and evaluate incarcerated persons who may be in a behavioral crisis (15 CCR 1052).

## Mental Health Services

### 710.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all incarcerated persons have access to mental health services and that incarcerated persons identified as needing these services are referred appropriately.

#### 710.1.1 DEFINITION

Definitions related to this policy include:

**Mental health services** - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological, and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

### 710.2 POLICY

It is the policy of this office that a range of mental health services shall be available for any incarcerated person who requires them (15 CCR 1206(g); 15 CCR 1207; 15 CCR 1209).

### 710.3 MENTAL HEALTH SERVICES

The Facility Manager should collaborate with the local public and private organizations that offer mental health services, treatment, and care to those inmates in need of such services.

In coordination with the health authority, Responsible Physician, and Facility Manager, such services shall include but are not limited to (15 CCR 1209):

- Identification and referral of inmates with mental health needs.
- Mental health treatment programs provided by qualified staff, including the use of telehealth, psychotropic medication management (when needed), individual counseling, group counseling, and psychosocial/psychoeducational programs.
- Crisis intervention.
- Basic mental health service provided to inmates as clinically indicated.
- Medication support services.
- Suicide prevention.
- Referral, transportation, and admission to licensed mental health facilities for inmates whose psychiatric needs exceed the treatment or housing capability of the facility (Penal Code § 4011.6; Penal Code § 4011.8).
- Provision of health services sufficiently coordinated such that care is appropriately integrated, medical and mental health needs are met, and the impact of any of these conditions on each other is adequately addressed.
- Obtaining and documenting informed consent.
- Segregation rounds

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- Release planning services.
- Pregnancy needs
- Treatment for recent exposure to trauma
- Competency evaluation and restoration (generally viewed as a forensic assignment not carried out by treating mental health staff)

#### **710.4 BASIC MENTAL HEALTH SERVICES**

Inmates may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process and self-referral or staff referral. Qualified health care professionals should respond to all referrals in a timely manner and initiate the appropriate treatment services.

- (a) If the inmate has received previous mental health treatment, the inmate should be asked to complete a release of information form so his/her treatment records can be obtained.
- (b) Inmates who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources. Arrangements for more comprehensive mental health care may be made, if appropriate.
- (c) Inmates who are identified as being developmentally disabled should be evaluated for special housing needs. The qualified health care professional should work in cooperation with classification personnel to establish the best, reasonably available housing option.
- (d) Inmates who are suspected or known to be developmentally disabled should receive a mental health appraisal by the qualified health care professional as soon as reasonably practicable but no later than 24 hours after booking. Contact will be made with the regional center within 24 hours, excluding holidays and weekends, when an inmate is suspected or confirmed to be developmentally disabled. Inmates who are developmentally disabled should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing the developmentally disabled (15 CCR 1057).
- (e) Inmates enrolled in mental health treatment, including psychiatric medication management, should be provided information regarding the risks and benefits to treatment. Informed consent documents should be signed by the inmate to establish his/her consent to treatment. The signed forms should be placed in the inmate's health record and retained in accordance with established records retention schedules.
  1. There are exceptions in which it is not necessary to obtain an informed consent. Examples of exceptions are life-threatening conditions that require immediate medical intervention for the safety of the patient, emergency care of patients who do not have the capacity to understand the information given, and certain public health matters.
- (f) A treatment plan should be established for all inmates enrolled in mental health services.

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1. Psychiatric and special needs treatment plans shall be reviewed every 180 days, at a minimum. Inmates taking psychotropic medication should be seen by a psychiatrist as identified in their treatment plan, but no less than at least every 90 days. Inmates classified as requiring mental health special needs should be seen at least monthly by a qualified health care professional.
  2. Inmates enrolled in other ongoing forms of mental health treatment should have treatment plan updates completed every six months, at a minimum.
  3. Inmates who present to the qualified health care professional as having notable difficulty adjusting to the correctional environment, but who are not diagnosed with a serious mental illness, should be evaluated for the appropriateness of mental health treatment. Consideration should be given to the qualified health care professional and the facility staff working together to address the issues that may be affecting the inmate's ability to adjust to incarceration.
- (g) The qualified health care professional should utilize a site-specific suicide prevention program to ensure the safety of inmates who present with a risk of self-harm.
1. Qualified health care professionals should be assigned to daily conduct rounds, at least three times per week, in the segregation unit to determine the mental health status of inmates housed there.
  2. Segregated inmates may be referred by the detention facility staff to qualified health care professionals for follow-up if concerns arise regarding their ability to function in disciplinary segregation.
- (h) If the qualified health care professional has concerns about the level of mental health services that are required to manage an inmate housed in the facility, the health authority shall be notified and the Responsible Physician shall be the decision-maker regarding the health care needs of the inmate.
1. The Responsible Physician may consult with a psychiatrist, specialist or other health care service in determining whether the inmate should be transferred to a facility that is better equipped to handle the inmate's psychiatric needs.
  2. The Responsible Physician should notify the Administrative Lieutenant of the request to transfer the inmate for medical treatment.
  3. The case review and disposition of the patient should be documented in the inmate's health record and retained in accordance with established records retention schedules.

Inmates determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

## Mental Health Screening and Evaluation

### 711.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which all inmates receive an initial mental health screening by qualified mental health staff or trained custody staff using an instrument developed by qualified health care professionals. The initial mental health screening takes place at the time of booking and is for the safety of the inmate and the general population. It helps the custody staff to make appropriate classification and housing decisions and to ensure that the treatment and intervention needs of the inmate are met.

### 711.2 POLICY

It is the policy of this office that all individuals booked into the facility shall receive an initial mental health screening by a qualified mental health professional, qualified mental health staff or trained custody staff. A more comprehensive medical appraisal shall be conducted within the first 14 days of incarceration to confirm the initial findings and to ensure that, if needed, an appropriate treatment plan that meets the individual needs of the inmate is in place (15 CCR 1052; 15 CCR 1209(a)(1)).

### 711.3 MENTAL HEALTH SCREENING

The initial screening is designed to identify whether mental health conditions exist that require immediate or ongoing intervention. The screening shall be performed prior to the incarcerated person being placed in general housing and should include:

- (a) Inquiry into whether the incarcerated person is or has:
  - 1. Thoughts or history of suicidal behavior.
  - 2. Been prescribed or is taking psychotropic medication or antidepressants.
  - 3. Been treated for mental health issues.
  - 4. A history of psychiatric treatment.
  - 5. A history of treatment for substance abuse or been treated for substance abuse.
- (b) Any observations of:
  - 1. Appearance and behavior.
  - 2. Abuse, injury, or trauma.
  - 3. Symptoms of aggression, depression, psychosis.
- (c) A determination of whether the incarcerated person is cleared for or referred to:
  - 1. General housing.
  - 2. General housing with mental health referral.
  - 3. Mental health emergency treatment.

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This information shall be recorded on the receiving screening form. It will become part of the incarcerated person's health record and be retained in accordance with established records retention schedules.

##### 711.3.1 INTERNAL BEHAVIOR CODES (IBC)

Inmates may be assigned an Internal Behavior Code (IBC), by qualified mental health staff, which will be utilized to assist staff in identifying and managing the mental health services needed for the inmate while incarcerated.

Internal Behavior Codes will be assigned as follows:

- (a) Inmates with a "Z" internal behavior code rating:
  - 1. Have been cleared for housing outside of the mental health housing areas, but still receive mental health staff follow-up and or medication.
  - 2. Exhibit acceptable behavior and acceptable social interaction with little intervention from staff.
  - 3. Demonstrate acceptable self-care.
  - 4. Demonstrate the ability to maintain activities of daily living.
- (b) Inmates with an "A" internal behavior code rating:
  - 1. Require interaction with mental health staff.
  - 2. Exhibit acceptable behavior with little to moderate intervention from staff.
  - 3. Demonstrate acceptable social interaction and are mostly cooperative.
  - 4. May not comply with every module and/or facility rule, but they generally comply with direct orders from staff.
  - 5. Demonstrate acceptable self-care.
  - 6. Demonstrate the ability to maintain activities of daily living.
- (c) Inmates with a "C" internal behavior code rating:
  - 1. Require routine interaction with mental health staff.
  - 2. Demonstrate acceptable self-care.
  - 3. Demonstrate the ability to maintain activities of daily living.
  - 4. Exhibit signs, symptoms, behaviors, or verbalize symptoms of psychiatric disorders.
  - 5. Demonstrate a potential for instability and may occasionally be disruptive, however, respond positively to re-direction from staff.
  - 6. May exhibit limited effective social interaction.
- (d) Inmates with a "D" internal behavior code rating:
  - 1. Require routine interaction with mental health staff.
  - 2. Demonstrate limited ability to maintain activities of daily living.

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3. Demonstrate limited ability to maintain acceptable self-care.
  4. May exhibit limited effective social interaction.
- (e) May have demonstrated an inability to respond appropriately to redirection.
1. Exhibit signs, symptoms, behaviors, or verbalize symptoms of psychiatric disorders.
  2. May have a potential for violence toward themselves and/or others.
- (f) Inmates with an "E" internal behavior code rating:
1. Require routine interaction with mental health staff.
  2. Demonstrate limited ability to maintain activities of daily living.
  3. Demonstrate limited ability to maintain acceptable self-care.
  4. May exhibit limited effective social interaction.
  5. May have demonstrated an inability to respond appropriately to redirection.
  6. May exhibit signs, symptoms, behaviors, or verbalize symptoms of psychiatric disorders.
  7. May have a high potential for violence toward themselves and/or others or may exhibit uncontrollable outbursts.
  8. Has displayed violent symptoms or behaviors which indicate a need for maximum supervision.
  9. Require the supervision of a minimum of two correctional deputies anytime they are out of their cells.

The internal behavior code will assist staff in determining the following:

- (a) The number of inmates allowed in a group setting at the same time.
- (b) The level of supervision required for each inmate.
- (c) Assist in determining the appropriate levels of program eligibility.

The internal behavior code shall not prevail over the inmate's primary classification, unless the IBC requires higher security handling.

Primary classification and internal behavior codes are determined separately and based on individual criteria.

Mental health staff will evaluate an inmate's internal behavior code to assign, change or delete an inmate's IBC status. Mental health staff will notify classification and the module deputy of the changes.

All inmates with IBC's will be reviewed routinely in scheduled treatment meetings. An Inmate's internal behavior code may also be reviewed on an individual basis at any time and or as needed.

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##### **711.4 MENTAL HEALTH APPRAISAL**

All new inmates shall receive a mental health appraisal by a qualified mental health professional within 14 days. Mental health appraisals should include, but not necessarily be limited to the following assessments:

- Mental health status
- Suicide potential
- Violence potential
- Previous psychiatric treatment
- Any history of treatment with psychotropic medication or antidepressants
- Substance abuse or treatment for substance abuse
- Educational history
- Sexual abuse victimization (28 CFR 115.81)
- Predatory behavior or perpetrated sexual abuse (28 CFR 115.81)

##### **711.5 MENTAL HEALTH REFERRALS**

Qualified mental health staff should administer a complete and thorough evaluation of incarcerated persons referred for treatment as soon as practicable but no later than 14 days from the referral. The evaluation should include:

- Review of the incarcerated person's screening and appraisal information.
- Observations of the incarcerated person's behavior.
- Information gathered from interviews and testing to determine the incarcerated person's mental health condition, intellect, personality, problems, and ability to deal with a custody environment.
- Collection of the Incarcerated person's mental health history.

Following the evaluation, a plan of treatment and maintenance, which may include a complete psychological evaluation, should be developed to meet the incarcerated person's needs.

# Communicable Diseases

## 712.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for facility staff to assist in minimizing the risk of contracting and/or spreading communicable diseases. In conjunction with the Sheriff's Office Bloodborne Pathogens Exposure Control Plan, the Detention Division Aerosol Transmissible Disease Exposure Control Plan, the Detention Division COVID Prevention Plan, and all associated Office and County safety plans, the policy offers direction in achieving the following goals:

- (a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD), and other potentially infectious substances.
- (b) Providing appropriate treatment for ill incarcerated persons while minimizing the risk of the spread of disease.
- (c) Making decisions concerning the selection, use, maintenance, limitations, storage, and disposal of personal protective equipment (PPE).
- (d) Ensuring proper reporting to local, state, and federal agencies.
- (e) Establishing procedures for the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, and follow-up care for new incarcerated persons, and for incarcerated persons or employees who have contracted a communicable disease from an ill person.
- (f) Providing appropriate treatment, counseling, and confidentiality should an employee become exposed to a communicable disease.
- (g) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

### 712.1.1 DEFINITIONS

Definitions related to this policy include:

**Aerosol transmissible disease (ATD)** - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

**Aerosol transmissible disease (ATD) exposure** - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

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**Airborne precautions** - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for infectious agents such as measles, chickenpox, or tuberculosis in addition to medical personnel wearing masks or respirators.

**Bloodborne pathogens (BBP)** - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

**Bloodborne pathogen exposure** - Includes but is not limited to the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions, or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

**Ectoparasitic infections** - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

**HBV** - Hepatitis B

**HIV** - Human Immunodeficiency Virus

**Medical isolation** - Housing in a separate room with a separate toilet, hand-washing facility, soap and single-service towels, and with appropriate accommodations for showering.

**NIOSH** - National Institute for Occupational Safety and Health

**Nosocomial** - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

**OSHA** - Occupational Safety and Health Administration

**Personal protective equipment (PPE)** - Respiratory equipment, garments, gloves, and other barrier materials designed to reduce employee exposure to hazards.

**Source control measures** - The use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

**Standard precautions** - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes), and mucous membranes. Applies to all incarcerated persons receiving care, regardless of diagnosis or presumed infection status.

**Universal precautions** - A set of precautions designed to prevent transmission of HIV, HBV, and other bloodborne pathogens when providing first aid or health care.

#### **712.2 POLICY**

It is the policy of this office to maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated),

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treatment, follow-up, and proper reporting to local, state and federal agencies of communicable diseases. The program is designed to ensure that a safe and healthy environment is created and maintained for all occupants of the facility (15 CCR 1051; 15 CCR 1206.5; 15 CCR 1206(i)).

#### 712.2.1 EXPOSURE CONTROL ADMINISTRATOR

The Detention Division Assistant Sheriff shall designate an Exposure Control Plan Administrator who shall be responsible for:

- (a) Establishing, implementing, and maintaining written procedures and a training program related to BBPs.
- (b) Establishing, implementing, and maintaining written procedures and a training program related to ATDs.
- (c) Working with the Detention Division Assistant Sheriff to develop and administer any additional related policies and practices necessary to support the effective implementation of an Exposure Control Plan (ECP), including specific symptoms that require separation of an incarcerated person until a medical evaluation is completed (15 CCR 1051).
- (d) Acting as a liaison during OSHA regulatory agency and conducting program audits to maintain a current ECP.
- (e) Maintaining a current list of facility staff requiring training, developing and implementing a training program, maintaining class rosters and quizzes, and periodically reviewing the training program.
- (f) Reviewing and updating the ECP annually.
- (g) Communicating with employees, other employers and the local health officer regarding the suspected or diagnosed infectious disease status of referred incarcerated persons, including notification of exposed employees.
- (h) Making all exposure and safety plans available for employees, employee representatives, and regulatory agency review.
- (i) Establishing procedures to ensure that members request exposure notification from health facilities after potential exposure to a person who may have a communicable disease who has been transported to a health facility and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.
- (j) Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).
- (k) Acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other office members to fulfill the role when not available. The designated officer shall ensure that the name, title, and telephone number of the designated officer is posted on the office website (Health and Safety Code § 1797.188).
- (l) Other responsibilities as outlined in the County, Sheriff's Office and Detention Division Safety and Exposure Control Plans.

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Supervisors are responsible for exposure control in their respective areas. They shall work directly with the Exposure Control Plan Administrator, Managers, and the affected employees to ensure that the proper procedures are followed.

### **712.3 COMMUNICABLE DISEASE PROGRAM COMPONENTS**

#### **712.3.1 SURVEILLANCE**

Surveillance takes place throughout the period of the incarcerated person's incarceration and is done in a variety of encounters and inspections. These include but are not limited to the following:

- (a) **Medical screening** - Each newly booked incarcerated person shall be evaluated for health care needs and signs and symptoms of infectious disease. The receiving screening includes questions regarding known symptoms of TB, HIV, sexually transmitted diseases (STDs), and HBV. The individual completing the medical screening should observe the incarcerated person for obvious signs of infection (15 CCR 1206.5(a)).
- (b) **Health assessment** - Incarcerated persons shall have a health assessment within the first 14 days of incarceration. The health assessment process includes screening for symptoms of communicable disease. Incarcerated persons will have a Purified Protein Derivative (PPD) test or a chest X-ray for TB and a blood test for STDs. Voluntary HIV testing is provided based on identified risk.
- (c) **Periodic health assessments** - Annual testing for TB is performed on all incarcerated persons who are in the facility for one year or more.
- (d) **Sick call and referrals** - At any time during incarceration, an incarcerated person may request to be evaluated for an infectious disease through the sick call process. Health and correctional staff can request that an incarcerated person be evaluated if they notice any signs of potentially infectious disease.
- (e) **Contact investigation** - When an incarcerated person housed in the general population develops symptoms of an infectious disease, the Responsible Physician should work cooperatively with the Facility Manager or the authorized designee and the public health department to provide appropriate screening and testing of potentially exposed persons.
- (f) **Environmental health and safety inspections** - The health and safety of the facility environment shall be inspected by the local public health entity and reported to the Facility Manager at least annually in a written report. Conditions identified as adversely affecting the health and safety of the incarcerated persons and/or employees or visitors shall be promptly addressed and corrected.

#### **712.3.2 IDENTIFICATION**

Any incarcerated person suspected of having a communicable disease will be evaluated by a qualified health care professional as soon as reasonably practicable. Incarcerated persons suspected of having communicable diseases will be appropriately isolated until disease confirmation and the period of communicability is determined. Long-term housing consideration will be based upon the classification status as well as the behavior, medical needs, and safety

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of incarcerated persons and staff. These incarcerated persons shall be examined by a qualified health care professional within 24 hours. The instructions of the qualified health care professional regarding care of the patient and sanitizing of eating utensils, clothing, and bedding shall be carefully followed (15 CCR 1206.5(a); 15 CCR 1206.5(b)(6)).

#### 712.3.3 TREATMENT

Qualified health care professionals shall provide care as directed by the Responsible Physician and consistent with scientific evidence-based medicine (15 CCR 1206.5(a)).

- (a) The Responsible Physician and the Facility Manager shall collaborate on treatment planning with the public health department, as appropriate.
- (b) Complete documentation of the signs, symptoms, diagnostic results, treatment, and outcome of care provided to incarcerated persons who are suspected or confirmed as having a communicable disease will be entered into the incarcerated person's health record.

#### 712.3.4 COMMUNICATION

The Responsible Physician shall ensure the following notifications are made whenever a communicable disease is identified (15 CCR 1206.5(b)(3); 15 CCR 1206.5(b)(8)):

- (a) Notification to the public health department of all reportable diseases and conditions shall be made as soon as practicable. This is done by completing appropriate forms, and if necessary, contacting the public health department directly for situations of multiple spread occurrences.
- (b) The Responsible Physician and the Facility Manager shall be kept informed of any incidence of communicable disease.
- (c) The Facility Manager shall be apprised of any medical situation that raises the risk of disease level for incarcerated persons, correctional officers, or any other staff members.

#### 712.3.5 EMPLOYEE TRAINING

The Responsible Physician or the authorized designee shall provide education to all correctional staff who have contact with infected incarcerated persons during the initial employee orientation and annually thereafter. The Training Manager shall schedule this training and shall retain all associated records in accordance with established records retention schedules.

#### 712.3.6 DATA COLLECTION AND REPORTING

The health authority shall be responsible for ensuring the systematic collection and analysis of data to assist in the identification of problems, epidemics, or clusters of nosocomial infections. All reportable illnesses as defined by the public health department shall be reported as required (15 CCR 1206.5(b)).

#### 712.3.7 UNIVERSAL PRECAUTIONS

Universal precautions stresses that **all individuals should be assumed to be infectious** for HIV and other bloodborne pathogens. Due to the nature of the Sheriff's Office operations, it may not

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be possible to determine when body fluids such as saliva, vomit, or feces are contaminated with visible blood. Therefore, all body fluids encountered in uncontrolled, emergency situations should be treated as potentially infectious. The Sheriff's Office has developed engineering controls, work practice controls, and guidelines for the use of personal protective equipment to prevent exposure to employees. These engineering controls are outlined in the Sheriff's Office Bloodborne Pathogens Exposure Control Plan. Standard precautions shall be used by health care practitioners to minimize the risk of exposure to blood and bodily fluids of infected patients. The health authority shall be responsible for establishing basic guidelines including but not limited to (15 CCR 1206.5(b)(4))

#### 712.3.8 TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

- (a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles, and chicken pox.
  - 1. An incarcerated person requiring airborne precautions should be assigned to a designated respiratory isolation room with special ventilation requirements. The door to this room must be closed at all possible times. If an incarcerated person must move from the isolation room to another area of the facility, the incarcerated person should wear a mask during transport. Anyone entering the isolation room to provide care to the incarcerated person must wear a respirator.
- (b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air, and usually do not travel beyond a few feet of the incarcerated person. These particles are produced when an incarcerated person coughs, talks, or sneezes. Examples of disease requiring droplet precautions are meningococcal meningitis, influenza, mumps, and German measles (rubella).
  - 1. All staff should wear masks within 3 feet of the incarcerated person. Incarcerated person movement should be restricted to the minimum necessary for effective facility operations. The incarcerated person should wear a mask during transport.
- (c) Contact precautions are designed to prevent the spread of organisms from an infected incarcerated person through direct (touching the incarcerated person) or indirect (touching surfaces or objects the incarcerated person touched) contact. Examples of incarcerated persons who might be placed in contact precautions are those infected with the following:
  - 1. Antibiotic-resistant bacteria

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2. Hepatitis A
3. Scabies
4. Impetigo
5. Lice

The Aerosol Transmissible Disease Exposure Control Plan, Bloodborne Pathogens Exposure Control Plan and the COVID Prevention Plan shall be used to determine the appropriate precautions that are necessary to reduce the risk of infection transmission. Incarcerated persons shall receive training on the disease transmission process and will be provided with appropriate barrier devices.

#### **712.3.9 ENVIRONMENTAL HEALTH AND SAFETY**

The Responsible Physician or the authorized designee shall conduct a routine inspection of areas where health services are provided to verify the following:

- The equipment is inspected and maintained to the manufacturer's recommendations.
- The area is clean and sanitary.
- The appropriate measures are being taken to ensure the unit is occupationally and environmentally safe.

#### **712.3.10 REGULATED WASTE**

The Office in coordination with the health authority, will provide for the management of biohazardous materials and waste and the establishment of a protocol for the decontamination of equipment used in medical and dental treatment. Medical and dental equipment decontamination shall comply with all applicable local, state and federal regulations. Precautions may include, but are not limited to:

- (a) Discarding biohazardous waste in red plastic bags marked with the word BIOHAZARD and displaying the international symbol for biohazardous material. Contaminated disposable PPE shall be discarded in these receptacles.
- (b) Whenever a large amount of fluid blood is present, a professional biohazard cleaning service contractor should be utilized.
- (c) Used biohazard bags shall be stored in covered, rigid waste receptacles in designated locations pending weekly removal by a biohazard waste removal contractor.

#### **712.4 ECTOPARASITE CONTROL**

Ectoparasite control will be initiated, where clinically indicated, immediately following the medical screening or when the incarcerated person manifests signs and symptoms of lice or scabies (15 CCR 1212).

- (a) Any incarcerated person who indicates parasitical infection upon entering the facility shall be treated by a qualified health care professional.

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- (b) Any incarcerated person suspected of having lice/scabies may be referred to sick call by a correctional deputy.
- (c) An incarcerated person may access sick call if the person believes there is a problem with lice/scabies.
- (d) A qualified health care professional shall evaluate any incarcerated person with a lice/scabies complaint. If there are positive findings, the incarcerated person shall be treated for the infestation accordingly.
  - 1. The lice and scabies treatment guidelines will be followed by the qualified health care professional, if a physician's order for the medication administration is obtained.
    - (a) The prescribing physician shall be notified if the incarcerated person is pregnant, as certain medications are contraindicated for pregnant persons. An alternative topical application must be prescribed in these situations.
    - (b) Documentation in the medical record should include the patient's symptoms, observations regarding the condition, patient education, and prescribed treatment.
  - 2. The incarcerated person's clothing and linen shall be removed from the person's cell placed in a plastic bag and sent to the laundry. These items are considered contaminated and must be disinfected by:
    - (a) Machine washing (hot cycle), machine drying (hot cycle), dry cleaning or ironing, or
    - (b) Storage in a plastic bag for non-washable items for 10-14 days (head lice), seven days (pubic lice). This method is not recommended for body lice.
    - (c) Isolation is not necessary as long as clothing and bedding are properly disinfected and incarcerated persons do not share items.
      - 1. An incarcerated person having poor hygiene should be housed in a single cell until 24 hours after beginning treatment.
      - 2. Gloves are to be used for direct contact until the incarcerated person has been treated and the clothing/bedding have been removed for disinfecting.
  - 3. Cell mates and any personnel having direct hands-on contact with an infected incarcerated person should be evaluated for prophylactic treatment because of the long incubation period of the scabies parasite.

#### 712.4.1 HAIRCUTTING TO CONTROL THE SPREAD OF ECTOPARASITES

If the responsible health authority has determined that such methods of eradicating an infestation of lice or other vermin have been unsuccessful after two attempts, then medical staff shall determine whether cutting and/or shaving an inmate's hair are necessary to rid the inmate of the infestation.

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If the inmate refuses to have his/her hair cut and/or shaved, the responsible physician shall make a written determination as to whether such eradication efforts are reasonably necessary to rid the inmate of the vermin infestation based on the surrounding circumstances. If a determination is made to cut and/or shave an inmate's hair, the responsible physician shall draft a written order to jail staff requiring such eradication action. The order shall specify the previous eradication efforts taken, the reasons underlying the order, and the precise eradication action to be taken (e.g., whether cutting or shaving, length to which hair will be cut, locations of cutting/shaving upon the head or body, etc.). The order shall be forwarded to the Administrative Lieutenant.

The Administrative Lieutenant shall contact County Counsel to request an order approving such eradication action from the Superior Court. The inmate's hair will be cut in accordance with the signed court order.

#### **712.5 EMPLOYEE EXPOSURE CONTROL**

All facility staff who may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any incarcerated person and when handling the personal belongings of an incarcerated person.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books, personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials.

#### **712.6 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS**

In incarcerated person exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the incarcerated persons

##### **712.6.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE**

To provide appropriate and timely treatment should an exposure occur, the responding Deputy shall verbally report the exposure to their immediate supervisor and facility medical staff and complete an incident report as soon as possible following the exposure or suspected exposure. (15 CCR 1206.5(b)(8)).

The incident report shall include the following information:

- (a) Names of people involved in the exposure incident
- (b) Date and time of incident
- (c) Location of incident
- (d) What potentially infectious materials were involved

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- (e) Names and statements of witnesses
- (f) Information from the person who was exposed (in connection with the exposure only)
- (g) Actions taken post-event (e.g., clean-up, notifications)

#### 712.6.2 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any incarcerated person who was exposed to another incarcerated person's blood or bodily fluids should be seen by a physician or qualified health care professional as soon as reasonably possible. The incarcerated person will be able to speak with Public Health to be counseled of their rights regarding testing for communicable diseases.

The incarcerated person who was exposed may request they be tested for HIV and Hepatitis C. Arrangements will be made with Public Health to conduct the testing.

#### 712.6.3 SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed incarcerated person or when it is otherwise appropriate.

Voluntary consent should be sought from any incarcerated person who is the source of a substantial exposure of another incarcerated person in order to test for HIV or Hepatitis C. Arrangements will be made with Public Health to conduct the testing.

If consent is not obtained, the Administrative Lieutenant should promptly consult with County Counsel and consider requesting that a court order be sought for appropriate testing.

## Aids to Impairment

### 713.1 PURPOSE AND SCOPE

This policy acknowledges the high priority of inmate health and recognizes that some inmates will require adaptive devices to assist them with daily living activities on a temporary or permanent basis.

The Sonoma County Sheriff's Office has established this policy for physicians and dentists to review and evaluate the need for adaptive devices, while considering facility security concerns regarding the use of such items.

When a physician or dentist determines that the medical condition of an inmate indicates that an adaptive device is clinically appropriate, the parameters of this policy will determine if authorization for the use of such items during incarceration should be granted, and if any equipment modifications are indicated for safety or security purposes.

#### 713.1.1 DEFINITIONS

Definitions related to this policy include:

**Adaptive device** - Any orthotic, prosthetic or aid to impairment that is designed to assist an inmate with the activities of daily living or that is clinically appropriate for health, as determined by the Responsible Physician or dentist.

**Aids to impairment** - Includes, but is not limited to, eyeglasses, hearing aids, pacemakers, canes, crutches, walkers and wheelchairs.

**Orthoses** - Specialized mechanical devices, such as braces, shoe inserts or hand splints that are used to support or supplement weakened or abnormal joints, limbs and/or soft tissue.

**Prostheses** - Artificial devices designed and used to replace missing body parts, such as limbs, teeth or eyes.

### 713.2 POLICY

It is the policy of the Office that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices should be permitted or supplied in a timely manner when the health of the inmate would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability recognized under the American with Disabilities Act (ADA) (42 USC § 12101 et seq.), as determined by the Responsible Physician or dentist (15 CCR 1206(d); 15 CCR 1207).

### 713.3 FACILITY-OWNED MEDICAL EQUIPMENT

All adaptive devices belonging to the Office shall be clearly marked and numbered, identifying them as office property.

- (a) The issuing correctional deputy will document, in the inmate's management notes, all medical equipment issued to the inmate, regardless of who owns the property.

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- (b) Upon the release of an inmate, the releasing correctional deputy shall review the medical equipment issued to the inmate and contact the medical clinic for instructions regarding any office-owned adaptive device.

#### **713.4 MEDICAL OR DENTAL ORTHOSES, PROSTHESES, OR ADAPTIVE DEVICES**

The following applies to inmates with any orthopedic or prosthetic devices (Penal Code § 2656):

- (a) An inmate shall not be deprived of the possession or use of any orthopedic, orthodontic, or prosthetic device that has been prescribed or recommended and fitted by a physician or dentist (see the following exception).
- (b) Any such device that may constitute an immediate risk of bodily harm to any person in the facility or that threatens the security of the facility should be brought to the attention of the Watch Commander or authorized designee. If the Watch Commander or authorized designee has probable cause to believe such a device constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the Watch Commander or authorized designee may remove the device and place it in the inmate's property and document the removal in an incident report.
- (c) The Watch Commander or authorized designee shall return the device to the inmate if circumstances change and the cause for removal no longer exists.
- (d) The Watch Commander or authorized designee shall notify Medical staff and the Administrative Lieutenant to have the inmate examined by a physician within 24 hours after a device is removed.
- (e) The Administrative Lieutenant should review the facts with the ADA Coordinator and shall address the issue in conjunction with the Inmates with Disabilities Policy.
- (f) The physician shall inform the inmate and the Administrative Lieutenant if the removal is or will be injurious to the health or safety of the inmate. When the Administrative Lieutenant is so informed but still does not return the device, the Administrative Lieutenant shall inform the physician and the inmate of the reasons and promptly provide the inmate with a Petition for Return of Prosthesis form, as specified in Penal Code § 2656, by which the inmate may petition the Superior Court for return of the appliance. The Administrative Lieutenant shall promptly file the form with the Superior Court after it is signed by the inmate. The Administrative Lieutenant should consider the following alternatives to removal of the device:
  - 1. Rehousing the inmate to another housing unit or administratively segregating the inmate from the general population.
  - 2. With physician or dentist approval, modify the adaptive device to meet the medical needs of the inmate and the safety and security needs of the facility.

Once an adaptive device has been approved for use, the qualified health care professional shall enter the authorization into the inmate's health file and management notes. If the inmate requires special housing, the qualified health care professional shall document this in writing and notify custody and classification personnel appropriately. The qualified health care professional shall document the general condition of the prosthesis and have the inmate sign in the medical record that the inmate received the prosthesis.

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Any prostheses that are brought to the facility by family members or others after the inmate has been incarcerated shall be subject to a security check.

#### **713.5 REQUESTS FOR MEDICAL AND DENTAL PROSTHESES**

All requests for new or replacement medical or dental prostheses shall be individually evaluated by the Responsible Physician or dentist and reviewed for approval by the Watch Commander or authorized designee. Considerations for approval shall be based upon:

- Medical needs of the inmate.
- The anticipated length of incarceration.
- The safety and security of the facility.

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## Detoxification and Withdrawal

### 714.1 PURPOSE AND SCOPE

Significant percentages of inmates have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those inmates who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

This policy also identifies protocols to be used by qualified health care professionals. These protocols are appropriate for inmates who are under the influence of alcohol or drugs or who are experiencing withdrawal from any type of substance abuse.

#### 714.1.1 DEFINITIONS

Definitions related to this policy include:

**Alcohol withdrawal** - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

**Detoxification** - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

### 714.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this office to provide proper medical care to inmates who suffer from drug or alcohol overdose or withdrawal.

To lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility, staff shall respond promptly to medical symptoms presented by inmates.

The Responsible Physician shall develop written medical protocols on detoxification symptoms necessitating immediate transfer of the inmate to a hospital or other medical facility, and procedures to follow if care within the facility should be undertaken (15 CCR 1213).

Inmates who are booked into the facility who are participating in a narcotic treatment program shall, with the approval of the director of the program, be entitled to continue in the program until conviction (Health and Safety Code § 11222).

### 714.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall

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promptly notify a qualified health care professional and the Sergeant responsible for the area the inmate is housed.

#### **714.4 MEDICAL STAFF RESPONSIBILITY**

The qualified health care professional will evaluate the inmate using approved protocols in order to determine the most appropriate care plan, which will be based on the patient's history, current physical status and treatment needs. Any patient who cannot be safely treated in the facility will be referred to an appropriate treatment facility off-site.

#### **714.5 PROCEDURE**

Inmates who are observed experiencing severe, life-threatening intoxication (overdose) or withdrawal symptoms will be promptly seen by a physician or referred to an off-site emergency facility for treatment. Detoxification shall be conducted under medical supervision at the facility or in a hospital or community detoxification center under appropriate security conditions.

If the qualified health care professional determines that an inmate is at risk for progression to a more severe level of withdrawal, the inmate will be appropriately housed in an area where he/she can be kept under constant observation by qualified health care professionals or trained correctional staff.

#### **714.6 WITHDRAWAL AND DETOXIFICATION PROTOCOLS**

Protocols are available to the qualified health care professionals to guide the care and treatment of individuals who are intoxicated or experiencing drug and/or alcohol withdrawal. These protocols, which have been developed and approved by the Responsible Physician, fall within nationally accepted guidelines and are reviewed annually.

When dealing with inmates who are in a custody situation, qualified health care professionals shall utilize detoxification protocols in accordance with local, state and federal laws.

No direct supervision is required at the time of identifying and initiating care. Overall supervision is provided by the Responsible Physician. Qualified health care professionals shall evaluate and provide care to patients utilizing written procedures and/or physician orders.

#### **714.7 ALCOHOL WITHDRAWAL SYMPTOMS CHART**

The following chart describes typical symptoms of mild, moderate and severe withdrawal. It is to be used as a guide for determining when to refer inmates to a qualified health care professional. Not all symptoms are always present.

	<b>MILD</b>	<b>MODERATE</b>	<b>SEVERE</b> (Delirium Tremens)
<b>ANXIETY</b>	Mild restlessness and anxiety	Obvious motor restlessness	Extreme restlessness and agitation with appearance of intense fear is common
<b>APPETITE</b>	Impaired appetite	Marked anorexia	Often rejects all food and fluid except alcohol

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<b>BLOOD PRESSURE</b>	Normal or slightly elevated systolic	Usually elevated systolic	Elevated systolic and diastolic
<b>CONFUSION</b>	Oriented, no confusion	Variable confusion	Marked confusion and disorientation
<b>CONVULSIONS</b>	No	May occur	Severe convulsions are common
<b>HALLUCINATIONS</b>	No hallucinations	Often vague, transient, visual and auditory hallucinations and delusions, often with insight, often occurring only at night	Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences
<b>MOTOR CONTROL</b>	Inner "shaky"	Visible tremulousness	Gross uncontrollable shaking
<b>NAUSEA</b>	Nausea	Nausea and vomiting	Dry heaves and vomiting
<b>PULSE</b>	Tachycardia	Pulse 100-120	Pulse 120-140
<b>SLEEP</b>		Marked insomnia and nightmares	Total wakefulness
<b>SWEATING</b>	Restless sleep or insomnia	Obvious	Extreme

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# Clinical Performance Enhancement

## 715.1 PURPOSE AND SCOPE

This office recognizes the importance of ensuring that qualified health care professionals are competent in their clinical skills and that the clinical performance enhancement review addresses areas in need of improvement.

### 715.1.1 DEFINITIONS

Definitions related to this policy include:

**Clinical performance enhancement review** - The process of having a qualified health care professional's work reviewed by another professional (peer review) of at least equal training in the same general discipline.

**Independent review** - The assessment of a qualified health care professional's compliance with discipline-specific and community standards. The review is an analysis of a practitioner's clinical practice. This review may be conducted by someone who may or may not be directly employed by the institution. However, if the review was prompted by an inmate complaint, the reviewing practitioner must not have been previously involved in the care of that inmate.

## 715.2 POLICY

It is the policy of this office to conduct peer reviews, in accordance with accrediting agencies' requirements, of all qualified health care professionals. The clinical performance enhancement review process is a professional review focused on the qualified health care professional's clinical skills. Its purpose is to enhance competence and address areas in need of improvement.

An immediate peer review may be authorized if serious problems of practice arise with a specific qualified health care professional.

## 715.3 COMPONENTS OF THE CLINICAL PERFORMANCE ENHANCEMENT

The clinical performance enhancement review process is to be conducted in accordance with accrediting agencies' requirements on all qualified health care professionals. The result of these reviews shall be kept confidential. Documentation from the review shall include:

- Name and credentials of the individual being reviewed.
- Date of the review.
- Name and credentials of the reviewer.
- Confirmation that the review was shared with the qualified health care professional being reviewed.
- Summary of findings and corrective action, if any.

Improvement plans will be created when areas of improvement are required. The reviewer will work with the clinician and the Responsible Health Authority to establish an improvement plan.

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The Responsible Health Authority will keep a log of clinical performance enhancement reviews of all qualified health care professionals to ensure compliance with this policy.

#### **715.4 HEALTH CARE COMPLAINTS**

The Facility Manager, in cooperation with the Responsible Physician, shall be responsible for developing and implementing a process by which inmates may submit complaints about the health care services they have received. There shall also be a means of collecting and analyzing the observations of other qualified health care professionals, correctional staff or other nonmedical staff regarding the delivery of health care services.

#### **715.5 RECORDS**

All clinical performance enhancement review reports and complaint investigations shall be considered confidential. The contents of such files shall not be revealed to other than the involved employee or authorized personnel, except pursuant to lawful process or as otherwise authorized or required by statute.

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## Clinical Decisions

### 716.1 PURPOSE AND SCOPE

This policy recognizes that a coordinated effort between the Responsible Health Authority and the Facility Manager is needed to ensure an adequate health care system. It emphasizes the importance of clinical decisions being the sole responsibility of the qualified health care professional.

### 716.2 POLICY

Clinical decisions and actions regarding incarcerated person health care are the sole responsibility of qualified health care professionals and should not be countermanded by others. The Responsible Physician shall be responsible for arranging for appropriate health resources and for determining what services are needed. The Facility Manager or the authorized designee shall be responsible for providing the custodial support to ensure a safe and secure environment for the delivery of the services and its accessibility to the incarcerated persons (15 CCR 1200(a); 15 CCR 1206(k)).

### 716.3 MEDICAL AUTONOMY

Clinical decisions shall be made only after a thorough evaluation of the patient's complaint and physical or mental condition. The implementation of clinical decisions is to be completed in an effective and safe manner that does not violate the security regulations of the facility.

# Licensure, Certification, and Registration Requirements

## **717.1 PURPOSE AND SCOPE**

The purpose of this policy is to recognize that inmates are entitled to health care services that are provided by qualified health care professionals working within the scope of their respective licensure, certification, registration, and training.

## **717.2 POLICY**

It is the policy of this office that all qualified health care professionals who provide health care services to inmates meet the same standards as those working in the community, including required licenses, certifications, and restrictions, including those defining the recognized scope of practice specific to the profession (15 CCR 1203).

The current credentials and job descriptions for all qualified health care professionals are on file at the facility and retained in accordance with established records retention schedules.

Any health care provided to inmates at the facility that is not provided by a physician is provided in accordance with a standing order or direct order issued by personnel qualified under governing laws to give such orders (15 CCR 1203; 15 CCR 1204).

## **717.3 CREDENTIALING AND FILE MAINTENANCE**

A completed file of current licenses, certifications, registration, reference checks, and applications shall be maintained by the Office Personnel Unit and by the Responsible Physician or the authorized designee at this facility.

## **717.4 STUDENTS AND/OR INTERNS**

If the health care services provided to an inmate are performed by any intern, resident, or student who is authorized to provide specific health care services as part of a formal medical training program, the individuals in training will work under the control and supervision of a qualified health care professional. Assigned tasks shall be commensurate with the intern, student, or resident's level of training.

There shall be a written agreement between the facility and the entity sponsoring the training program that covers the scope of work, duration of the agreement, and any legal or liability issues.

Any student, intern, or resident working in the facility shall participate in a facility orientation that includes but is not limited to topics such as fire safety, facility security, items considered contraband, and inmate culture.

All students, interns, or residents shall be required to agree in writing to abide by all facility policies, including those relating to hostages, facility security, and the confidentiality of information.

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All training provided, written agreements, and/or contracts shall be maintained in the intern, resident, or student's file by the Responsible Health Authority or the authorized designee in accordance with established records retention schedules.

## Mental Health - Suicide Prevention

### 718.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office recognizes every life is important and has value, therefore there is no higher priority than the preservation of life. In order to protect the health and wellbeing of all incarcerated persons, this comprehensive written suicide prevention and intervention policy, will be reviewed and approved by the medical and mental health vendors.

The Sheriff's Office strives to assess and recognize the signs and symptoms of suicidal behavior, provide appropriate sensitivity, immediate treatment and intervention, deter and/or prevent any threats or attempts of suicide and to make available a safe and secure housing assignment to those incarcerated persons identified as a risk of suicide, or who may be suicidal. This will be accomplished through a continuum of comprehensive suicide prevention services aimed at the collaborative identification, continued assessment and safe management of incarcerated persons at risk for self-harm.

The Detention Division recognizes the prevention of incarcerated person suicide requires effective communication between all individuals who have direct contact with incarcerated persons, and that it is everyone's job to help prevent incarcerated person suicide. Detention staff understand and have been trained that some suicides can be prevented by staff who establish trust and rapport with incarcerated persons, gather pertinent information, and refer any incarcerated person they identify at a risk of suicide to a mental health clinician.

#### 718.1.1 DEFINITIONS

**Acutely Suicidal Incarcerated Persons** - Incarcerated persons who engage in self-injurious behavior or threaten suicide with a specific plan are considered acutely suicidal.

**High Suicide Risk Incarcerated Person** - An incarcerated person who has a history of suicidal ideation or shows a high likelihood of suicidal ideation or self-harm but is not actively overt in their actions.

**Observation Cell** - A designated cell that provides Correctional Staff with an enhanced ability to visually supervise an incarcerated person in a more protective environment, due to its design and build.

**Safety Cell** - A padded cell of at least 48 square feet with a clear ceiling height of at least eight feet designed to minimize the risk of accidents and injuries, and to reduce the possibility of self-inflicted injuries.

**Suicide** - The act or an instance of taking one's own life voluntarily and intentionally.

**Suicide Ideation** - Suicidal thoughts, also known as suicidal ideation, are thoughts about how to kill oneself, which can range from a detailed plan to a fleeting consideration and does not include the final act of killing oneself.

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#### **718.2 POLICY**

It is the policy of this office to minimize the incidence of suicide by establishing and maintaining a comprehensive suicide prevention and intervention program designed to identify incarcerated persons who are at risk of suicide and to intervene appropriately whenever possible. The program shall be developed by the Facility Manager and the Responsible Physician, approved by the local public health entity, and reviewed annually by the Facility Manager.

#### **718.3 GENERAL INFORMATION**

Correctional Staff shall act to prevent self-harm and suicides with appropriate sensitivity, supervision, medical and mental health referrals, emergency medical procedures, and appropriate suicide prevention strategies.

- (a) All identified acutely suicidal incarcerated persons or high suicide risk incarcerated persons shall receive preventative supervision, treatment and therapeutic follow-up in compliance with the policies and procedures of the Detention Division, Title 15 of the California Code of Regulations, California Medical Association's Institute for Medical Quality, Prison Rape Elimination Act of 2003, the Americans with Disabilities Act and amendments.
- (b) The downgrading and/or discharging of an incarcerated person from suicide precautions is a clinical decision. Correctional Staff shall not pressure to downgrade and/or discharge an incarcerated person from suicide precautions because additional staffing resources are required to maintain the necessary level of observation and/or because of a lack of available Safety Cells and/or Observations Cells.
- (c) Some incarcerated persons may try to alter their housing assignment by stating they are suicidal. All suicidal threats are taken seriously regardless of what the perceived motivation for the threat may be.
- (d) All incarcerated persons receive a Handbook that provides suicide prevention information to incarcerated persons in Spanish and English, which advises incarcerated persons what to do if they feel suicidal and/or what to do if they believe another incarcerated person may be suicidal.
- (e) The Detention Division shall provide communication assistance to incarcerated persons with disabilities.
- (f) The Detention Division shall provide communication assistance to incarcerated persons who are limited in their English proficiency by utilizing the many translations services that are available to the Office.
- (g) All incarcerated persons at a high suicide risk and/or acutely suicidal shall be housed in cells specifically designed to reduce the opportunity of an incarcerated person being able to cause self-harm, and/or offer a greater degree of visibility for staff monitoring the incarcerated person.
  1. While it is impossible to create a "suicide proof" cell environment within any correctional facility, given the fact that most incarcerated person suicides occur by hanging, significant efforts have been employed to house incarcerated persons at a high suicide risk and/or acutely suicidal in cells that are free of obvious protrusions.

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- (h) All completed suicides will be reported to the Attorney General within 10 days by submitting a California Department of Justice (DOJ) form BCIA 713.
- (i) The mental health and medical vendors, and Detention Staff are responsible for identifying, managing and stabilizing suicidal incarcerated persons in custody. This responsibility shall not be delegated in any form to any incarcerated person.
- (j) The Detention Division does not recognize that a lack of incarcerated persons on suicide precautions is a measure of sound suicide prevention practices. The goal is not to have a "zero" number of incarcerated persons on suicide precautions, but rather, the goal is to identify, manage, and stabilize suicidal incarcerated persons in custody.
- (k) An incarcerated person's verbal agreement to not harm oneself and/or to notify staff if he/she later feels like inflicting self-harm shall not be the sole criteria used when evaluating appropriate suicide precautions.

#### **718.4 PROCEDURES**

##### 718.4.1 SUICIDE PREVENTION COMMITTEE

The Detention Division recognizes that suicide prevention cannot be effective without good communication and collaboration between custody, mental health and medical staff. The main purpose of the Suicide Prevention Committee is to facilitate such communication.

The Suicide Prevention Committee will generally meet monthly and quarterly in the Quality Assurance meeting.

- (a) The Suicide Prevention Committee is chaired by the Detention Division's Administrative Captain or his/her designee.
- (b) The Suicide Prevention Committee is comprised of representatives from the medical vendor, mental health vendor, Detention Management, and the Mental Health Sergeant.

The Suicide Prevention Committee meets to provide input regarding all aspects of the Detention Division's suicide prevention and intervention strategies. The following topics, such as but not limited to these topics may be discussed:

- (a) Staff training
- (b) Identification
- (c) Policies and procedures
- (d) Referral
- (e) Evaluation
- (f) Treatment
- (g) Housing
- (h) Monitoring
- (i) Communication
- (j) Intervention

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- (k) Notification and reporting
- (l) Any other pertinent information

The Suicide Prevention Committee shall review any completed suicide or attempted suicide requiring off-site medical care or hospitalization within 30 days and, if necessary, assist in the implementation of corrective actions.

Additionally, an administrative review will be conducted by the Office for all completed suicides. The Suicide Prevention Committee shall be made aware of any corrective actions recommended as a result of this review.

#### 718.4.2 STAFF TRAINING

All Staff who have direct contact with incarcerated persons shall receive suicide prevention training.

All Correctional Staff receive training in standard first aid, cardiopulmonary resuscitation (CPR), automated external defibrillator (AED), and are trained in the use of various emergency equipment located inside and outside of the housing Modules/Units.

The Detention Division's Training Unit shall ensure all Sheriff's Office staff training hours are documented.

#### 718.4.3 COMMUNICATION

All Staff Members who receive any information from an incarcerated person or from any other source that indicate an incarcerated person has recently engaged in suicidal behavior, or in behavior which may deem an incarcerated person at risk, or observe any behavioral signs exhibited by an incarcerated person that may be indicative of suicidal behavior, these concerns must be immediately communicated to a Deputy and a mental health clinician shall be immediately notified. A Classification/Health Services Input form will be completed and submitted to the mental health vendor.

Medical staff will be notified anytime an incarcerated person is suicidal and/or at a high risk of suicide.

Any communication received from family or friends who are concerned for the safety of any incarcerated person shall be immediately communicated to a mental health clinician and appropriate custodial staff. A Classification/Health Services Input form will be completed and submitted to the mental health vendor. A mental health clinician will follow up with an interview of the incarcerated person.

#### 718.4.4 BOOKING AND INITIAL SCREENING

At Booking, staff members are trained to identify suicidal incarcerated persons or those who pose a high risk of suicide by taking into consideration the totality of all information received. The following are areas that may be of concern:

- (a) Affirmative answers to mental health screening questions.

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- (b) Currently intoxicated or in withdrawal from alcohol and/or other substances.
- (c) First incarceration.
- (d) Age-related concerns.
- (e) Legal problems (e.g., new charges, types of charges, additional sentences, institutional proceedings, denial of parole).
- (f) Receipt of bad news regarding self or family (e.g., serious illness, loss of a loved one).
- (g) Suffering humiliation (e.g., sexual assault, holding a position of status within the community) or rejection.
- (h) Staff observations and/or concerns.
- (i) Knowledge of past incarcerations.
- (j) Unsolicited input from other incarcerated persons.
- (k) Input from family members or friends.
- (l) Any other relevant information.

All arresting and/or transporting Officers/Deputies shall be asked the pre-booking medical screening questions by Deputies using the Arrest Report Form.

Any affirmative response(s) to any of these questions require an immediate referral to mental health and/or medical staff.

All arrestees charged with homicide, arson, vehicular manslaughter, child endangerment, or sexual abuse shall be referred to a mental health clinician for evaluation.

All arrestees shall be asked the medical and mental health screening questions on the Pre-Booking Medical/Mental Health Screening Form by Deputies. Any affirmative response(s) to any of the questions require an immediate referral to mental health and/or medical staff.

Deputies shall refer any arrestee to a mental health clinician who they observe to be disoriented/confused, despondent/depressed, severely anxious/afraid/agitated or to have developmental disabilities and will check the appropriate box on the Pre-Booking Medical/Mental Health Screening Form.

Correctional Staff shall ensure all incarcerated persons that will be housed are asked the questions on the Suicide Prevention Screening Guidelines Form.

If Deputies or Detention staff members receive any information from an arrestee or from any other source that indicate an arrestee has recently engaged in suicidal behavior, or in behavior which may deem an arrestee at risk, or observe any behavior signs exhibited by an arrestee that may be indicative of suicidal behavior or identifies any arrestee with possible suicide ideation, a mental health clinician shall immediately be notified. A Deputy shall maintain a line of sight observation of the arrestee until a mental health clinician can assess the arrestee to determine whether or not a suicide safety cell placement, an observation cell placement or any other type of intervention strategy is necessary.

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Signs are posted in the Booking Waiting area and in all the Booking Cells with the exception of the Safety Cells, notifying incarcerated persons to contact a staff member for any medical, mental health, or dental emergencies. For any non-emergent needs, incarcerated persons are asked to complete a Sick Call Request Form or a Request Form or ask a Deputy for assistance.

All arrestees found to be suicidal or at a high risk of suicide will be handled with appropriate sensitivity, supervision, medical and mental health referrals, emergency medical procedures, and the appropriate suicide prevention strategies.

#### 718.4.5 ONGOING IDENTIFICATION

The Detention Division recognizes the assessment of suicide risk should not be viewed as a single opportunity at Booking, but rather, as an ongoing process. Incarcerated persons may pose a risk of suicide at any time while in custody. Awareness, interaction, monitoring, and observation of incarcerated person behavior (expressed or displayed) are used to identify suicidal incarcerated persons until they are released.

Correctional Staff will refer an incarcerated person to a mental health clinician and will complete and submit a Classification/Health Services Input form when they observe behavior, expressed or displayed, that based on their training and experience causes a staff member to be concerned for the mental health and/or safety of any incarcerated person.

- (a) Correctional Staff are highly encouraged to trust their own judgment and incarcerated person observations of risk behavior and refer all incarcerated persons to a mental health clinician when they have such concerns and complete and submit a Classification/Health Services Input form.
- (b) Civilian Staff are also highly encouraged to trust their own judgment and incarcerated person observations of risk behavior, and refer all incarcerated persons when they have such concerns to a Deputy, who in turn will immediately make a referral to a mental health clinician and complete and submit a Classification/Health Services Input form.

Correctional Staff identifying any incarcerated person with possible suicide ideation shall immediately refer the incarcerated person to a mental health clinician. A Deputy shall maintain a line of sight observation of the incarcerated person until mental health staff can assess the incarcerated person to determine whether or not a safety cell placement, an observation cell placement or any other type of intervention strategy is necessary.

#### 718.4.6 REFERRAL AND EVALUATION

All incarcerated persons identified by a Staff Member as being "at risk" for self-harm at any time during their incarceration shall be immediately referred to a mental health clinician for a mental health evaluation. Until this evaluation takes place, a Deputy shall maintain a line of sight observation of the incarcerated person until mental health staff can assess the incarcerated person to determine whether or not a safety cell placement, an observation cell placement or any other type of intervention strategy is necessary.

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The mental health evaluation shall be conducted by a mental health clinician who will determine the level of suicide risk, level of supervision necessary, or the need to transfer an incarcerated person to an inpatient mental health facility. The evaluation shall be documented in the medical record of the incarcerated person.

Court Movement Deputies will refer any incarcerated person whom they observe to be depressed, despondent, receives a significant sentence, or bad news after a court appearance, to a mental health clinician for a mental health evaluation and must complete and submit a Classification/Health Services Input form. The Court Movement Deputy must notify the responsible Sergeant and the housing Deputy.

Medical staff will refer any incarcerated person to a mental health clinician for a mental health evaluation when they have concerns for the mental health and/or welfare of the incarcerated person. Additionally, medical staff will make a referral to the mental health vendor when an incarcerated person delivers a baby while incarcerated.

#### 718.4.7 HOUSING, PLACEMENT, AND RESTRICTIONS

Incarcerated persons identified as being a risk of suicide require closer supervision in a setting that minimizes opportunities for self-harm. Correctional Staff with concurrence from mental health and/or medical staff will discuss the most appropriate housing location for the incarcerated person. Every incarcerated person is different, and every situation is different, and all housing assignments will be carefully evaluated on a case-by-case basis, with the safety of the incarcerated person being the paramount concern.

The Detention Division recognizes incarcerated persons may be discouraged from expressing any suicidal intentions if the consequences of reporting those intentions are unpleasant and/or believed by the incarcerated person to be punitive. All restrictions will be evaluated on a case by case basis, with the least restrictive housing option and restrictions being used, that also provide for the necessary level of safety for the incarcerated person.

Housing options for incarcerated persons at a risk of suicide shall carefully take into consideration the isolation aspects of the housing assignment. The following strategies will be used to reduce the amount of time an incarcerated person is isolated and/or feels isolated in their cell.

- (a) Incarcerated persons identified at a risk of suicide may be housed in a cell with another incarcerated person to reduce or eliminate the degradation that can occur when incarcerated persons feel isolated. Housing incarcerated persons with another incarcerated person has proven to be an effective suicide prevention tool, because incarcerated persons are less likely to successfully harm themselves when housed with another incarcerated person.
- (b) The Mental Health Sergeant will work collaboratively with Correctional Staff and the mental health vendor to maximize the amount of time incarcerated persons are out of their cells. Many different methodologies and strategies will be utilized to accomplish this goal, but under no circumstances will the safety and security of incarcerated persons and staff be unduly compromised.

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Acutely suicidal incarcerated persons may be placed into a restraint chair with the concurrence from mental health and medical staff to prevent an incarcerated person from causing self-harm.

Acutely suicidal incarcerated persons may be placed in a Safety Cell with the concurrence from mental health and medical staff to prevent an incarcerated person from causing-self harm.

Incarcerated persons identified as being a risk of suicide may be placed into an Observation Cell.

Only a mental health clinician has the authority to release an incarcerated person from a Safety Cell or an Observation Cell that is on suicide watch or on suicide precautions. This requires a clinical assessment and documentation process that must be followed by the mental health vendor to include a follow up interview with the incarcerated person, which must be completed within 48 hours to assess for any residual level of suicide ideation.

#### 718.4.8 MONITORING DEPENDING ON LEVEL OF SUICIDE RISK

An acutely suicidal incarcerated person and/or an incarcerated person at risk of suicide placed in a Restraint Chair, Safety Cell or an Observation Cell requires intermittent direct visual observation rounds completed by Correctional Staff at least two times every 30 minutes, with no more than a 15-minute lapse between safety checks.

The mental health vendor tracks all incarcerated persons identified at a heightened risk of suicide and will ensure the necessary level of follow up interviews and treatment are provided.

The mental health vendor is responsible to ensure clinicians perform wellness checks at least three times a week of the Administration Segregation Modules, and that these checks are documented.

#### 718.4.9 TREATMENT

The mental health vendor is responsible to ensure all incarcerated persons receive mental health services to address the underlying reasons for their suicide ideation to include a treatment plan when an incarcerated person is at a heightened risk of suicide, as well as follow up treatment interventions and monitoring strategies to reduce the likelihood of a relapse.

Incarcerated person programming has proven to be therapeutic and therefore every effort will be made to ensure incarcerated persons at risk of suicide will be provided with the fullest opportunity to participate in such programs. However, it is not uncommon for some incarcerated persons, based on legitimate safety and security reasons, not to be allowed to participate in some or any programming.

#### 718.4.10 HYGIENE AND PRIVACY

Incarcerated persons at risk of suicide will be provided with the ability to shower, perform bodily functions and change clothing with as much privacy as possible under the continuous observation of staff, and without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or due to incidental viewing. Refer to: Prison Rape Elimination Act (PREA) policy.

Although Deputies of the opposite gender are assigned to monitor incarcerated persons in Safety Cells and Observation Cells, Deputies have been trained on the procedures to be utilized to

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provide the above-mentioned privacy, without creating a safety risk for the incarcerated person or comprising the safety of staff. Any cross-gender observations by staff shall be documented in an incident report.

#### 718.4.11 HANDLING A SUICIDE OR AN ATTEMPTED SUICIDE

When a staff member becomes aware an incarcerated person is attempting suicide or appears to have committed suicide, he/she will immediately announce over the radio, or by any other communication method at his/her disposal, the exact location of the incident. Available backup Deputies, the Sergeant responsible for the area, and Medical Staff shall immediately respond to the area of the incident. When an appropriate number of backup Deputies have arrived for an incarcerated person who has attempted suicide and the incarcerated person is under control, Correctional Staff and/or Medical Staff will immediately begin providing medical aid and/or life saving measures.

The Sergeant will contact a mental health clinician and advise him/her of the incident. A mental health clinician will immediately respond to the incident.

If the incarcerated person requires hospitalization, the Sergeant will make the appropriate arrangements.

The MADF or NCDF Sergeant will notify the MADF Watch Commander of all attempted suicides that require off-site hospitalization and/or a completed suicide with all pertinent information. The MADF Watch Commander shall notify the Facility Manager who in turn shall notify the Assistant Sheriff. A completed suicide must be immediately reported to the Sheriff or his/her designee through the chain of command.

The Watch Commander may contact Sheriff's Dispatch and request a Deputy respond, take a report and gather any necessary evidence. If deemed necessary, the incident scene shall be secured to maintain the integrity of the evidence contained within. The scene will be released by the Watch Commander to resume normal operations only after all necessary evidence has been collected.

If the incarcerated person does not require hospitalization, a mental health clinician will conduct an evaluation of the incarcerated person to determine his/her mental health status, recommend an appropriate housing location, and develop a treatment plan. Incarcerated persons housed at the NCDF shall be transferred back to the MADF for appropriate mental health follow-up and treatment.

The Deputy who first arrived at the scene of the incident will write an Incident Report and, if deemed necessary, enter a brief account of the incident in the Activity Log and complete and submit a Classification/Health Services Input form. If the Staff Member discovering the incident is a civilian staff member, he/she shall be directed to write a civilian incident report. A non-involved Deputy must write the face page of any completed suicide report.

The Sergeant and Watch Commander will make entries in the appropriate Activity Logs.

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##### 718.4.12 CRITICAL INCIDENT DEBRIEFING/FOLLOW-UP

A critical incident debriefing following a completed suicide will be offered to all affected incarcerated persons within 24 to 72 hours after the critical incident.

A critical incident debriefing following an attempted suicide may be offered to all affected incarcerated persons within 24 to 72 hours after the incident, at the discretion of the Watch Commander and/or the Facility Manager.

##### 718.4.13 TIME SERVED RELEASE OF A SUICIDAL INCARCERATED PERSON

If an incarcerated person on suicide observation becomes eligible for release from custody, the incarcerated person must be evaluated by a mental health clinician to determine whether the incarcerated person meets the criteria for a 5150. If the incarcerated person meets the 5150 criteria, the incarcerated person must be transferred to an appropriate psychiatric facility or medical facility on a 5150, after custody has completed the release process of the incarcerated person.

If staff have concerns for the safety of the incarcerated person from self-harm of an incarcerated person eligible for release from custody, staff shall notify the mental health vendor of those concerns before the incarcerated person is released. A Classification/Health Services Input form must be completed and submitted, and the incarcerated person must be evaluated by the mental health vendor before the incarcerated person is released from custody.

## Inmate Death - Clinical Care Review

### 719.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the actions and notifications required in the event of an in-custody death and the medical care received by the inmate. The policy requires that a review of all in-custody deaths be conducted to assess the appropriateness of the clinical care provided and the effectiveness of the facility's policies and procedures.

#### 719.1.1 DEFINITIONS

Definitions related to this policy include:

**Administrative review** - An assessment of the facility's emergency response actions surrounding the death of an inmate. The purpose of the administrative review is to identify areas where operations, policies and procedures may be improved.

**Clinical mortality review (CMR)** - An assessment of the medical condition of the inmate prior to treatment, the clinical care provided by contractors and the circumstances of the death. The purpose of the CMR is to identify areas of patient care or system policies and procedures that may be improved.

**Psychological autopsy** - A written reconstruction of an inmate's life with an emphasis on factors that may have contributed to his/her death. This is sometimes referred to as a psychological reconstruction and is usually conducted by a psychologist or other qualified mental health care professional.

### 719.2 POLICY

It is the policy of this office that all in-custody deaths are reviewed to determine the appropriateness of the clinical care provided, to determine whether existing policies are appropriate or if revision is necessary and to identify any other issues associated with the circumstances of the death (15 CCR 1046(a)).

### 719.3 NOTIFICATIONS

In the event of an in-custody death, the Watch Commander shall make appropriate notifications pursuant to the Office Major Incident Notification Policy.

The Responsible Physician should also be notified and should coordinate with the Watch Commander, who will be responsible for notifying his/her chain of command regarding all medical issues surrounding the in-custody death.

Information regarding the individual designated by the deceased inmate for notification should be provided to the Coroner or the authorized designee, who is charged with the responsibility of making such notifications.

### 719.4 DOCUMENTATION

The qualified health care professional on-duty at the time of the in-custody death shall ensure that all witnessed facts concerning the death are documented on the inmate's health record. Written

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documentation should include, but is not limited to, the time of death, the preceding circumstances surrounding the death, nature of the death, treatment rendered and who was notified of the death and by whom.

#### **719.5 CLOSING THE MEDICAL RECORD**

The Responsible Physician should review the inmate's health record to ensure appropriate entries have been made, and within 24 hours of the death have the original and a complete copy of the medical record made and delivered as follows:

- (a) Seal the original in an envelope and retain in the custody of the Responsible Physician.
- (b) Send the copy to the facility for inclusion into the inmate file and retain in accordance with established records retention schedules.

#### **719.6 DEATH BY SUICIDE**

In the event of a suspected inmate suicide, the qualified health care professional shall make a report within 24 hours to the Responsible Physician containing:

- (a) The inmate's known mental health history.
- (b) The most recent known mental health treatment.
- (c) All known circumstances surrounding the suicide.

A psychological autopsy should be conducted by a qualified mental health care professional if the cause of death is determined to be a suicide.

The initial CMR should be conducted by the Responsible Physician and, if available, a mental health care professional. The CMR should be finalized within 30 days by the Responsible Physician. The findings should be shared with the treating staff.

#### **719.7 DEATH REVIEW**

All deaths should be reviewed within 30 days. The review shall consist of an administrative review, a CMR and a psychological autopsy if the death was by suicide.

Treating staff shall be informed of the CMR and the administrative review findings at the quarterly continuous quality improvement meeting.

Corrective actions identified through the CMR should be implemented and monitored in accordance with policy.

## Medical Equipment and Supply Control

### 720.1 PURPOSE AND SCOPE

This policy outlines the control and inventory process to be utilized in accounting for all medical equipment and supplies. Medical equipment and supplies can pose a hazard for both the inmate population and the staff. Unauthorized possession of medical equipment and supplies constitutes possession of contraband (15 CCR 1029(a)(6)). Unauthorized use of medical equipment and supplies violates inmate rules detailed in the inmate handbook. Since it is necessary to have a well-stocked medical space within the secure perimeter of the facility, there must be a plan to ensure that equipment and medical supplies are accounted for and tightly controlled.

### 720.2 POLICY

It is the policy of this office that all medical equipment, including sharps, dental instruments, needles and other items must be tightly controlled so they cannot be used as weapons or to facilitate the injection of drugs or other substances (15 CCR 1029(a)(6)). Additionally, these tools and supplies must be controlled to prevent exposure to biohazards.

### 720.3 STAFF RESPONSIBILITIES

It is the responsibility of the Facility Manager to ensure that the inmate handbook clearly defines the unauthorized possession and/or use of medical equipment and supplies as a rule violation that may result in discipline.

The Responsible Physician or the authorized designee shall create and maintain inventory logs for all medical equipment and supplies. These logs will be utilized by medical personnel who work within the facility to track and control medical equipment and supplies. When not in use, all medical equipment and supplies shall be stored in a secure manner to prevent unauthorized access.

If there is a discrepancy that indicates that medical supplies or equipment are missing, the supervisor shall be immediately notified. The supervisor shall initiate a search for the missing supplies and/or equipment. The supervisor shall document the incident and any actions taken and provide the Watch Commander with a complete report.

## Continuation of Care

### 721.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a proactive health system in the facility that fosters the continuation of health care needs that, if discontinued, would have a negative effect on the health of the incarcerated person. The sole objective is to maintain or improve the health of the incarcerated persons. This policy is intended to ensure that incarcerated persons receive health services in keeping with current community standards as ordered by qualified health care professionals.

### 721.2 POLICY

It is the policy of this office that all incarcerated persons shall have access to the continuation of care for a health issue, provided the treatment plan meets community standards. The incarcerated person's health care needs will be assessed by qualified health care professionals and continued as determined or referred after release (15 CCR 1206.5(a); 15 CCR 1210).

### 721.3 CONTINUATION OF CARE

The Detention Division Assistant Sheriff is responsible for coordinating with the Responsible Health Authority to ensure that all inmates receive appropriate health care, including, but not limited to:

- (a) Newly booked inmates shall have a medical screening as part of the booking and classification process. This screening includes documentation of acute or chronic health issues or conditions, existing injuries and medications or treatments the inmate is currently receiving.
  - 1. Any prior detention facility health records, including those from other facilities, should be reviewed.
  - 2. Current medications will be verified and continued as deemed appropriate by the Responsible Physician or the authorized designee.
- (b) A health assessment is completed on or before the 14th day of continuous incarceration.
- (c) Individual treatment plans are used to guide treatment.
  - 1. Custody staff shall be informed of the treatment plan when necessary to ensure coordination and cooperation in the ongoing care of the inmate.
- (d) Reasonable effort should be made to obtain information and records relating to previous health care professionals, with the consent of the inmate, if the inmate is currently under medical care.
- (e) Upon transfer to another facility, a medical discharge summary of the inmate's current condition, medications and treatment plan will be forwarded in a sealed envelope (to maintain confidentiality) to the receiving facility.
- (f) Response to requests for health information from medical facilities and health care professionals, with the inmate's written consent.

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- (g) When inmates are sent out of the facility for emergency or specialty medical treatment, written information regarding the inmate's reason for transfer, pertinent medical problems and list of current medications should be sent with the inmate and may be given to those providing care upon request. The name and telephone number of a contact person the medical facility can call should be included with the patient health information. Upon the inmate's return to the facility, treatment recommendations should be reviewed by the Responsible Physician, or the authorized designee and appropriate plans should be made for continuing care in the facility based on the treating facility's diagnosis, recommended medications and other treatment.
- (h) Upon release from the facility, inmates should be given written instructions for the continuation of care including, but not limited to:
  - 1. The name and contact information of health care facilities for follow-up appointments.
  - 2. Prescriptions and/or an adequate supply of medication for those with chronic medical or psychiatric conditions.

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# Informed Consent and Right to Refuse Medical Care

## 722.1 PURPOSE AND SCOPE

This policy recognizes that incarcerated persons have a right to make informed decisions regarding their health care. It establishes the conditions under which informed consent should be obtained prior to treatment, when medical care may proceed without consent, the documentation process for the refusal of medical care, and the retention of refusal forms.

### 722.1.1 DEFINITIONS

Definitions related to this policy include:

**Informed consent** - The written agreement by an incarcerated person to a treatment, examination, or procedure. Consent is sought after the incarcerated person has received the material facts about the nature, consequences, and risks of the proposed treatment, the examination or procedure, the alternatives to the treatment, and the prognosis if the proposed treatment is not undertaken, in a language understood by the person.

## 722.2 POLICY

It is the policy of this office that generally, all health care examinations, treatments, and procedures shall be conducted with the informed consent of the incarcerated person. Exceptions include emergencies, life-threatening conditions, and a court order (15 CCR 1214).

## 722.3 INFORMED CONSENT

The qualified health care professional initiating treatment shall inform the incarcerated person of the nature of the treatment and its possible side effects and risks, as well as the risks associated with not having the treatment.

For invasive procedures or any treatment where there is some risk to the incarcerated person, informed consent is documented on a written form containing the signatures of the person and a health services staff witness.

A signed informed consent shall be obtained and witnessed by the prescribing psychiatrist for the initiation of psychotropic medication.

Appropriate arrangements shall be made to provide language translation services as needed before an incarcerated person signs any informed consent form.

For minors and conservatees, the informed consent of a parent, guardian, or legal custodian applies where required by law. Absent informed consent in non-emergency situations, a court order is required before involuntary treatment can be administered to an incarcerated person.

## 722.4 REFUSAL OF TREATMENT

When an incarcerated person refuses medical, mental health, or dental treatment or medication, they shall be counseled by a qualified health care professional regarding the necessity of the

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treatment/medication and the consequences of refusal. The incarcerated person shall then be requested to sign a form acknowledging that the person refused an examination and/or treatment.

The form shall be filled out completely by the qualified health care professional and include the incarcerated person's name, booking number, treatment/medication refused, the risks or consequences of refusal.. The form must be signed by the incarcerated person and a witness.

In the event that the incarcerated person refuses to sign, a notation to this effect shall be documented on the incarcerated person signature line. This shall require a signed acknowledgement by two witnesses.

The completed form is to be placed in the incarcerated person's medical record.

It is the responsibility of the qualified health care professional to refer all refusal forms to the Responsible Physician.

Any time there is a concern about the decision-making capacity of the incarcerated person, an evaluation shall be conducted by a qualified health care professional, particularly if the refusal is for critical or acute care.

Any time an incarcerated person refuses to take their medication, attend sick call, or attend a scheduled medical appointment, a signed refusal must be obtained by the qualified health care professional.

The refusal form shall be a permanent part of the incarcerated person's medical record.

The incarcerated person may revoke their refusal at any time.

#### 722.4.1 STERILIZATION

This office shall not perform any sterilization procedure on an incarcerated person, without the person's consent, unless the procedure is necessary to save the person's life. A sterilization procedure may be performed with the incarcerated person's consent under the following conditions (Penal Code § 3440(b)):

- (a) Less invasive measures are not available, have been refused by the incarcerated person, or have been deemed unsuccessful.
- (b) A second physician, approved to provide medical services for the facility but not employed by the county, confirms the need for the procedure.
- (c) The incarcerated person has been advised of the impact and side effects of the procedure, and that refusal will not affect the person's ability to receive future medical treatment.

If a sterilization procedure is performed, this office shall provide psychological consultation before and after the procedure, as well as the appropriate medical follow-up (Penal Code § 3440(c)).

If a sterilization procedure is performed on an inmate, the Office shall, annually publish on its Internet Web site data related to the number of sterilizations performed, disaggregated by race, age, medical justification, and method of sterilization (Penal Code § 3440(d)).

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The Administrative Lieutenant shall also submit data annually to the Board of State and Community Corrections regarding the race, age, medical justification, and method of sterilization for any sterilization procedure performed (Penal Code § 3440(d)).

#### 722.4.2 INVOLUNTARY ADMINISTRATION OF PSYCHOTROPIC MEDICATION

Psychotropic medication may only be administered involuntarily to an incarcerated person in a Sonoma County Detention Facility in the following circumstances.

The basis or justification for involuntary administration of medication to an incarcerated person should be documented in the incarcerated person's health care record and tracked by the Watch Commander.

The duration, review and renewal of an order authorizing involuntary medication may vary depending on the status of the incarcerated person's mental condition, criminal case, and sentence pursuant to Penal Code sections 1370 and 2603, The Lanterman-Petris-Short Act, or the Probate Code. Custody staff should carefully review the justification for involuntary medication prior to every involuntary medication administration on an incarcerated person, including any court orders or other papers, to ensure they contain all necessary terms and have not expired. Any questions should be directed to the Watch Commander. If the Watch Commander has questions regarding the appropriateness of involuntarily medicating an incarcerated person, they should consult with County Counsel.

##### A. COURT ORDERED COMPETENCY MEDICATION (PENAL CODE 1370):

1. The Court can enter an order authorizing the administration of antipsychotic medication as needed, including on an involuntary basis, under the direction and supervision of a licensed psychiatrist at any facility housing the incarcerated person, including the county jail, who has been found incompetent and unable to stand trial, pursuant to the conditions set forth in Penal Code section 1370 as part of the effort to restore the inmate to competency.

##### B. EMERGENCY INVOLUNTARY MEDICATION (PENAL CODE 2603(d))

1. If contracted medical and mental health staff identify a sudden and marked change in an incarcerated person's mental condition that necessitates immediate action for the preservation of life or the prevention of serious bodily harm to the incarcerated person or others, and if it is impractical to first obtain informed consent due to the seriousness of the emergency, psychiatric medication may be administered without the incarcerated person's consent under the direction and supervision of a licensed physician at any facility housing the incarcerated person, including the county jail. The medication administered shall only be what is required to treat the emergency condition and administered for only as long as the emergency continues to exist. If medication is necessary beyond 72 hours, an ex parte court order shall be sought to allow the continuance of the medication pursuant to Penal Code sections 2603(d)(2),(3), until a hearing is held within 21 days pursuant to Penal Code section 2603(c)(6). (15 CCR 1217). Medical staff will advise the Watch Commander of any request for such an ex parte order. The Watch Commander will then notify

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County Counsel as soon as possible so county Counsel can prepare the ex parte paperwork for submission to the Court.

#### C. NON-EMERGENCY INVOLUNTARY MEDICATION (PENAL CODE 2603(c))

1. In non-emergency situations, the Court can enter an order authorizing contracted medical and mental health staff to provide psychiatric medication to an incarcerated person pursuant to Penal Code section 2603(c) absent the incarcerated person's consent, after a court hearing that determines all of the following:
  - (a) the incarcerated person has a serious mental disorder, and as a result of that disorder
  - (b) the incarcerated person is gravely disabled and lacks the capacity to refuse treatment and/or is a danger to self or others if not medicated,
  - (c) there is no less intrusive alternative to involuntary medication,
  - (d) the medication is in the incarcerated person's best interest,
  - (e) the incarcerated person has been advised of the risks and benefits of the psychiatric medication, and treatment alternatives, and refuses or is unable to consent to the administration of the medication,
  - (f) a documented attempt has been made to locate an available bed in a community-based treatment facility able to provide care for the mental and physical health needs of the incarcerated person and accept transfers from correctional facilities, in lieu of seeking to administer involuntary medication, and
  - (g) the incarcerated person is provided counsel as set forth in Penal Code section 2603(c)(7),
  - (h) the incarcerated person and counsel are provided written notice as required in Penal Code section 2603(c)(8).
2. Medical staff will advise the Water Commander of any request for an involuntary medication order pursuant to Penal Code section 2603(c). The Watch Commander will then notify County Counsel as soon as possible so County Counsel can prepare the petition for submission to the Court.

#### D. 72-HOUR HOLDS (WELFARE AND INSTITUTIONS CODE 5150)

1. An incarcerated person who may have a mental health disorder may be taken to a designated facility for a 72-hour treatment and evaluation to Welfare and Institutions Code section 5150. Jail staff inform the facility in writing, which shall be confidential, of the reason that the incarcerated person is being taken to the facility. (Penal Code § 4011.6).
2. The Sonoma County Detention Facilities are not designated LPS facilities for 72-hour treatment and evaluation pursuant to Welfare and Institutions Code section 5150.

#### E. LPS CONSERVATOR SHIP (LANTERMAN-PETRIS-SHORT ACT)

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1. If the incarcerated person is subject to a LPS conservatorship, the LPS conservator may authorize the administration of involuntary medication to the incarcerated person consistent with the provisions of the Lanterman-Petris-Short Act, Welfare & Institutions Code sections 5000 et. seq. Any such request by an LPS conservator will be directed to the Watch Commander for review and approval. If the Watch Commander has questions regarding the appropriateness of involuntary medicating an incarcerated person pursuant to an LPS conservatorship, they should consult with County Counsel.

#### **722.4.3 INVOLUNTARY ADMINISTRATION OF NON-PSYCHOTROPIC MEDICATION (PROBATE CODE 3200)**

If an incarcerated person, who does not have a conservator, (a) has an existing or continuing health condition that requires recommended health care, (b) if untreated there is a probability that the condition will become life-endangering or result in a serious threat to the physical or mental health of the person, and (c) the incarcerated person is unable to consent to the recommended health care, a petition may be filed with the court to determine that the incarcerated person lacks the capacity to make a health care decision concerning specified treatment for an existing or continuing condition, and for an order authorizing a designated person to make a health care decision on behalf of the patient pursuant to Probate Code sections 3200 et.seq.

The incarcerated person may not be placed in a mental health treatment facility under the provisions of Probate Code sections 3200 et.seq.

Any request to file such a petition will be directed to the Detention Administrative Lieutenant for review and approval. The Administrative Lieutenant will then notify County Counsel to prepare the petition for submission to the Court.

#### **722.5 RECORDS**

The Facility Manager or the authorized designee shall work with the Responsible Physician to develop medical care consent and refusal forms and a system for retaining records in the incarcerated person's health file in accordance with established records retention schedules.

## Management of Health Records

### 723.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform manner of maintaining the active health records of inmates for easy accessibility during clinical treatment, and the storage methods for inactive health records. This policy also addresses practices that will ensure the confidentiality of health record information by separating it from custody records.

#### 723.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected health information** - Information that relates to the inmate's past, present or future physical or mental health or condition, the provision of medical care to the inmate, or the past, present or future payment for the provision of health care to the inmate (45 CFR 160.103).

### 723.2 POLICY

It is the policy of this office to maintain the confidentiality of inmates' protected health information. Inmate health records will be maintained separately from custody records and under secure conditions, in compliance with all local, state and federal requirements.

The Responsible Health Authority or the authorized designee will establish standardized facility procedures for recording information in the file and for the control and access to inmate health records. Inmate workers shall not have any access to inmate health records.

### 723.3 INITIATING A HEALTH RECORD

Following the initial medical screening process, the qualified health care professional shall initiate a health record for each inmate. The Responsible Health Authority shall be responsible for developing and implementing procedures for standardized record formatting (15 CCR 1205 et seq.).

### 723.4 CONFIDENTIALITY OF INMATE HEALTH RECORDS

Information regarding an inmate's health status is confidential. Active health records shall be maintained separately from custody records. Access to an inmate's health record shall be in accordance with state and federal law (Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law 104-191 and the implementing regulations) (15 CCR 1205(d)).

The inmate's protected health information may be disclosed, with the inmate's written authorization, to any person so designated. A fully completed authorization for release and/or a disclosure of protected health information form shall be required prior to disclosure based upon informed consent (15 CCR 1205(b) et seq.).

The inmate's protected health information may be disclosed by the qualified health care professional without the inmate's authorization under certain circumstances and when approved by the Responsible Health Authority or the authorized designee. Those circumstances include:

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- (a) To known qualified health care professionals who are members of the health care team responsible for the inmate's care.
- (b) To custody staff regarding inmates as reasonably necessary to protect the safety, security and good order of the facility. Examples may include information that the inmate may be:
  - 1. Suicidal.
  - 2. Homicidal.
  - 3. A clear custodial risk.
  - 4. A clear danger of injury to self or others.
  - 5. Gravely disabled.
  - 6. Receiving psychotropic medications.
  - 7. A communicable disease risk.
  - 8. In need of special housing.
- (c) To the local public health officer when an inmate is part of a communicable disease investigation.
- (d) Pursuant to a court order or valid subpoena duces tecum, accompanied by satisfactory assurance that the inmate has been given notice and an opportunity to file an objection or efforts have been made to secure a protective order as required under HIPAA (45 CFR 164.512).
- (e) To a law enforcement officer for purposes of a criminal investigation, to avert a serious threat to the health or safety of any person or to fulfill mandatory reporting requirements.
- (f) To a law enforcement officer when the inmate has died as a result of criminal conduct.

The inmate's limited protected health information may also be disclosed to a law enforcement officer for purposes of identifying or locating a suspect or when the inmate is a victim of a crime. When reasonably possible, the approval of the Detention Division Assistant Sheriff should be obtained prior to disclosure.

Attorneys requesting health record information regarding an inmate shall be advised that an authorization for release and/or a disclosure of medical information form or an attorney release form signed by the inmate is required.

Family members may be informed of the inmate's custody status and whether the inmate is receiving medical care. Family members requesting additional information must provide a proper authorization for release and/or disclosure of medical information form.

#### 723.4.1 ADDITIONAL STATE PRIVACY PROTECTIONS

The health services administrator and Responsible Physician or the authorized designee shall ensure that privacy protections comply with state law requirements regarding privacy and confidentiality applicable to the specific type of medical records requested, including:

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- (a) Records associated with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS) (Health and Safety Code § 121025).
- (b) Records of patients in alcohol or substance abuse treatment programs (Health and Safety Code § 11845.5).

#### **723.5 HEALTH RECORD CONTENTS**

- (a) To standardize record keeping and to identify responsibilities, the following should apply to inmate health records (15 CCR 1205):
  - 1. The qualified health care professional or the authorized designee should be responsible for ensuring that all required information and forms are included in the medical records.
  - 2. The qualified health care professional or the authorized designee should be responsible for ensuring incoming written findings and recommendations are returned with the inmate from any off-site visit and filed in the inmate's medical record.
- (b) Inmate health records shall minimally contain, but are not limited to:
  - 1. Identifying information (e.g., inmate name, identification number, date of birth, sex).
  - 2. Receiving screening form/history.
  - 3. Health evaluation reports.
  - 4. Complaints of illness or injury.
  - 5. Names of personnel who treat, prescribe, and/or administer/deliver prescription medication.
  - 6. Location where treated.
  - 7. Medication records in conformance with 15 CCR 1216.

#### **723.6 HIPAA COMPLIANCE**

The Detention Division Assistant Sheriff, in consultation with the Responsible Health Authority, shall ensure that a health record protection and disclosure compliance plan conforming to the requirements of HIPAA is prepared and maintained.

# Incarcerated Person Health Care Communication

## 724.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain effective communication between the treating qualified health care professionals and custody personnel. This communication is essential at all levels of the organization to ensure the health and safety of all occupants of the facility.

## 724.2 POLICY

It is the policy of this office that effective communication shall occur between the Facility Manager and/or authorized designee and the treating qualified health care professionals regarding any significant health issues of an inmate. All health issues should be considered during classification and housing decisions in order to preserve the health and safety of the occupants of this facility.

When a qualified health care professional recognizes that an inmate will require accommodation due to a medical or mental health condition, custody personnel shall be promptly notified in writing.

## 724.3 MANAGING SPECIAL NEEDS INMATES

Upon an inmate's arrival at the facility, the qualified health care professional, in conjunction with the custody staff, should determine if the inmate has any special needs.

- (a) If staff determines that an inmate has special needs, a Classification Input or other appropriate documentation relating to special needs should be completed and sent to classification personnel, and/or ADA Coordinator, as appropriate. This is to ensure that the inmate is assigned to a housing unit that is equipped to meet his/her special needs.
- (b) The qualified health care professional should arrange for the appropriate follow-up evaluation.
- (c) The health care of special needs inmates should be continuous and ongoing. At minimum, the inmate should be seen by the Responsible Physician or a qualified health care professional at least once every 90 days to evaluate his/her continued designation as a special needs inmate.
- (d) Prior to transfer to another facility, a medical transfer summary should be completed detailing any special requirements that should be considered while the inmate is in transit and upon his/her arrival at the destination. Discharge planning should be included, as appropriate.
- (e) A treatment plan should be developed for each inmate and should include, at a minimum:
  1. The frequency of follow-up for medical evaluation based on disease control.
  2. Monitoring the patient's condition and status and taking action to improve patient outcome.
  3. The type and frequency of diagnostic testing and therapeutic regimens.

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4. When appropriate, instructions about diet, exercise, adaptation to the correctional environment and using prescribed medications.
  5. Clinically justifying any deviation from the protocol.
- (f) When clinically indicated, the qualified health care professionals and the custody personnel should consult regarding the condition and capabilities of inmates with known medical and/or psychiatric illnesses or developmental disabilities prior to any of the following:
1. Housing assignment
  2. Program or job assignment
  3. Admissions to, and transfers from or between institutions
  4. Disciplinary measures for mentally ill patients
- (g) Qualified health care professionals and custody personnel should communicate about inmates who require special accommodation. These include, but are not limited to, inmates who are:
1. Chronically ill
  2. Undergoing dialysis
  3. In an adult facility, as an adolescent
  4. Infected with a communicable disease
  5. Physically disabled
  6. Pregnant
  7. Frail or elderly
  8. Terminally ill
  9. Mentally ill or suicidal
  10. Developmentally disabled

#### **724.4 NOTIFICATION TO SUPERVISORS**

In the event that there is no mutual agreement regarding an individual or group of incarcerated persons who require special accommodation for medical or mental health conditions, supervisors in the respective chain of command within the health care and custody staff should address these issues.

#### **724.5 NOTIFICATION TO THE SHERIFF FOR MEDICAL RELEASE**

Supervisors, through the chain of command, should advise the Sheriff when a terminally ill incarcerated person may be appropriate for early release or medical probation under Government Code § 26605.6 because the incarcerated person would not reasonably pose a threat to public safety and the person has a life expectancy of six months or less, or the person requires 24-hour care or acute long-term inpatient rehabilitation services.

## Forensic Evidence

### 725.1 PURPOSE AND SCOPE

The purpose of this policy is to maintain credibility between the incarcerated persons and the facility's qualified health care professionals by establishing clear guidelines restricting facility health care professionals from participating in the collection of forensic evidence for disciplinary or legal proceedings.

#### 725.1.1 DEFINITION

Definitions related to this policy include:

**Forensic evidence** - Physical or psychological data collected from an incarcerated person that may be used against the incarcerated person in disciplinary or legal proceedings.

### 725.2 POLICY

Forensic medical services, including drawing of blood alcohol samples, body cavity searches, and other functions for the purpose of prosecution shall not be performed by medical personnel responsible for providing ongoing care to the inmates (15CCR1206(o)).

Qualified health care professionals of this facility are generally prohibited from participating in the collection of forensic evidence or performing psychological evaluations for disciplinary or legal proceedings.

Qualified health care professionals of this facility should not be involved in the collection of forensic evidence except when complying with state laws requiring the collection of blood samples from inmates, provided the inmate has consented to the procedure and staff are not involved in any punitive action against the inmate.

Qualified health care professionals of this facility may collect blood or urine for testing for alcohol or drugs when it is done for medical purposes and under a physician's order. Qualified health care professionals of this facility may conduct inmate-specific, court-ordered laboratory tests and examinations or radiology procedures with the consent of the inmate.

Qualified health care professionals of this facility are prohibited from being involved in the following procedures:

- (a) Body cavity searches
- (b) Psychological evaluations for use in adversarial proceedings
- (c) Blood draws for lab studies ordered by the court, without inmate consent
- (d) Any medical procedure, except emergency lifesaving measures, that does not have the inmate's written consent
  1. Body cavity searches
  2. Psychological evaluation for the purpose of use in adversarial proceeding

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#### *Forensic Evidence*

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3. Blood drawing for lab studies not ordered by the court or without the patient's consent
4. Removal of Taser barbs that are to be retained as evidence by custody staff
5. In the case of sexual abuse, gathering evidence from the victim with his or her consent. Victims of sexual abuse will be referred to a community facility or local emergency room for treatment and gathering of forensic evidence.

It shall be the responsibility of the Sheriff or the authorized designee to arrange for appropriately trained professionals to collect forensic evidence for disciplinary or legal proceedings.

## Oral Care

### 726.1 PURPOSE AND SCOPE

The intent of this policy is to ensure that incarcerated persons have access to dental care and treatment for serious dental needs. While the focus of this policy is primarily on urgent and emergent dental care, as with medical or mental health care, dental care is available based upon patient need.

### 726.2 POLICY

It is the policy of this office that oral care is provided under the direction of a dentist licensed in this state and that care is timely and includes immediate access for urgent or painful conditions. There are established priorities for care when, in the dentist's judgment, the incarcerated person's health would otherwise be adversely affected (15 CCR 1215).

### 726.3 ACCESS TO DENTAL SERVICES

Emergency and medically required dental care is provided to each inmate upon request. Dental services are not limited to extractions (15 CCR 1215).

Access to dental services should be as follows:

- (a) All inmates wishing to see the dentist for a non-emergency issue shall complete a sick call form. Requests should be triaged according to the nature and severity of the problem and should be seen by a dentist according to assigned priority.
- (b) If an inmate suffers obvious trauma or other dental emergency, the qualified health care professional may arrange for immediate access to a dentist or may transfer the inmate to an emergency room for treatment.
- (c) Records documenting all dental treatment should be maintained in the inmate's medical record file and retained in accordance with established records retention schedules. Examination results should be recorded on a uniform dental record using a numbered system.
- (d) Medications prescribed by a dentist should be administered in accordance with pharmacy procedures and documented in the inmate's medical record.
- (e) Necessary dental services identified by a dentist that are not available on-site should be provided by referral to community resources as deemed necessary by the facility dentist.

### 726.4 DENTAL CARE OPTIONS

Inmates should be offered a dental screening by a qualified health care professional or a dentist within 14 days of incarceration. This dental screening should include an evaluation of the current dental status and instruction on oral hygiene and preventive oral education.

Inmates should be offered a dental examination, supported by diagnostic X-rays if necessary, by a dentist within 12 months of incarceration.

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#### *Oral Care*

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Inmates who are scheduled to be incarcerated for less than 12 months should have access to the treatment of dental pain, fillings, extractions of non-restorable teeth, cleaning and treatment of symptomatic areas and repair of partials and dentures.

## Pharmaceutical Operations

### 727.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

#### 727.1.1 DEFINITIONS

Definitions related to this policy include:

**Administration** - The act of giving a single dose of a prescribed drug or biological substance to an inmate. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

**Controlled substances** - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

**Delivery** - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose and instructions for taking the medication, the name of the prescribing physician and expiration dates). Under these circumstances, a single dose at a time can be delivered to the inmate, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

**Dispensing** - Those acts of processing a drug for delivery or administration to an inmate pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

**Distributing** - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

**Dose** - The amount of a drug to be administered at one time.

**Drug** - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States or any supplement that is intended for

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#### *Pharmaceutical Operations*

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use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

**Pharmaceutical operations** - The functions and activities encompassing the procurement, dispensing, distribution, storage and control of all pharmaceuticals used within the detention facility, the monitoring of inmate drug therapy, and the provision of inmate/patient drug information.

#### **727.2 POLICY**

It is the policy of this office that pharmaceutical operations meet all federal, state and local legal requirements and be sufficient to meet the needs of the facility population (15 CCR 1216).

#### **727.3 PHARMACEUTICAL OPERATIONS**

- (a) The Responsible Health Authority, in conjunction with the pharmacist, shall ensure appropriate medication storage, handling and inventory control.
- (b) The Responsible Health Authority shall be responsible for establishing and maintaining a system for storing and accounting for controlled substances. A count of controlled substances shall be taken and verified as correct and documented at the change of each shift by two qualified health care professionals. An incorrect count shall be reported immediately to the Watch Commander. Medications shall be stored under proper conditions of security, segregation, and environmental control at all storage locations.
  - 1. Medication shall be accessible only to legally authorized persons.
  - 2. Medication and device cabinets (stationary or mobile) shall be closed and locked when not in use.
  - 3. Controlled substances shall be stored and handled in accordance with DEA regulations.
  - 4. Medication requiring refrigeration shall be stored separately either in a refrigerator that is locked or in a refrigerator that is in a locked room and is used exclusively for medication and medication adjuncts.
- (c) Medication shall be kept in pharmacist-packaged or the original manufacturer's labeled containers. Medication shall only be removed from these containers to prepare a dose for administration. Drugs dispensed to inmates who are off grounds or are being discharged from the facility shall be packaged in accordance with the provisions of federal packaging laws (15 USC § 1471 et seq.) and any other applicable state and federal law.
- (d) Medication shall be properly labeled in accordance with associated regulations and law.
- (e) Medication that is outdated, visibly deteriorated, unlabeled, inadequately labeled, discontinued or obsolete shall be stored in a separate secure storage area and disposed of in accordance with associated laws and regulations:
  - 1. Controlled substances shall be disposed of in accordance with the Drug Enforcement Administration disposal procedures (15 CCR 1216(b)(8)).

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#### *Pharmaceutical Operations*

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- (f) An annual report on the status of the pharmaceutical operation will be prepared by the pharmacist and provided to the Responsible Physician and the Detention Division Assistant Sheriff.

#### **727.4 PRESCRIBING MEDICATIONS**

All medications shall be prescribed in a safe and effective manner for clinically appropriate reasons by only those persons authorized by law and documented in the individual patient medical record. Records shall be retained in accordance with established records retention schedules (15 CCR 1216; 15 CCR 1217).

- (a) Medication shall not be prescribed for an indefinite period. The qualified health care professional shall review medication regimens at specified time intervals. A physician's signature should be required on all verbal orders within 72 hours of the order.
- (b) Any medication prescription that is not complete or is questionable shall not be prepared until clarification is received from the qualified health care professional. Staff shall make an effort to obtain prescription clarification in a timely manner.
- (c) Medication shall only be ordered upon approval of the Responsible Physician. Medication shall be prescribed and ordered from the facility list of approved medications unless the Responsible Physician approves otherwise.
- (d) Some inmates may be permitted to possess and self-administer some medications when monitored and controlled, in accordance with this policy.
- (e) Apparent adverse drug reactions shall be recorded in the inmate's health record by the qualified health care professional.
- (f) The qualified health care professional shall notify the Watch Commander of all known medication errors in a timely manner. Medication error reports shall be completed on all known medication errors.

#### **727.5 PER DOSE MEDICATION ADMINISTRATION**

All prescription medication shall be administered to inmates on a per dose basis by a qualified health care professional. Inmates are prohibited from delivering medications.

- (a) Each medication ordered on a per dose basis for individual inmates shall be kept in the pharmacy of the facility.
- (b) Medication dispensing envelopes shall be clearly labeled with the inmate's identifying information.
- (c) The qualified health care professional will confirm the inmate's identity prior to administering the medication by comparing the name/booking number on the dispensing envelope with the inmate's identification card.
  1. Inmates should have a fluid container and adequate fluid to take the medication being administered.
  2. The qualified health care professional should observe the inmate taking the medication to prevent "cheeking" or "palming".

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3. The qualified health care professional should inspect the inmate's mouth after the inmate swallows the medication to ensure it was completely ingested. If the inmate appears to be "cheeking" the medication, a chart entry will be made. Custody staff shall be immediately notified of the suspected "cheeking" and shall follow-up with the appropriate security, corrective and/or disciplinary action.
- (d) The qualified health care professional shall record each medication administered.
  1. In the event that medication cannot be administered (for example, the inmate is in court or the medication is not in stock), a note explaining the situation and planned action shall be made.
- (e) The qualified health care professional shall have inmates who refuse their medication sign a refusal form at the medication round. If the inmate willfully refuses to sign the refusal form, the qualified health care professional shall advise custody staff and document the refusal to sign. The qualified health care professional shall also:
  1. Note the refusal on the medication log including the date and time.
  2. Review the medication logs for prior refusals.
  3. Document patterns of refused medications on the inmate's medical record.
  4. Make a reasonable effort to convince the inmate to voluntarily continue with the medication as prescribed.
  5. Report continued refusals to the Responsible Physician and have the inmate complete and sign a medication refusal form.
- (f) No inmate should be deprived of prescribed medication as a means of punishment.

#### **727.6 SELF-ADMINISTRATION OF MEDICATION**

Upon approval of the Responsible Physician or qualified health care professional, inmates may be allowed to self-administer prescribed medication other than psychotropic medication, seizure medication, controlled drugs, TB medication, any medication that is required to be DOT, or has the recognized potential for abuse (15 CCR 1216).

The qualified health care professional ordering medication should educate the inmate regarding potential side effects and the proper use of the medication (15 CCR 1216(d) et seq.).

- (a) Medication may be ordered through a pre-booking examination or medical clearance obtained at a hospital or other clinic, an emergency room visit or evaluation by an on-site qualified health care professional.
- (b) Any questions the inmate may have concerning his/her medication should be addressed at this time.
- (c) The inmate shall be instructed to carry medication at all times or to secure it in their assigned cell (15 CCR 1216(d)(4)).
- (d) Upon receipt of the medication, the qualified health care professional issuing the medication should confirm correct identity by comparing the name/booking number of the self-administer package to the inmate's identification card.

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- (e) Qualified health care staff should monitor inmate compliance by randomly interviewing inmates about the name, purpose, dose, schedule and possible side effects of their prescription medication and will inspect the inmates' self-administered medication and review their medical records (15 CCR 1216(d)(6)). In addition, custody staff should conduct routine searches to ensure the inmate is not hoarding medication.
- (f) Any self-administered medication may be changed to per-dose at the discretion of the medical staff if the inmate is not responsible enough to self-administer the medication or has a history of frequent rule violations. Documentation in the medical record should accompany any decision to change the medication to per-dose. Custody and health care staff should continuously monitor and communicate with each other regarding inmates complying with the conditions and rules for self-administered medication (15 CCR 1216(d)(2)(5)).
- (g) Inmates who arrive at the facility with prescribed medication should be administered per dose for any new medications or refills until the new medication or refill is received from the pharmacy.

#### **727.7 NON-PRESCRIPTION MEDICATION**

Limited non-prescription medications may be requested by inmates from correctional staff (15 CCR 1216(c)).

Non-prescription medications given to inmates shall be documented in the Over-the-Counter medication log by the staff member who delivered them. Non-prescription medication must be swallowed by the inmate immediately upon receipt of the medication.

The Responsible Physician will establish a limit on the amount of non-prescription medication an inmate may be given at any time. Inmates found in unauthorized possession of non-prescription medication be subject to disciplinary sanctions.

#### **727.8 TRAINING**

All custody staff members authorized to deliver, administer, and provide medication assistance shall be trained prior to engaging in any tasks related to delivery or administration of medication.

## Release Planning

### 728.1 PURPOSE AND SCOPE

This office recognizes that incarcerated persons may require information and assistance with health care follow-up upon release from custody. The purpose of this policy is to establish guidelines to assist staff with providing resources for the continuity of an incarcerated person's health care after their release from custody.

#### 728.1.1 DEFINITION

Definitions related to this policy include:

**Release planning** - The process of providing sufficient resources for the continuity of health care to an incarcerated person before their release to the community.

### 728.2 POLICY

The qualified health care professional should work with correctional staff to ensure that inmates who have been in custody for 30 or more days and have pending release dates, as well as serious health, dental or mental health needs, are provided with medication and health care resources sufficient for the inmate to seek health care services once released.

Release planning should include:

- (a) Resources for community-based organizations.
- (b) Lists of community health professionals.
- (c) Discussions with the inmate that emphasize the importance of appropriate follow-up care.
- (d) Specific appointments and medications that are arranged for the inmate at the time of release.

### 728.3 PREPARATION FOR RELEASE

Upon notification of the imminent release of an inmate who has been identified as having serious medical or mental health needs, release planning shall include the following:

- (a) A clinical screening shall be conducted to assess the inmate's immediate medical and/or mental health needs, and arrangements should be made for community follow-up where needed, including sufficient medication.
- (b) With the inmate's written consent, the qualified health care professional should:
  1. Share necessary information with community health care services.
  2. Arrange for follow-up appointments.
  3. Arrange for the transfer of health summaries and relevant parts of the health record to community health care services or others who are assisting in planning for or providing services upon the inmate's release.

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- (c) Contact with community health care services shall be documented in the inmate's health record.
- (d) Inmates with serious mental health issues, including those receiving psychotropic medication, shall be informed about community options for continuing treatment and provided with follow-up appointments, when reasonably possible.
- (e) Medication will be provided as appropriate.

#### **728.4 RELEASE PLANNING RECORDS**

All records of community referrals, transfer forms, logs, documentation of release planning, lists of medication provided, records release authorization forms, and any other relevant documents shall be maintained in the incarcerated person's health file and retained in accordance with established records retention schedules.

## Privacy of Care

### 729.1 PURPOSE AND SCOPE

This policy recognizes that inmates have a right to privacy and confidentiality regarding their health-related issues. It also recognizes inmates' right to health care services that are provided in such a manner as to ensure that privacy and confidentiality, and encourage inmates use and trust of the facility's health care system.

#### 729.1.1 DEFINITION

Definitions related to this policy include:

**Clinical encounters** - Interactions between inmates and health care professionals involving a treatment and/or an exchange of confidential health information.

### 729.2 POLICY

It is the policy of this office that, in order to instill confidence in the health care system by the inmate population, all discussions of health-related issues and clinical encounters, absent an emergency situation, will be conducted in a setting that respects the inmate's privacy and encourages the inmate's continued use of health care services.

### 729.3 CLINICAL EVALUATIONS

Emergency evaluations and rendering of first aid should be conducted at the site of the emergency, if reasonably practicable, with transfer to the medical clinic or emergency room as soon as the inmate is stabilized.

Female inmates are provided a female escort for encounters with a male health care provider.

Custody personnel should only be present to provide security if the inmate poses a risk to the safety of the qualified health care professional or others.

### 729.4 REPORTING INAPPROPRIATE ACCESS OF MEDICAL INFORMATION

The Facility Manager and Responsible Health Authority shall establish a process for staff, inmates, or any other persons to report the improper access or use of medical records.

### 729.5 TRAINING

All corrections personnel who are assigned to a position that enables them to observe or hear qualified health care professional/inmate encounters shall receive appropriate training on the importance of maintaining confidentiality when dealing with inmate health care. The Training Manager shall be responsible for scheduling such training and for maintaining training records that show the employee attended, in accordance with established records retention schedules.

## **Chapter 8 - Environmental Health**

## Sanitation Inspections

### **800.1 PURPOSE AND SCOPE**

The Sonoma County Sheriff's Office has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

### **800.2 POLICY**

It is the policy of the Office to maintain a safe and sanitary facility. To accomplish this goal, regular sanitation and housekeeping inspections of the detention facilities will be conducted on a scheduled basis. They will be conducted to ensure an acceptable level of cleanliness, repair and safety throughout the facilities and shall provide for a regular schedule of housekeeping tasks and inspections to identify and correct unsanitary and/or unsafe conditions or work practices which may be found.

### **800.3 RESPONSIBILITIES**

The Office will ensure that the safety and sanitation plan addresses, at a minimum, a regular schedule of housekeeping tasks and inspections to identify and correct unsanitary or unsafe conditions or work practices which may be found (15 CCR 1280).

Consideration should be given to general job descriptions and/or limitations relating to personnel or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Facility Operations staff or by contract with private firms.

Inmates engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When inmate work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and to equipment by submitting a work order. Supervisors will conduct cleaning inspections of their areas of responsibility on a regular basis. Custody Managers and other designated staff members will conduct weekly safety and sanitation inspections of the facility.

### **800.4 WORK ORDERS**

All reports of unsafe or unsanitary conditions, as well as repairs needed to the physical plant and equipment, shall be documented in a work order. Any emergency repairs identified shall be evaluated and approved through the responsible Supervisor. Requests for budget resources above and beyond already budgeted maintenance items shall be reported to the Planning and Research Lieutenant.

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### **800.5 SAFETY DATA SHEETS**

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous materials and substances, including instructions on safe handling, storage, disposal, prohibited interactions and other details relative to the specific material.

All hazardous material documentation, storage, use, safety, and training shall be in accordance with the Office Hazard Communications Program and all applicable laws and regulations.

## Hazardous Waste Disposal

### **801.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish a system for disposing of hazardous waste. The Office recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures and precautions, but on adequate supervision and the responsible behavior of the staff and inmates. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

### **801.2 POLICY**

It is the policy of this office that any hazardous waste generated at the facility shall be handled, stored and disposed of safely and in accordance with all applicable federal and state regulations as well as Office Safety Plans.

### **801.3 DISPOSAL PROCEDURE**

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. Staff shall use universal standard precautions when in contact with hazardous materials, at a minimum, unless directed otherwise.

### **801.4 SAFETY EQUIPMENT**

The Detention Division Assistant Sheriff or authorized designee shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times.

### **801.5 TRAINING**

The Training Manager shall be responsible for ensuring that all facility personnel receive appropriate training in the use of appropriate safety equipment and the identification, handling and disposal of hazardous waste. Training records shall be maintained, including the course roster, curriculum, instructor name and credentials, and testing instruments.

### **801.6 SUPERVISOR RESPONSIBILITY**

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Watch Commander in the event of an exposure to staff, inmates or visitors.

## Housekeeping and Maintenance

### **802.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

### **802.2 POLICY**

It is the policy of this office to maintain a sanitation and preventive maintenance schedule to keep the facility clean and in good repair.

### **802.3 RESPONSIBILITIES**

The Office shall establish housekeeping and maintenance plans that address all areas of the facility. The plans shall provide for a regular schedule of housekeeping tasks and inspections to identify and correct unsanitary or unsafe conditions or work practices which may be found (15 CCR 1280).

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

### **802.4 SANITATION SCHEDULE**

A housing module cleaning schedule will be established by the module deputy. The facility staff should implement a site-specific plan for cleaning and maintenance of each area of the detention facility (e.g., housing, food preparation, laundry, loading dock/trash storage, warehouse, common areas).

### **802.5 TRAINING**

All custodial staff and incarcerated workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals, and areas of responsibility.

### **802.6 INSPECTION CHECKLIST**

The Facility Manager or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors throughout the facility.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Facility Manager or the authorized designee for review, filing and retention as required by the established records retention schedule.

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## Vermin and Pest Control

### 803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

### 803.2 POLICY

It is the policy of this office that vermin and pests be controlled within the facility (15 CCR 1280). The Detention Division Assistant Sheriff or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Responsible Health Authority and the local public health entity, for the sanitation and control of vermin and pests, and to establish medical protocols for treating inmate clothing, personal effects and living areas, with specific guidelines for treating an infested inmate (15 CCR 1264).

### 803.3 PEST CONTROL SERVICES

The Facility Operations staff shall be responsible for procuring the services of a licensed pest control professional to perform inspections of the facility and to treat areas as required to ensure that vermin and pests are controlled.

### 803.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for inmates undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the facility or cleaned and treated as appropriate or as directed by the pest control provider or the Responsible Physician (15 CCR 1264).

Successful treatment depends on careful inspection of the inmate and proper application of the appropriate product. The area used to delouse inmates needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

Health care staff shall document the date of treatment, the area treated, the pest treated, and the treatment used.

## Incarcerated Person Safety

### **804.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish a safety program to reduce incarcerated person injuries by analyzing causes of injuries and identifying and implementing corrective measures.

### **804.2 POLICY**

The Sonoma County Sheriff's Office will provide a safe environment for individuals confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating inmate injuries and taking corrective actions as necessary to reduce accidents and injury (15 CCR 1280).

The Assistant Sheriff shall appoint a staff member who will be responsible for the development, implementation and oversight of the safety program. This program will include, but not be limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of incarcerated person injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

### **804.3 INVESTIGATION OF REPORTED INCARCERATED PERSON INJURY**

Whenever there is a report of an injury to an incarcerated person that is the result of accidental or intentional acts, other than an authorized use of force by custody staff, the Sheriff or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified. Injuries resulting from use of force incidents will be investigated and reported in accordance with the Use of Force Policy.

### **804.4 INVESTIGATION REPORTS**

The Watch Commander shall ensure that reports relating to an incarcerated person's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Any other relevant documents

### **804.5 ANNUAL REVIEWS**

The Assistant Sheriff or the authorized designee shall conduct an annual review of all injuries involving incarcerated persons for the purpose of identifying problem areas and documenting a plan of action to abate circumstances relating to incarcerated person injuries.

The plan of action should include but not be limited to:

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- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- The person or persons responsible for taking corrective action and the target completion date.

The Assistant Sheriff for his/her designee shall consult with the Office risk manager and/or Sonoma County Facilities Development and Management to coordinate corrective action or to seek managerial/administrative guidance for implementing corrective action.

## Incarcerated Person Hygiene

### 805.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every incarcerated person in the Sonoma County Sheriff's Office detention facility is maintained. The Sonoma County Sheriff's Office recognizes the importance of each incarcerated person maintaining acceptable personal hygiene practices by providing adequate bathing facilities and hair care services, and the issuance and exchange of clothing, bedding, linens, towels, and other necessary personal hygiene items.

### 805.2 POLICY

It is the policy of the Sonoma County Sheriff's Office facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations (15 CCR 1069). Compliance with laws and regulations relating to good incarcerated person hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all incarcerated persons, but for the safety of the correctional staff, volunteers, contractors, and visitors.

### 805.3 RESPONSIBILITIES

The Facility Manager shall ensure the basic necessities related to personal care are provided to each incarcerated person upon entry into the general population. Appropriate additional personal care items may be available for purchase from the incarcerated person commissary.

### 805.4 STORAGE SPACE

There should be adequate and appropriate storage space for incarcerated person bedding, linen, or clean clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum incarcerated person population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Facility Manager should be notified if additional storage space is needed.

#### 805.4.1 BEDDING ISSUE

Upon entering a living area of the Sonoma County Sheriff's Office detention facility, every incarcerated person who is expected to remain overnight shall be issued bedding and linens including but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, nontoxic, fire-retardant mattress (16 CFR 1633.1 et seq.).

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1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an incarcerated person is released or upon reissue.
  2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).
  3. Mattresses shall be free of holes and tears. Mattresses with holes, tears, or that lack sufficient padding shall be replaced upon request with mattresses that meet the requirements of 15 CCR 1270 (15 CCR 1271).
- (c) Two sheets or one sheet and a clean mattress cover.
1. Two blankets or a sleep bag may be issued in place of one mattress cover or one sheet at the request of the incarcerated person.
- (d) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Watch Commander shall review the daily activity log at least once per shift.

The Facility Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

#### 805.4.2 CLOTHING ISSUE

An incarcerated person admitted to the facility for 72 hours or more and assigned to a living unit shall be issued a set of facility clothing. The issue of clothing appropriate to the climate for incarcerated persons shall include but is not limited to: (15 CCR 1260):

- Clean socks.
- Clean outer garments.
- Clean undergarments (e.g., shorts, undershirt, two bras and four pairs of underwear).
- Footwear.

Incarcerated persons who are issued a change of clothing upon admission to the facility may have their personal clothing returned after laundering, at the discretion of the Facility Manager.

All issued and exchanged clothing shall be clean and free of holes or tears, reasonably fitted, durable, and easily laundered and repaired. Undergarments shall be clean, free of holes or tears, and substantially free of stains. Individuals shall be able to select the garment type more compatible with their gender identity and gender expression (15 CCR 1260).

Clothing exchange will occur once per week in Specialty Housing Units. Mesh laundry bags will be distributed for all other units for incarcerated persons to send their clothing off to be laundered (15 CCR 1262). Additional underwear, socks, bras and undershirts will be provided in bundles

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to ensure incarcerated persons have continual access to clean clothing. All exchanges shall be documented on the daily activity log. The Watch Commander or unit supervisor shall review the daily activity log at least once per shift.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An incarcerated person's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each incarcerated person assigned to a special work area, such as food services, medical, farm, sanitation, mechanical, and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires. All issued clothing shall be clean, free of holes and tears (15 CCR 1261).

The Facility Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Facility Manager or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each incarcerated person shall have neat and clean clothing appropriate to the season.

An incarcerated person's excess personal clothing shall be mailed, picked up by, or transported to a designated family member or stored in containers designed for such purpose. All incarcerated person personal property shall be properly identified, inventoried, and secured. Incarcerated persons shall sign and receive a copy of the inventory record.

#### **805.5 LAUNDRY SERVICES**

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

#### **805.6 INCARCERATED PERSON ACCOUNTABILITY**

To ensure incarcerated person accountability, incarcerated persons are required to exchange item for item when clean clothing, bedding, and linen exchange occurs.

Prior to being placed in a housing unit, incarcerated persons shall be provided with an incarcerated person handbook listing this requirement.

#### **805.7 PERSONAL HYGIENE OF INCARCERATED PERSONS**

Personal hygiene items, hair care services, and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among incarcerated persons in compliance with the requirements established by state laws as part of a healthy living environment.

Each incarcerated person held more than 24 hours who does not have the following personal care items because of either indigency or the absence of an incarcerated person canteen shall be issued the following items (15 CCR 1265):

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- Toothbrush
- Dentifrice
- Soap
- Comb
- Shaving implements

The Facility Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the incarcerated person's gender. Additional hygiene items shall be provided to incarcerated persons upon request, as needed.

Personal care items shall be issued within the first 12 hours of a housing assignment. Incarcerated persons shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the California Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Incarcerated persons, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Facility Manager or the authorized designee may suspend this requirement for any incarcerated person who is considered a danger to others.

Incarcerated persons shall, upon request, be provided with materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system. These items include tampons, sanitary pads and panty liners and will be provided free of charge, regardless of indigency status (Penal Code 4023.5 subd. (a)).

#### **805.8 BARBER AND COSMETOLOGY SERVICES**

The Facility Manager or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the incarcerated person population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Facility Manager shall ensure that the rules are included in the incarcerated person handbook.

##### **805.8.1 SCHEDULE FOR HAIR CARE SERVICES**

Incarcerated persons shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, incarcerated persons will be given an incarcerated person handbook, which details how to request hair care services.

##### **805.8.2 HAIR CARE SPACE**

Due to sanitation concerns, the hair care services should be located in a room that is designated for that purpose. The floors, walls, cabinets, countertops, and ceilings should be smooth, nonabsorbent, and easily cleanable. The room should be supplied with a hand washing sink with

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hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels, and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the incarcerated person shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and incarcerated persons. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any incarcerated person when the skin of the face, neck, or scalp is inflamed, or when there is scaling, pus, or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

#### **805.9 AVAILABILITY OF PLUMBING FIXTURES**

Incarcerated persons confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for incarcerated persons in housing units is:

- One sink/washbasin for every 10 incarcerated persons (24 CCR 1231.3.2(2)).
- One toilet to every 10 incarcerated persons (urinals may be substituted for up to one-third of the toilets in facilities for male incarcerated persons) (24 CCR 1231.3.1).

#### **805.10 INCARCERATED PERSON SHOWERS**

Incarcerated persons will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible. Absent exigent circumstances, no person shall be prohibited from showering at least every other day following assignment to a housing unit. If showering is prohibited, it shall be approved by the Facility Manager or the authorized designee, and the reasons for prohibition shall be documented (15 CCR 1266).

There should be one shower for every 20 incarcerated persons unless federal, state, or local building or health codes differ. Showering facilities for incarcerated persons housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of incarcerated persons and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

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Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons (28 CFR 115.42).

#### **805.11 DELOUSING MATERIALS**

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

#### **805.12 ADDITIONAL PRIVACY REQUIREMENTS**

Incarcerated persons shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an incarcerated person housing unit (28 CFR 115.15).

## **Chapter 9 - Food Services**

## Food Services

### 900.1 PURPOSE AND SCOPE

The Office recognizes the importance of providing nutritious food and services to incarcerated persons to promote good health, to reduce tension in the detention facility, and ultimately support the safety and security of the detention facility. This policy provides guidelines on the preparation of food services items and dietary considerations for incarcerated persons housed in the facility.

### 900.2 POLICY

It is the policy of this office that food services shall provide incarcerated persons with a nutritionally balanced diet in accordance with federal, state, and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq. (15 CCR 1245(a)).

### 900.3 FOOD SERVICES MANAGER

The food services manager, either contractor or county employee, shall be responsible for oversight of the day-to-day management and operation of the food services area, including:

- Developing, implementing, and managing a budget for food services.
- Ensuring sufficient staff is assigned and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing, and coordinating appropriate training for staff and incarcerated person workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Developing procedures for food found to be contaminated, expired, showing signs of spoilage, or otherwise not fit for human consumption (15 CCR 1243).
- Other duties and activities as determined by the Facility Manager.

### 900.4 MENU PLANNING

All menus shall be planned, dated, and available for review at least one month in advance of their use. Records of menus and of foods purchased shall be kept on file for one month. Menus shall provide a variety of foods and should consider food flavor, texture, temperature, appearance, and palatability. Menus shall be approved by a registered dietitian or nutritionist before being served to ensure the recommended dietary allowance for basic nutrition meets the needs of the appropriate age group. The dietitian shall ensure that the meals meet the nutritional and hot food requirements of 15 CCR 1240 and 15 CCR 1241(15 CCR 1242).

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Any changes to the meal schedule, menu, or practices should be carefully evaluated by the food services manager in consultation with the Facility Manager, dietician, medical staff, and other professionals, and shall be recorded. All substitutions will be of equal or better nutritional value and meet the caloric requirements set forth in 15 CCR 1241. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (15 CCR 1242). Facility menus shall be evaluated at least quarterly by the food services supervisory staff to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews, and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules.

#### **900.5 FOOD SAFETY**

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift, but shall be checked and recorded at least once daily. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected (15 CCR 1245(a)).

#### **900.6 THERAPEUTIC DIETS**

The food services manager shall be responsible for ensuring that all incarcerated persons who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A therapeutic diet manual, which includes samples of medical diets, shall be maintained in the health services and food services areas for reference and information.

More complete information may be found in the Prescribed Therapeutic Diets Policy.

Persons who are known to be pregnant or lactating shall be provided a balanced, nutritious diet approved by a physician (15 CCR 1248).

#### **900.7 RELIGIOUS DIETS**

The food services manager, to the extent reasonably practicable, will provide special diets for incarcerated persons in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

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When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

#### **900.8 FOOD SERVICES REQUIREMENTS**

All reasonable efforts shall be made to protect incarcerated persons from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (15 CCR 1230).

Food production and services will be under staff supervision. Food production, storage, and food-handling practices will follow the appropriate federal, state, or local sanitation laws (15 CCR 1246).

#### **900.9 MEAL SERVICE PROCEDURE**

Incarcerated person meals that are served in a dining room or dayroom should be provided in space that allows groups of incarcerated persons to dine together, with a minimum of 15 square feet of space per incarcerated person. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food. Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that incarcerated persons receive meals that meet nutritional guidelines.

Incarcerated persons must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time, including a high-quality protein, such as meat, fish, eggs, or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals, approved snacks will be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

Incarcerated persons who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Approved snacks should be served to incarcerated persons on medical diets in less than the 14-hour period if prescribed by the Responsible Physician or registered dietitian. Incarcerated persons on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal (15 CCR 1240).

As the meal time approaches, facility staff should direct the incarcerated persons to get dressed and be ready for meals. Incarcerated persons should be assembled and a head count taken, to verify all incarcerated persons in the housing location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during incarcerated person movement and meals. Meals shall be served under the direct supervision of staff.

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Staff should direct an orderly filing of incarcerated persons to the dining room or assigned seating in the dayroom. Staff should identify incarcerated persons who have prescribed therapeutic or authorized religious diets so those incarcerated persons receive their meals accordingly.

It shall be the responsibility of the correctional deputies to maintain order and enforce rules prohibiting excessive noise and intimidation of other incarcerated persons to relinquish food during mealtime.

The dining room shall have an area designated for incarcerated persons who have been prescribed a longer time to eat by qualified health care professionals, a dietitian, or as deemed appropriate by a supervisor.

To the extent reasonably practical, an adequate number of food services staff and correctional personnel should supervise meal service in central dining areas. If reasonably possible, the supervisor should be present.

The Watch Commander should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food, and any health or security issues.

In the interest of security, sanitation, and vermin control, incarcerated persons shall not be allowed to take food from the dining area to their housing areas.

#### **900.10 EMERGENCY MEAL SERVICE PLAN**

The food services manager shall establish and maintain an emergency meal service plan for the facility (15 CCR 1243(k)).

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for incarcerated persons. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Facility Manager may declare an "Emergency Suspension of Standards" pursuant to 15 CCR 1012 for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Facility Manager shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

In the event that the incarcerated person food supply drops below that which is needed to provide meals for two days, the Facility Manager or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Assistant Sheriff, or his/her designee, should consider requesting assistance from allied agencies through mutual aid or the National Guard.

## Food Services Training

### 901.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury to staff, contractors and inmate workers in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

### 901.2 POLICY

The Sonoma County Sheriff's Office ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff and inmate workers (15 CCR 1230; 15 CCR 1243(g); 15 CCR 1245(a)).

### 901.3 TRAINING

The food services manager, either contractor or county employee, under the direction of the Assistant Sheriff or his/her designee, is responsible for ensuring that a training curriculum is developed and implemented in the use of equipment and safety procedures for all food services personnel, including staff, contractors and inmate workers.

The training shall include, at minimum:

- (a) Work safety practices and use of safety equipment.
- (b) Sanitation in the facility's food services areas.
- (c) Reducing risks associated with operating machinery.
- (d) Proper use of chemicals in food services areas.
- (e) Employing safe practices.
- (f) Facility emergency procedures.

The food services manager, at the direction of the Assistant Sheriff or his/her designee, shall establish an employee/kitchen worker training course, and all staff or inmate workers shall be trained on how to assemble, operate, clean and sanitize kitchen equipment.

Information about the operation, cleaning and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service and repairs. The equipment must also meet any applicable government codes.

### 901.4 BRIEFING TRAINING

The food services manager should consider daily briefing training as a method of staff development. Regular and repetitive trainings of short duration (8 to 10 minutes) at the beginning of each shift are an effective and cost-efficient way to maintain the competency of staff.

## Dietary Guidelines

### 902.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the incarcerated person are met and that overall health is promoted through the use of balanced nutritious diets.

### 902.2 POLICY

It is the policy of this office that diets provided by this facility will meet or exceed the guidelines established in the current publications of the Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies, the California Food Guide (CFG) and the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA).

### 902.3 REVIEW OF DIETARY ALLOWANCES

The food services manager, either contractor or county employee, is responsible for developing the facility's menus and shall ensure that all menus served by food services comply with the nutritional and caloric requirements found in the 2019 DRI, and the 2020-2025 DGA guidelines (15 CCR 1241). Any deviation from these guidelines shall be reviewed by the Assistant Sheriff and/or the Facility Manager and the Responsible Physician.

The food services manager or the authorized designee shall ensure that the facility's menus and dietary allowances are evaluated annually by a registered dietitian, and that any changes meet the DRI and DGA guidelines. A registered dietitian must approve menus before they are used (15 CCR 1242).

Menus should be evaluated at least quarterly by the food services manager or the authorized designee.

### 902.4 MENU CYCLE PLANNING

The food services manager or the authorized designee should plan the menus one month in advance of their use.

Any changes to the menu must be recorded and kept until the next annual inspection (15 CCR 1242). Any menu substitutions must use better or similar items.

Menus should include the following minimum food group allowances per day (15 CCR 1241):

- (a) Dairy Group: Three servings of pasteurized fat-free or low-fat milk fortified with Vitamins A and D or food providing at least 250 mg. of calcium and equivalent to 8 ounces of fluid milk. One serving can be from a fortified food containing at least 150 mg. of calcium. Persons who are known to be pregnant or lactating should receive four servings of milk or milk products.
- (b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one daily serving, or seven servings per week, shall be from each of the following three categories:
  1. One serving of a fresh fruit or vegetable.

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2. One serving of a Vitamin A source, fruit or vegetable, containing at least 200 micrograms retinol equivalents or more.
  3. One serving of a Vitamin C source containing at least 30 mg. or more.
- (c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains.
- (d) Protein Group: Three servings of lean meat, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, or textured vegetable protein, equivalent to 14 grams or more of protein. The daily requirements shall be equal to three servings for a total of 42 grams per day or 294 per week. In addition, a fourth serving from the legumes category shall be served three days a week.
- (e) A daily or weekly average of the food group's requirement is acceptable.
- (f) Saturated dietary fat should not exceed 10 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable. Facility diets shall consider the recommendations and intentions of the 2015-2020 DGA of reducing overall sugar and sodium levels.

Additional servings of dairy, vegetable-fruit, and grain groups must be provided in amounts to meet caloric requirements when the minimum servings outlined in the requirements above are not sufficient to meet the caloric requirements of an incarcerated person.

# Food Services Workers' Health, Safety and Supervision

## 903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and inmate workers.

## 903.2 POLICY

The Sonoma County Sheriff's Office will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All inmate food services workers will be properly supervised by kitchen staff to ensure safety and security at all times (15 CCR 1243(h)).

## 903.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager, either contractor or county employee, is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered, and served only under direct supervision by staff.

Work assignments shall be developed to ensure that sufficient food services staff is available to supervise inmate food services workers.

The food preparation area must remain clean and sanitary at all times. The food services manager or the authorized designee shall post daily, weekly and monthly cleaning schedules for the equipment and food preparation area.

## 903.4 MEDICAL SCREENING

The food services manager shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed (15 CCR 1230):

- (a) All food services workers shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections and other illnesses transmissible by food or utensils.
- (b) Periodic reexaminations of food services workers shall be given to ensure freedom from any disease transmissible by food or utensils.
- (c) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.
- (d) A supervisor shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.

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- (e) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.
- (f) All food handlers shall wash their hands when reporting for duty and after using toilet facilities. Aprons shall be removed and secured in a clean storage area before entering the toilet facility.
- (g) Food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.
- (h) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.
- (i) Smoking at any time is prohibited in any food services area.
- (j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.
- (k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if he/she reports symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

#### **903.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS**

The food services manager is responsible for developing and implementing a training program for inmate food services that includes food safety, proper food-handling techniques and personal hygiene. Each inmate food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver or serve food. Food services workers should receive periodic supplemental training as determined by the food services manager (15 CCR 1243(g)).

The training curriculum for inmate food services workers should include, at minimum, the following topics:

- Proper hand-washing techniques and personal hygiene as it applies to food services work
- Proper application and rotation of gloves when handling food
- Proper use of protective hair coverings, such as hats or hairnets
- Wearing clean aprons and removing aprons prior to entering toilet facilities

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- Maintaining proper cooking and holding temperatures for food
- Proper portioning and serving of food
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission
- Reporting illness, cuts or sores to the custody staff in charge

#### **903.6 SUPERVISION OF INMATE WORKERS**

Only personnel authorized to work in the food preparation area will be allowed inside. Inmate food handlers working in the kitchen must be under the supervision of a staff member (15 CCR 1243(h)). The Assistant Sheriff or his/her designee will appoint at least one qualified staff member, who will be responsible for the oversight of daily activities and ensuring food safety. The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Sufficient kitchen staff shall be assigned to supervise and closely monitor inmate food services workers. Staff shall ensure that inmate food services workers do not misuse or misappropriate tools or utensils, and that all workers adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays and food carts used in the preparation, serving or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

#### **903.7 SUPERVISION OF THE FOOD SUPPLY**

The risk of conflict and protest is reduced when the inmate population has confidence in the safety and quality of their food. Custody staff should supervise the transport and delivery of food to the respective serving areas. Custody staff should ensure the food is protected during transportation, delivered to the right location efficiently and under the right temperatures.

Food services staff should report any suspected breach in the safety or security of the food supply. Staff should be alert to inmate behavior when serving food, and cognizant of any comments concerning perceived contamination or portioning issues. Staff should report any suspicion of inmate unrest to a supervisor.

Any change to the published menu or the standard portioning should be documented and reported to the food services manager as soon as practicable.

## Food Preparation Areas

### 904.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

### 904.2 POLICY

It is the policy of this office to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

### 904.3 COMPLIANCE WITH CODES

The Facility Manager is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (15 CCR 1245(a)).

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross contamination and remain free from vermin infestation (Health and Safety Code § 114259).

### 904.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state, and local building codes, comply with food and agricultural laws and standards, and include any required approvals from any local regulatory authority (Health and Safety Code § 113700 et seq.).

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation, and methods of meal services.

Floors, floor coverings, walls, wall coverings, and ceilings should be designed, constructed, and installed so they are smooth, non-absorbent, and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed, and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and incarcerated persons to perform necessary tasks (Health and Safety Code § 114252).

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes shall be provided if necessary (Health and Safety Code § 114149(a)).

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#### *Food Preparation Areas*

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All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state, and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices, or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies and be stored in compliance with the provisions of Health and Safety Code § 114047.

#### **904.5 TOILETS AND WASHBASINS**

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and incarcerated workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the incarcerated person population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and incarcerated workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The food services manager, either contractor or county employee shall be responsible for procedures to ensure:

- (a) All fixtures in the toilet facilities are clean and in good operating condition.
- (b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used shall have at least one covered waste receptacle.
- (c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times (Health and Safety Code § 113953.3).

If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

## Food Budgeting and Accounting

### 905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment, and supplies for the delivery of food services (15 CCR 1243(i)).

### 905.2 POLICY

The Sonoma County Sheriff's Office food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards (15 CCR 1243(i)).

### 905.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager, either contractor or county employee, is responsible for establishing a per meal, per inmate budget for food, equipment and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The food services manager is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

### 905.4 PROCEDURE

The food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

- (a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.
- (b) Establishing a per meal, per inmate cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory (15 CCR 1243(i)).
- (c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:
  1. Meals prepared and served for each meal period.
  2. Meals served per location.
  3. Prescribed therapeutic diet meals served.
  4. Authorized religious diet meals served.
- (d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

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#### *Food Budgeting and Accounting*

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- (e) Bulk-purchasing nonperishable items to maximize the budget dollars (15 CCR 1243(b)).
- (f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:
  - 1. Following planned menus.
  - 2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
  - 3. Purchasing the grade of product best suited to the recipe.
  - 4. Following standard recipes.
  - 5. Producing and portioning only what is needed.
  - 6. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
  - 7. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
  - 8. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety, and inmate abuse.
- (g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain (15 CCR 1243(b)):
  - 1. The common name of the product.
  - 2. The amount to be purchased.
  - 3. The trade, federal or other grade or brand required.
  - 4. The container size and either an exact, or a range of the number of pieces in a shipping container.
  - 5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).
- (h) Establishing accounting procedures for financial statements and inventory control.
- (i) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, inventory of food, supplies and equipment for the required period of time, as mandated by the governing body of the facility.

#### **905.5 MONTHLY REPORTING**

The food services manager is responsible for ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the number of (15 CCR 1243(j)):

- (a) Meals prepared and served for each meal period.
- (b) Meals served per location.
- (c) Prescribed therapeutic diet meals served.

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#### *Food Budgeting and Accounting*

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- (d) Authorized religious diet meals served.
- (e) Authorized disciplinary separation diet meals served.

A monthly report summarizing all data should be provided to the Assistant Sheriff or his/her designee.

All meal records shall be retained in accordance with office retention schedules and state statutory regulations.

## Food Services Facilities Inspection

### 906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and incarcerated persons.

### 906.2 POLICY

It is the policy of the Sonoma County Sheriff's Office that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law (15 CCR 1245(a)).

### 906.3 CLEANING AND INSPECTIONS BY STAFF

The food services manager, either contractor or county employee, shall ensure the dining and food preparation areas and all equipment in the food services area are inspected weekly. Adequate hot and cold water should be available in the kitchen. Water temperature of all fixtures, including washing equipment, should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods. Equipment, such as chairs, tables, fryers and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semi-annually
- Annually

The food services manager is responsible for periodic testing of sanitary conditions and safety measures. At the direction of the Assistant Sheriff or the authorized designee, the food services manager shall take prompt action to correct any identified problems.

#### 906.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of a routine inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.
- There are suitable storage facilities, minimizing the risk of falling objects.

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#### *Food Services Facilities Inspection*

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- Floors are clean, dry, even and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, ware washing sinks and dishwashing machines meet minimum acceptable temperatures.
- All hand-washing stations have free access, soap, hot and cold running water under pressure and a method to dry hands.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

#### **906.4 CONTRACTING FOR INSPECTION**

The food services manager is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

The Assistant Sheriff or his/her designee shall schedule an independent periodic inspection with Sonoma County Environmental Health, of the food services facilities and equipment, to ensure that established state and local health and safety codes have been met.

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#### *Food Services Facilities Inspection*

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Documentation of the inspections, findings, deficiencies, recommended corrective actions and verification that the corrective standards were implemented will be maintained by the facility in accordance with established records retention schedules.

The services from the Sonoma County Environmental Health inspector should include, but is not limited to, the following components:

- (a) The inspector should conduct a pre-inspection briefing with the Assistant Sheriff or his/her designee and other appropriate personnel, including the food services manager, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.
- (b) During the course of the inspection, the inspector should study and report on whether the following meet acceptable standards:
  1. Walls, ceilings and floors are in good condition, smooth and easily cleanable.
  2. The kitchen layout is properly designed to avoid cross-contamination.
  3. The kitchen is properly lighted and ventilated.
  4. The temperature-controlled storage areas are in good operating condition and proper temperatures are being maintained.
  5. Dry foods are properly stored off the floor.
  6. There is no sign of vermin infestation.
  7. All equipment is in good and sanitary condition and is certified by one of the American National Standards Institute certification agencies e.g., Underwriters Laboratories, or Extract, Transform and Load, and the National Science Foundation product certification marks.
  8. The dishwashing equipment is clean, in good operating condition and maintains proper washing and rinsing temperatures.
  9. There is no evidence of cross-contamination between the potable and contaminated water systems.
  10. The ware washing area is clean and supplied with proper chemicals and Material Safety Data Sheets.
  11. The food is properly stored, labeled and rotated according to first-in first-out procedures.
  12. The food services staff and inmate workers are wearing clean uniforms and practice proper personal hygiene.
  13. All food services workers are trained for proper food handling and there is a person in charge who is responsible for the food safety of the facility.
  14. There are ample hand-washing stations supplied with warm water under pressure, soap, a method to dry hands, a waste container and employee hand-washing signs.

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#### *Food Services Facilities Inspection*

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Any deficiencies should be noted by the inspector in his/her inspection report, and recommendations made for corrective action.

At the exit interview, the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The food services manager in conjunction with the Sonoma County Sheriff's Office Policy and Compliance Unit should provide the Assistant Sheriff or his/her designee with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

## Food Storage

### 907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, Health and Safety Codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

### 907.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards (15 CCR 1243(c); 15 CCR 1245(a)).

### 907.3 PROCEDURES

The food services manager, either contractor or county employee, shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness, and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from vermin infestations and are maintained at the appropriate temperature for the type of food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and credit the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The food services manager will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range, and should include contingency plans for menu changes, food storage relocation or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established records retention schedules.

### 907.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be maintained by Facilities Development and Management staff.

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#### *Food Storage*

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All dry items shall be stored at least 6 inches off the floor. Only full unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in the working or holding areas.

All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

#### **907.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS**

Inmate workers or staff should clean the storage areas at least once each day by sweeping all floors and wiping down shelves and walls and mopping weekly or as needed. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly (15 CCR 1243(m)).

#### **907.5 REFRIGERATED AND FROZEN STORAGE**

Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy and meat items, to extend shelf life. Freezers shall be maintained at zero degrees or below.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method.

#### **907.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS**

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (15 CCR 1243(m)).

#### **907.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS**

The storage of soaps, detergents, waxes, cleaning compounds, insect spray and any other toxic or poisonous materials are kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

#### **907.6 WASTE MANAGEMENT**

The food services manager shall develop and maintain a waste management plan that ensures the garbage is removed daily (15 CCR 1243(l)).

## Prescribed Therapeutic Diets

### 908.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that incarcerated persons who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards.

### 908.2 PROCEDURES

The Responsible Physician, in consultation with the food services manager, shall (15 CCR 1248):

- (a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.
- (b) The therapeutic diets utilized by this facility shall be planned, prepared, and served with consultation from a registered dietitian.
- (c) The Facility Manager shall comply with any therapeutic diet prescribed for an incarcerated person.
- (d) The Facility Manager and the Responsible Physician shall ensure that the diet manual, which includes sample menus of therapeutic diets, shall be available to both the health services and food services workers. A registered dietitian shall review, and the Responsible Physician shall approve, the diet manual on an annual basis.

As a best practice, all therapeutic diet prescriptions should be reviewed upon request or annually. A diet request form should be made available to incarcerated persons.

Pregnant or lactating incarcerated persons shall be provided a balanced, nutritious diet approved by a physician (15 CCR 1248).

### 908.3 POLICY

It is the policy of this office to provide therapeutic diet meals as prescribed by qualified health care professionals.

### 908.4 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the health authority to compile a daily list of all incarcerated persons who are prescribed therapeutic diets. The list should contain the following information:

- (a) Incarcerated person's name
- (b) Incarcerated person's identification number
- (c) Housing location or dining location where the meals will be delivered
- (d) Incarcerated person's therapeutic diet type
- (e) Special remarks or instructions

Any time incarcerated persons are assigned to a different housing area, custody staff must notify the food services personnel immediately.

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#### *Prescribed Therapeutic Diets*

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##### **908.5 PREPARATION AND DELIVERY OF MEALS**

The food services manager or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Responsible Physician, counting the number and type of therapeutic meals to be served, and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements should be distributed with regularly scheduled meal service or may be distributed with medications. Individual labels or written documents containing the following information should be prepared by the kitchen, clearly identifying each meal and any included snacks:

- (a) Incarcerated person's name
- (b) Housing location or dining location where the meals will be delivered
- (c) Incarcerated person's therapeutic diet type

The custody staff responsible for meal distribution shall ensure that any incarcerated person who has been prescribed a therapeutic meal by the Responsible Physician or the authorized designee receives the prescribed therapeutic meal.

Unless a therapeutic diet was prescribed with a specific end date, only the Responsible Physician or the authorized designee may order that a therapeutic diet be discontinued.

Incarcerated persons who are receiving therapeutic diets must receive clearance from the Responsible Physician before they may receive a religious diet.

If prescribed by the Responsible Physician, supplemental food shall be served to incarcerated persons more frequently than the regularly scheduled meals. An incarcerated person who misses a regularly scheduled meal shall receive the prescribed meal.

##### **908.6 THERAPEUTIC AND RELIGIOUS MEAL RECORDS**

Incarcerated persons receiving prescribed therapeutic diet meals and/or authorized religious diet meals must sign a document indicating the following:

- (a) Incarcerated person's name
- (b) Incarcerated person's identification number
- (c) Dates and times of service
- (d) Incarcerated person's therapeutic diet type

All information regarding a therapeutic diet is part of an incarcerated person's medical record and is therefore subject to state and federal privacy laws concerning medical records.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

## **Chapter 10 - Inmate Programs**

## Inmate Programs and Services

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to inmates. The programs and services exist to motivate offenders toward positive behavior while they are in custody. The policy identifies the role and responsibilities of the Inmate Programs Sergeant, who manages a range of programs and services.

### 1000.2 POLICY

The Sonoma County Sheriff's Office will make available to inmates a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of inmates may include social services, faith-based services, recreational activities, library access, educational/vocational training, alcohol and drug abuse recovery programs and leisure time activities (15 CCR 1070).

### 1000.3 INMATE PROGRAMS SERGEANT RESPONSIBILITIES

The Inmate Programs Sergeant is selected by the Classification Lieutenant and is responsible for managing the inmate programs and services, including the following:

- (a) Research, plan, budget, schedule, and coordinate security requirements for all inmate programs and services.
- (b) Develop or procure programs and services as authorized by the Detention Assistant Sheriff (15 CCR 1070).
- (c) Act as a liaison with other service providers in the community that may offer social or educational programs (e.g., school districts, Department of Social Services, health educators, substance abuse counselors).
- (d) Develop, maintain, and make available to inmates the schedule of programs and services.
- (e) Develop policies and procedures, and establish rules for the participation of inmates in the programs and services.
- (f) Develop and maintain records on the number and type of programs and services offered, as well as inmate attendance at each offering.
- (g) Establish controls to verify that the content and delivery of programs and services are appropriate for the circumstances.
- (h) Accumulate data and prepare reports as directed.
- (i) Ensure inmates are not denied access to educational and vocational programs based solely on their indigent status.
- (j) Annually audit instructor/volunteer access to detention facilities.

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#### *Inmate Programs and Services*

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##### **1000.4 SECURITY**

All programs and services offered to benefit inmates shall adhere to the security and classification requirements of this facility. To the extent practicable, the Inmate Programs Sergeant will develop individualized programs and services for inmates who are housed in high-security or administrative segregation.

##### **1000.5 DISCLAIMER**

Inmate programs are provided at the sole discretion of the Sonoma County Sheriff's Office in keeping with security interests, available resources and best practices.

Nothing in this policy is intended to confer a legal right for inmates to participate in any program offered other than what is required by law or that which is medically required.

## **Incarcerated Person Welfare Fund**

### **1001.1 PURPOSE AND SCOPE**

The Office is authorized to maintain a fund derived from proceeds from the commissary, vending machines, telephones, and other incarcerated person-related commerce activities to be used primarily to provide welfare and education programs for the benefit of the incarcerated person population.

### **1001.2 POLICY**

It is the policy of this office to maintain and administer an Incarcerated Person Welfare Fund that supports incarcerated person programs.

### **1001.3 INMATE WELFARE FUND**

The Inmate Programs Sergeant, in cooperation with the Inmate Programs Analyst, will establish and maintain an Inmate Welfare Fund where proceeds derived from inmate telephones, commissary profits, and other income intended for the support of inmate programs are deposited.

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general inmate population and enhancing inmate activities and programs. This includes capital construction and improvement projects in support of such programs, services and activities (Penal Code § 4025).

### **1001.4 INMATE WELFARE FUNDING SOURCES**

Revenues and funding from the following sources shall be deposited into the Inmate Welfare Fund account:

- (a) All proceeds from commissary and canteen operations
- (b) Proceeds from the sale of inmates' arts-and-crafts projects
- (c) Donations
- (d) Interest income earned by the Inmate Welfare Fund

### **1001.5 EXPENDITURE OF INMATE WELFARE FUNDS**

The Inmate Welfare Fund shall be used solely for the welfare, education, and benefit of the inmate population or as otherwise permitted by law.

#### **1001.5.1 PROHIBITED EXPENDITURES OF INMATE WELFARE FUND**

Except as permitted by law, the Inmate Welfare Fund shall not be used to pay required County expenses of confining inmates in the detention facilities, such as meals, clothing, housing, or medical services or expenses.

### **1001.6 FINANCIAL ACCOUNTING OF INMATE WELFARE FUNDS**

The Inmate Programs Sergeant in cooperation with the Inmate Programs Analyst shall maintain an accounting system to be used for purchasing goods, supplies and services that support inmate programs.

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## *Incarcerated Person Welfare Fund*

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### 1001.6.1 ANNUAL REPORTING

The Detention Assistant Sheriff is responsible for ensuring an itemized report of expenditures from the Inmate Welfare Fund is submitted annually to the County Board of Supervisors (Penal Code § 4025).

## Accounts

### 1002.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures for managing, handling, and accounting of all money belonging to incarcerated persons that is held for their personal use while they are incarcerated in this facility.

### 1002.2 INMATE ACCOUNTS

The Office will establish an inmate account for the purpose of receiving funds from authorized sources for inmate use. A separate account will be established for each inmate when he/she is booked into this facility.

When an inmate is admitted to the jail, a written inventory of the money in the inmate's possession shall be completed. Any subsequent deposits to the inmate's fund shall be inventoried and documented. An inmate shall be issued a receipt for all money held until his/her release.

An inmate may use money in his/her inmate account for bail or to purchase items from the inmate commissary. Inmates may receive and release money while in custody. Funds will be made available to inmates for their use in accordance with the rules and regulations established by the Facility Manager.

### 1002.3 FUNDING SOURCES

The incarcerated person account will only accept funds for deposit from approved sources. Funds deposited into an incarcerated person's account will first be used to settle the incarcerated person's negative balance, should one exist.

#### 1002.3.1 DEPOSITS DURING BOOKING

Money received during the booking process shall be deposited to the inmate's account. The cashier will supply a valuable property receipt including funds deposited during the booking process to be signed as an acknowledgement agreeing to the total received during intake.

Contaminated money may be accepted through booking and will be handled separately so as to ensure it will not return to circulation. Staff handling contaminated money will wear gloves at all times. The booking clerk will verify the total provided by the arresting officer, place the contaminated money in a plastic bag and fill out specific receipt alerting the cashier to the contaminated currency. After the cashier has verified the total, the plastic bag will be sealed and placed into the inmate's valuable property to be provided to the inmate upon release. Contaminated monies will not be placed onto the inmate's account.

#### 1002.3.2 DEPOSITS THROUGH THE MAIL

All funds received by mail to be deposited to an inmate's account shall be delivered to the cashier in order to generate a receipt.

Only cash, money orders and checks issued by federal, state, county or city government agencies that are received through the mail are acceptable for deposit into inmate accounts. Although cash

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#### *Accounts*

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may be accepted for deposit, it is not recommended that cash be sent through the mail. All personal checks, payroll checks and other unapproved monies will be treated as disapproved mail and be placed in the inmate's valuable property.

#### **1002.3.3 VISITOR DEPOSITS**

An automated kiosk is to be utilized by visitors to deposit funds on an inmate's account. A member of the public will only be permitted to make a deposit directly with the cashier in instances when the kiosk is not functioning. In these situations, the cashier shall post funds received to the inmate's account and prepare a validated receipt for the transaction. A copy of the transaction receipt shall be provided to both the inmate and the person making the deposit.

Inmates will not be allowed to accumulate large sums of money in their account other than for the purpose of bail. Deposits bringing the inmate's balance over \$1000 must be approved by the Watch Commander or designee. Any checks or money orders received that are over the limit will be placed in the inmate's personal property.

#### **1002.4 AUTHORIZATION FOR SELF-BAIL**

Inmates wishing to use their personal funds as bail must fill out an inmate property release form. This form must be received by the cashier before the inmate's account can be debited and a receipt issued.

#### **1002.5 RELEASE OF FUNDS TO OTHER PERSONS**

Inmates wishing to release all or part of their personal funds to a person who is not in custody must fill out an inmate property release form to be forwarded to the cashier. The person to whom the funds are to be released must contact the cashier and must furnish a valid driver's license or government-issued photo identification card to the cashier for verification. The cashier will then verify the amount with the inmate via the module deputy, have the person receiving funds sign the inmate property release form, and generate receipts for the recipient of the funds and the inmate.

#### **1002.6 RELEASE FROM CUSTODY**

Staff members who are responsible for the release of inmates will notify the cashier of all impending releases.

#### **1002.7 CASHIER RESPONSIBILITY**

The cashier will verify all funds received against the amounts recorded on the inmate account financial record. The cashier will then post the funds to the inmate's account and prepare a receipt for the inmate.

#### **1002.8 SECURE BANKING OF INMATE FUNDS**

All monies collected by custody personnel shall be secured and maintained in an officially designated and secure place.

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### **1002.9 AUTOMATED KIOSKS**

The use of automated kiosks for the deposit of monies into the incarcerated person account or to transfer incarcerated person monies for the purchase of commissary or other authorized items will meet the financial accounting requirements of this policy and other standard financial practices.

## Counseling Services

### 1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to incarcerated persons.

### 1003.2 POLICY

This office will provide counseling and crisis intervention services to any inmate who either requests services or is determined by a health provider to be in need of counseling or crisis intervention services. These services may be provided by:

- (a) Medical/mental health staff assigned to the facility.
- (b) Faith-based counseling by the chaplain or religious volunteers (see the Religious Programs Policy).
- (c) Correctional deputies assigned to the facility who have specific training and expertise in this area.

The Facility Manager shall coordinate with the Health Authority to develop and confidentially maintain records of counseling and crisis intervention services provided to inmates and to ensure that those records are retained in accordance with established records retention schedules.

The Facility Manager shall ensure that request forms are available and provided to inmates who request counseling services. All inmate requests for counseling shall be forwarded to the Mental Health staff and/or Program Deputy, as appropriate. If an inmate displays behavior indicating a need for counseling or crisis intervention services, the facility employee shall notify the Mental Health staff. The Mental health staff shall assess the need and area of counseling and make a reasonable effort to provide the inmate with the requested counseling as soon as reasonably practicable with consideration given to facility security, scheduling and available resources. Inmates who are victims of a sexual abuse or harassment incident will be informed of the availability and continuity of counseling (28 CFR 115.82; 28 CFR 115.83).

### 1003.3 NON-CRISIS COUNSELING

The Office shall, when reasonably practicable, make counseling services available to assist incarcerated persons who are being released into the community.

## Jail Industries

### 1004.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office operates the Jail Industries to provide meaningful job opportunities to help rehabilitate incarcerated persons, thereby facilitating a successful reentry into society. This policy provides guidelines for the administration of the Jail Industries and outlines procedures, responsibilities, and requirements for incarcerated persons who wish to participate in the program.

### 1004.2 POLICY

The Sonoma County Sheriff's Office, in compliance with applicable laws and standards, operates the Jail Industries to provide goods and merchandise and to develop marketable skills and a work ethic for inmates, ultimately enhancing their ability to be employed upon release into the community.

As many inmates as reasonably practicable should be allowed to participate in Jail Industries. Screening for inmate eligibility shall be through the development of an application process and classification procedure.

Quality control of the work product shall be overseen by the Jail Industries administrator.

The Jail Industries shall be managed according to sound business principles, using generally accepted accounting principles. It shall operate like a for-profit business, providing non-taxpayer income for the operational support of the program. All Jail Industries practices shall comply with applicable federal, state and local laws and regulations.

### 1004.3 JAIL INDUSTRIES ADMINISTRATOR

The Inmate Programs Sergeant, in cooperation with the Personnel Unit, shall be the hiring authority for the administrator of Jail Industries, who shall report directly to the Inmate Programs Sergeant. The administrator is responsible for developing and directing business-oriented work and training programs for inmates, daily management of the Jail Industries, and oversight of production, marketing, sales, finances, purchasing, delivery, customer service and accounting.

The administrator shall develop and implement all policies, protocols and direction for the program in consultation with the Inmate Programs Sergeant.

The administrator shall be responsible for providing workers with a safe working environment by ensuring that they receive proper orientation, training and supervision, and by ensuring that all equipment and facilities are maintained in a satisfactory manner. The administrator supervises inmate workers in the work area and jointly plans production schedules, material requirements and staffing needs.

The administrator shall ensure that the Jail Industries complies with applicable federal, state and local laws and standards regarding working conditions. The administrator also shall ensure that the program complies with occupational health and safety standards by establishing policies

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and procedures, providing appropriate training, conducting periodic inspections, implementing corrective action when deficiencies are noted, and establishing a continuous quality improvement philosophy.

The Jail Industries administrator oversees the daily operation of the industries shop area, directly supervises and trains inmates, teaches work skills, maintains materials and equipment, and oversees all other daily operational functions.

The administrator also accomplishes the clerical and accounting functions of the program and serves as the contact person for customers.

#### **1004.4 ASSIGNMENT PROCEDURE**

Inmates who wish to participate in the Jail Industries must complete and submit a written request form to the Inmate Programs Deputy. The Inmate Programs Deputy will determine if the inmate is qualified by determining if the inmate is eligible based on institutional classification and inmate movement guidelines.

The Inmate Programs Deputy will approve or deny the request based on the inmate's performance within his/her current living unit, including security considerations, institutional work records and disciplinary records of the inmate.

The Inmate Programs Deputy and Jail Industries administrator have authority to refuse any inmate who, in the judgment of the Inmate Programs Deputy or Jail Industries administrator, would present a threat to the orderly and safe operation of the facility or program.

The administrator and correctional staff should jointly analyze the anticipated workload to determine the number of inmates needed. The workday should be scheduled to approximate a workday of a similar industry within the community, as is reasonably available in accordance with jail schedules. Inmates who are selected to participate in the Jail Industries program shall be placed on an approved workers list.

#### **1004.5 INMATE WORKLOAD**

The administrator should develop and maintain procedures addressing workload, number of hours and the frequency with which inmates are allowed to work.

#### **1004.6 FINANCES**

The administrator shall establish and maintain an accounting system for each industry unit in operation. The accounting system will be in accordance with all applicable local requirements and generally accepted accounting principles.

##### **1004.6.1 BUDGET**

A budget shall be established for projected revenue, in order to demonstrate the ability of the program to pay for itself.

A budget shall also be established for expenses, such as the cost of raw materials, administrator salary, supplies, telephone service, equipment and maintenance.

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##### 1004.6.2 JAIL INDUSTRIES COST ACCOUNTING SYSTEM PROCEDURES

The administrator, in conjunction with financial services division, shall develop, maintain and manage cost accounting procedures in accordance with sound business principles and generally accepted accounting principles.

The pricing strategy for the Jail Industries should take into consideration competitor pricing, annual revenue requirements and operational profit margins.

Once the pricing objectives have been determined, the set price for each product and service may be determined accordingly.

##### **1004.7 QUALITY CONTROL**

The administrator should develop and maintain a procedure outlining the quality control process in accordance with state and local guidelines.

- If a quality control issue is determined to be the result of an inmate worker, Jail Industries staff shall meet with the worker and ensure that proper corrective action is taken.
- Any repetitive quality control issues on the part of an inmate worker shall be documented in the worker's inmate management notes by Jail Industries staff, and may be grounds for reassignment or removal from the program.

## Exercise and Out of Cell Time

### 1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Sonoma County Sheriff's Office facility will have sufficiently scheduled exercise and out of cell time periods and sufficient space for these activities, as required by law.

#### 1005.1.1 DEFINITIONS

Definitions related to this policy include (15 CCR 1006):

**Exercise** - The opportunity for physical exertion.

**Out of Cell Time** - Time spent outside of the sleeping area, where an individual has the opportunity to exercise or participate in recreation.

**Recreation** - An individual's ability to choose from activities that occupy the attention and offer the opportunity for relaxation and may include reading, games, socialization, entertainment, education, and programs.

### 1005.2 POLICY

It is the policy of this office to provide incarcerated persons with a minimum of 10 hours of out of cell time distributed over a period of seven days. With an opportunity for three hours of exercise and an opportunity of seven hours of recreation. The Detention Division Assistant Sheriff or the authorized designee shall be responsible for ensuring there is sufficient secure space allocated for physical exercise and recreation outside the cell and adjacent dayroom areas and that a schedule is developed to ensure accessibility to both activities for all inmates (15 CCR 1065).

### 1005.3 ACCESS TO EXERCISE

Incarcerated persons shall have access to exercise opportunities and equipment, including access to physical exercise outside the cell and adjacent dayroom areas, and the opportunity to exercise outdoors when weather permits.

Out of Cell Activity (OCA) logs will be used to document when incarcerated persons of like classification status are scheduled to exercise each day and shall record the exercise of an incarcerated person, or that the incarcerated person has declined outside exercise.

Daily log sheets should be collected monthly and forwarded to the appropriate supervisor. Log sheets shall be maintained in accordance with established records retention schedules.

### 1005.4 ACCESS TO OUT OF CELL TIME

Each incarcerated person shall have access to the minimum state-required out of cell time (leisure-time) activities outside the cell and adjacent dayroom areas (15 CCR 1065). The length of time will be determined by the incarcerated person's classification status, security concerns, and operational schedules that preclude out of cell time during a period of time (e.g., meal times, searches, lockdown, court). The staff should ensure that the maximum time possible is provided to the incarcerated persons for this purpose.

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Televisions, newspapers, table games, and other items may also be made available to enhance out of cell time. Consideration will be given to the passive or active out of cell time needs of older incarcerated persons and incarcerated persons with disabilities.

#### 1005.4.1 USE OF THE INCARCERATED PERSON WELFARE FUND

Monies derived from the Incarcerated Person Welfare Fund may be used to purchase and maintain equipment and supplies.

#### **1005.5 SECURITY AND SUPERVISION**

The staff supervising incarcerated persons during exercise and out of cell time shall document when each incarcerated person has the opportunity to exercise or recreate, and when each incarcerated person actually participates.

Staff shall be responsible for inspecting exercise equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Incarcerated persons will not be permitted to use equipment without supervision. All equipment shall be accounted for and inspected by the supervising Deputy before incarcerated persons are returned to their housing unit.

The supervising staff may terminate the exercise or out of cell time period and escort back to the housing unit any incarcerated person who continues to act in an aggressive or disorderly manner after being ordered to stop by the staff. Whenever an exercise or out of cell time period is involuntarily terminated, the staff will document the incident and rationale for terminating the exercise period.

#### **1005.6 EXERCISE SPACE**

Exercise areas, as specified by federal, state, and/or local laws or requirements, should be sufficient to allow each incarcerated person the required minimum amount of exercise. Use of outdoor exercise is preferred but weather conditions may require the use of covered/enclosed space. Dayroom space is not considered exercise space.

Incarcerated persons on separation status shall have access to the same facilities as other incarcerated persons unless security or safety considerations dictate otherwise. When incarcerated persons on separation status are excluded from use of regular facilities, the alternative area for exercise use shall be documented.

#### **1005.7 INABILITY TO MEET REQUIREMENTS**

In the event that the incarcerated person population exceeds the ability of the facility to meet the exercise and out of cell time requirements, the facility should notify the governing body about the deficiency in space for exercise, that it may violate the law and/or the requirements, and request funds to remedy the situation. The facility should document all action taken to try to remedy the situation, including funding requests, population reduction requests, and all responses to those requests.

## Education, Vocation, and Rehabilitation

### 1006.1 PURPOSE AND SCOPE

This office provides educational and vocational programs that are designed to help incarcerated persons improve personal skills, assist in their social development, and improve employability after release. The ability of the office to offer educational programs is dictated by available funding, incarcerated person classification, and other required incarcerated person programs and routines.

### 1006.2 POLICY

The educational and vocational programs offered by the Office are available to all eligible inmates and are subject to schedule, space, personnel and other resource constraints.

Designated space for inmate education and vocational programs will, whenever practicable, be designed in consultation with the appropriate school authorities or educational/vocational service providers.

Adequate funding is required. If the funding source reduces or eliminates funding in these areas, educational and/or vocational programs may be reduced or eliminated.

While the housing classification of an inmate has the potential to pose security issues, every effort, to the extent reasonably practicable, will be made to provide individualized educational opportunities (15 CCR 1061).

### 1006.3 INMATE PROGRAMS SERGEANT

The Sheriff or the authorized designee shall appoint an Inmate Programs Sergeant, who shall be responsible for managing all aspects of the inmate educational and vocational program. Those duties include, but are not limited to:

- (a) Conducting an annual needs assessment to determine the type of programs needed to serve the inmate population.
- (b) Developing the program plans.
- (c) Approving and implementing individualized programs for high-risk or administrative inmates, as needed.
- (d) Coordinating with corrections staff regarding the security issues associated with these programs.
- (e) Maintaining records of all training offered, all inmate attendees, and class materials.
- (f) Forecasting the annual cost of the program and coordinating with the Inmate Programs Analyst to secure funding.

### 1006.4 COURSE OFFERINGS

Course offerings will be subject to need, available resources, security concerns, available space and inmate classification, and may include the following:

- Basic education, General Educational Development (GED) preparation

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- English as a second language (ESL)
- Basic literacy
- Substance abuse and healthy lifestyles education
- Parenting courses
- Basic computer instruction
- Basic life skills
- Other courses as deemed appropriate by the Inmate Programs Sergeant

#### **1006.4.1 SCHEDULE OF CLASSES**

A schedule of classes will be made available in each housing unit and is available from the module Deputy. Inmates can read course descriptions and sign up for classes they would like to attend.

#### **1006.4.2 INSTRUCTION COLLABORATION**

Portions of the educational instruction program are provided by different County agencies and private businesses under services agreements with the Sheriff's Office. In cooperation with the Office, providers assign, supervise, evaluate program effectiveness, carry out inmate testing, and provide any specialized educational equipment and materials.

#### **1006.5 OUTREACH**

Information about educational opportunities should be included in the general incarcerated person orientation. At a minimum, incarcerated persons should receive instruction on how to request participation in the incarcerated person education programs, along with eligibility requirements and rules for participation.

#### **1006.6 ELIGIBILITY REQUIREMENTS**

Educational/vocational programming may be offered to sentenced and pretrial inmates. An inmate's level of program eligibility will be determined by his/her classification status. The Sheriff shall ensure that there is equal opportunity for participation for male and female inmates.

Reasonable accommodations will be made to assist inmates with disabilities in applying for and participating in programming they are eligible for.

#### **1006.7 INMATE REQUESTS**

Inmates should complete a Course Application Form to request participation in the inmate education program. Inmate requests will be forwarded to the Inmate Programs Deputy, who will screen and approve the request.

The Inmate Programs Deputy will notify the inmate whether he/she has been approved for an education program. If approved, the Inmate Programs Deputy will provide instruction to the inmate on how to access the program services and will notify the affected facility staff about the inmate's scheduled attendance.

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Inmates may also contact the Inmate Programs Deputy at any time via an Inmate Request Form to request information regarding educational opportunities.

Inmates have the right to refuse to participate in programs other than work assignments or programs that are required by statute or court order.

#### **1006.8 INDEPENDENT STUDY PROGRAM**

Whenever reasonably feasible, the basic educational program may be presented by independent study.

Inmates admitted into the independent study program are issued the necessary books and supplies.

#### **1006.9 HIGH-SECURITY/ADMINISTRATIVE SEGREGATION INMATES**

To the extent reasonably practicable, high-security inmates and those held in administrative segregation may receive individual instruction in the form of a correspondence course or independent study.

#### **1006.10 REHABILITATION PROGRAM**

The Office provides opportunities for rehabilitation programs.

The Sheriff and Detention Division Assistant Sheriff should work with other justice system partners to create such programs and opportunities. Examples include the following:

- Programs designed to deter domestic violence and substance abuse
- Community service, such as supervised public works projects

#### **1006.11 DISCLAIMER**

Nothing in this policy is meant to confer a legal right for inmates to participate in any educational offering. Educational programming is provided at the sole discretion of the Sheriff and Detention Division Assistant Sheriff.

#### **1006.12 CLASSROOM USE AND DESIGN**

The demographics of the inmate population should always be considered when developing educational and other programs. Inmate classification and segregation requirements also need to be considered.

The Detention Division Assistant Sheriff should encourage and include educators in the set up and design of classrooms that have been identified for inmate education programs. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers and administrators should be consulted to ensure that their needs are met.

In addition to the traditional classroom approach to educational programming, there are several other delivery methods. These include independent study and computer education programs.

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### **1006.13 NEW CONSTRUCTION OR RENOVATION**

Whenever construction of new facilities is considered, the Detention Division Assistant Sheriff may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels and educational equipment.

The Detention Division Assistant Sheriff may seek technical assistance from consultants to school districts that provide education programs in correctional settings. There are also networks of educators who can provide valuable consulting services in order to keep pace with rapidly evolving program and legislative issues that are related to education.

## Commissary Services

### 1007.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a commissary program that will give incarcerated persons the opportunity to purchase specific items that are not provided to them while in custody.

### 1007.2 POLICY

It is the policy of this office to provide commissary services so that incarcerated persons who are not on disciplinary restriction and who have funds posted to their incarcerated person accounts may purchase items approved by the Facility Manager (Penal Code § 4025).

### 1007.3 SUPERVISING DETENTION ASSISTANT RESPONSIBILITIES

The Supervising Detention Assistant(s) shall be responsible for the general operation of the commissary, which shall include

- Maintaining current rules, regulations, and policies of the commissary and ensuring compliance by staff.
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Any commissary sales issues related to religious diets shall be addressed in the Religious Programs Policy.

### 1007.4 COMMISSARY ACCOUNTING

Inmates who have commissary privileges shall have the opportunity to order and receive commissary items in a timely manner.

All inmates shall receive a printed receipt for all commissary purchases. Inmates may also inquire as to the balance in their inmate account. Any discrepancy of the inmate's funds shall be immediately reported to the Supervising Detention Assistant.

The Facility will use an outside contracting agency for all commissary related functions. Commissary will be ordered by incarcerated person's through kiosks and orders will be delivered pre-packaged to the facility by the vendor. Detention Assistants will distribute commissary in accordance with procedure.

### 1007.5 INMATE WELFARE PACKS

The Detention Division Assistant Sheriff or the authorized designee shall monitor the provision of inmate assistance bags to indigent inmates. These bags should be distributed weekly. Inmate assistance bags shall include but not be limited to:

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- (a) At least four postage-paid envelopes and writing materials to permit correspondence with family members and friends to include eight sheets of paper (see the Inmate Mail Policy).
- (b) Personal hygiene items, including toothbrush, toothpaste, deodorant, and other supplies deemed to be appropriate for indigent inmates.

The Sheriff may expend money from the Inmate Welfare Fund to provide indigent inmates with essential clothing and limited transportation expenses upon release (Penal Code § 4025(i)).

#### **1007.6 ANNUAL AUDIT OF THE COMMISSARY**

The Detention Division Fiscal Administrative Services Officer should ensure that an annual audit of the commissary operation is conducted by a certified auditor. The written report prepared by the auditor should be reviewed for accuracy by the Supervising Detention Assistant and provided to the Detention Division Assistant Sheriff.

All surplus funds from the commissary operation should be deposited into the Inmate Welfare Fund.

## Library Services

### 1008.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the funding of library services and for providing inmates access to leisure reading materials.

### 1008.2 POLICY

It is the policy of this facility to operate a library service that provides reading materials to inmates.

### 1008.3 RESPONSIBILITIES

The Facility Manager or the authorized designee is responsible for the administration of the library services and should appoint a capable member to serve as a librarian to run the daily library operations. The library services shall include access to current information on community services and resources, and religious, educational, and recreational reading material (15 CCR 1064).

The librarian shall ensure that reading materials are provided to the general housing units and that any member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

### 1008.4 LIBRARY FUNDING AND MAINTENANCE

The Facility Manager should ensure that funding is available to operate the library. The Facility Manager may use monies from the Incarcerated Person Welfare Fund to offset the cost of salaries, services, and supplies. The librarian may enlist the assistance of the local public library system and other community organizations to maintain and update the library. Donated books and materials should be screened by the librarian for permissible content and safety prior to being distributed to incarcerated persons.

The Office may reject library materials that may compromise the safety, security, and orderly operation of this facility (see the Mail Policy for examples of materials that may be rejected).

The library shall be operated within the physical, budgetary, and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility.

### 1008.5 LEISURE LIBRARY MATERIALS

Each inmate is allowed to have no more than two books at any given time. Existing selections must be returned before new books may be selected by an inmate. Inmates who destroy or misuse books and library materials will be subject to disciplinary action and may be required to pay for the material or face criminal charges.

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### **1008.6 ACCESS TO LIBRARY**

Access to the inmate library or to library materials shall be based on inmate classification, housing location, and other factors that legitimately relate to maintaining the safety and security of the facility.

## Mail

### **1009.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection, and sending of incarcerated person mail.

### **1009.2 POLICY**

This office will provide ample opportunity for incarcerated persons to send and receive mail, subject to restriction only when there is a legitimate government interest.

### **1009.3 MAIL GENERALLY**

Incarcerated persons may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of staff, visitors, or other incarcerated persons, or pose an unreasonable disruption to the orderly operation of the facility.

However, incarcerated persons are only allowed to store a limited amount of mail in their cells as determined by the Facility Manager. Excess mail will be stored with the incarcerated person's personal property and returned at the incarcerated person's release.

### **1009.4 CONFIDENTIAL CORRESPONDENCE**

Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect incoming confidential correspondence for contraband. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the incarcerated person. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

### **1009.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES**

Mail privileges may be suspended or restricted upon approval of the Facility Manager whenever staff becomes aware of mail sent by an incarcerated person that involves (15 CCR 1083(f)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims, or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the facility, staff, or the public.

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The District Attorney or County Counsel should be consulted in cases where criminal charges are considered against an incarcerated person or there is an apparent liability risk to the Office that relates to suspension or restriction of mail privileges.

#### **1009.6 PROCESSING AND INSPECTION OF MAIL BY STAFF**

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. Mail processing may be suspended on weekends, holidays, or during an emergency situation.

Assigned staff should open and inspect all incoming and outgoing general mail of current incarcerated persons. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for incarcerated persons no longer in custody should not be opened.

Outgoing general mail may not be sealed by the incarcerated person and may be read by staff when:

- (a) There is reason to believe the mail would:
  - 1. Interfere with the orderly operation of the facility.
  - 2. Be threatening to the recipient.
  - 3. Facilitate criminal activity.
- (b) The incarcerated person is on a restricted mail list.
- (c) The mail is between incarcerated persons.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an incarcerated person is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

Incarcerated persons are allowed to correspond with other incarcerated persons in this detention facility, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Incarcerated persons shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the incarcerated person's file in accordance with established records retention schedules.

Cash, government checks, and money orders contained in incoming incarcerated person mail shall be removed and credited to the incarcerated person's account. Personal checks may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

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##### 1009.6.1 DESIGNATION OF STAFF AUTHORIZED TO READ MAIL

Only staff members designated by the Facility Manager are authorized to read incoming and outgoing non-confidential mail. These staff members should receive training on legitimate government interests for reading and censoring mail and related legal requirements (15 CCR 1063).

##### 1009.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available.

The impact the correspondence may have on other incarcerated persons and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining facility security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
- (d) Preventing harassment of those who have requested that no mail be sent to them by the incarcerated person.

Correspondence and material identified for censorship shall be delivered to the Watch Commander, or their designee who shall make the decision if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple incarcerated persons.

##### 1009.6.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or reject or censor correspondence, a written record must be made of such action, to include:

- (a) The incarcerated person name and number.
- (b) A description of the mail in question.
- (c) A description of the action taken and the reason for such action.
- (d) The disposition of the item involved.
- (e) Signature of the correctional deputy.

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- (f) Notification to the incarcerated person and sender (unless such notification jeopardizes any investigation or the security of the facility).

#### **1009.7 BOOKS, MAGAZINES, NEWSPAPERS, AND PERIODICALS**

Unless otherwise in conflict with this policy and prohibited by the Facility Manager, incarcerated persons are permitted to purchase, receive, and read any book, newspaper, periodical, or writing accepted for distribution by the U. S. Postal Service (15 CCR 1066(a)).

Publications, magazines, or newspapers shall be accepted only if they are mailed directly from the publisher to a named incarcerated person. A current newspaper in general circulation or other like source, including a non-English alternative shall be made available to interested people (15 CCR 1066(a)).

#### **1009.8 REJECTION OF MAGAZINES AND PERIODICALS**

The Office may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books, newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, or pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for incarcerated persons.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Watch Commander whenever a decision is made to reject books, magazines, or periodicals. The Facility Manager or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals, and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

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#### **1009.9 FORWARDING OF MAIL**

Any non-legal mail received for a former incarcerated person should be returned to the sender with a notation that the incarcerated person is not in custody. Obvious legal mail should be forwarded to the former incarcerated person's new address if it is reasonably known to the facility. Otherwise, legal mail should be returned to the sender.

#### **1009.10 INDIGENT INCARCERATED PERSONS REQUESTS FOR WRITING MATERIALS**

Indigent incarcerated persons shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Facility Manager. Writing materials should include the following (15 CCR 1063):

- (a) At least four pre-stamped envelopes for correspondence with family and friends
- (b) At least eight sheets of writing paper
- (c) One pencil

Indigent incarcerated persons shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this office, elected officials, jail inspectors, government officials, and officials of the Board of State and Community Corrections. There shall be no limitation on the number of postage-paid envelopes and sheets of paper permitted for correspondence to the indigent incarcerated person's attorney and to the courts (15 CCR 1063(e)).

Requests shall be screened and granted based on need by the Programs Coordinator. Incarcerated persons should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

## Telephone Access

### 1010.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting incarcerated persons to access and use telephones.

### 1010.2 POLICY

The Detention Facility will provide access to telephones for use by incarcerated persons consistent with federal and state law. The Facility Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All incarcerated persons will be provided a copy of the telephone usage rules as part of their incarcerated person orientation during the booking process.

### 1010.3 PROCEDURE

Incarcerated persons housed in general population will be permitted reasonable access to public telephones at scheduled times in the dayrooms for collect calls unless such access may cause an unsafe situation for the facility, staff, or other incarcerated persons. During the booking process incarcerated persons will be notified that non-attorney calls may be monitored and recorded.

Incarcerated persons are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or the Facility Manager, all telephones will be turned off.

For security reasons, incarcerated persons who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Teletypewriter or other communication devices (e.g., videophones, third-party communications assistant) will be made available to persons who are known to have, or are perceived by others as having, hearing or speech impairments to allow them equivalent telephone access as those without these disabilities (15 CCR 1067).

The rules governing the use of the telephone will be provided to persons during orientation and posted in the modules.

The staff should monitor the use of public telephones to ensure incarcerated persons have reasonable and equitable access and that the rules of use are observed. Any incarcerated persons refusing to cooperate with the telephone rules may have their call terminated, telephone privileges suspended, and/or incur disciplinary action.

Requirements relating to the use of telephones during booking and reception are contained in the Reception Policy.

Incarcerated persons shall have access to at least three free telephone calls to plan for a safe and successful release (Penal Code § 4024.5).

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#### **1010.4 USE OF TELEPHONES IN HIGH-SECURITY OR ADMINISTRATIVE SEPARATION HOUSING**

Incarcerated persons who are housed in high-security or administrative separation may use the public telephones in the dayroom during the time allocated for that classification of incarcerated person to utilize that space.

#### **1010.5 COURT-ORDERED TELEPHONE CALLS**

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific incarcerated person, the supervisor may direct that a person use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the incarcerated person is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court-ordered.

#### **1010.6 ATTORNEY-CLIENT TELEPHONE CONSULTATION**

At all times through the period of custody, whether the incarcerated person has been charged, tried, convicted, or sentenced, reasonable and non-recorded telephone access to an attorney shall be provided to the person at no charge to either the attorney or to the incarcerated person, in accordance with the Access to Courts and Counsel Policy.

#### **1010.7 TELEPHONE CONTRACTS AND CHARGES**

The Facility Manager or the authorized designee is responsible for ensuring that rates charged to incarcerated persons are similar to those charged to the general public and that incarcerated persons are afforded a range of feasible calling options.

## Visitation

### 1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for incarcerated person visits and visitors. Visitation is a privilege and is based on space availability, schedules, and on-duty staffing.

#### 1011.1.1 DEFINITIONS

Definitions related to this policy include (Penal Code § 4032):

**In-person visit** - An on-site visit that may include barriers. In-person visits include interactions in which an incarcerated person has physical contact with a visitor, the incarcerated person is able to see a visitor through a barrier, or the incarcerated person is otherwise in a room with a visitor without physical contact. "In-person visit" does not include an interaction between an incarcerated person and a visitor through the use of an on-site two-way audio/video terminal.

**Video visitation** - Interaction between an incarcerated person and a member of the public through the means of an audio-visual communication device when the member of the public is located at a local detention facility or at a remote location.

### 1011.2 POLICY

It is the policy of the Sonoma County Sheriff's Office to allow incarcerated person visitation, including video visitation when applicable, as required by law.

### 1011.3 PROCEDURES

The Office shall provide adequate facilities for visiting that include appropriate space for the screening and searching of incarcerated persons and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Facility Manager shall develop written procedures for incarcerated person visiting, which shall provide for as many visits and visitors as facility schedules, space, and number of personnel will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Video visitation if applicable (Penal Code § 4032; 15 CCR 1062).

The visiting area shall accommodate incarcerated persons and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to incarcerated persons and disabled visitors to facilitate a visitation period.

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Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special incarcerated person visitation are subject to county legal review and interpretation.

#### **1011.3.1 VISITOR REGISTRATION AND IDENTIFICATION**

All visitors must register and produce a valid state, military, consular, tribal, or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, and address.
- (b) A valid identification shall include the following:
  - 1. A photograph of the person
  - 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification, or a business card/letterhead of the business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

#### **1011.3.2 VIDEO VISITATION NOT TO REPLACE IN-PERSON VISITATION**

The Office may not substitute video visitation for in-person visitation to meet the requirements of 15 CCR 1062.

#### **1011.4 AUTHORIZATION TO SEARCH VISITORS**

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

The area designated for a visitor to be searched prior to visiting with an incarcerated person shall have a notice posted indicating that any cellular telephone, wireless communication device, or any component thereof shall be confiscated for the period of the visitation and returned to the visitor upon departure from the facility (Penal Code § 4576(b)(3)).

#### **1011.5 VISITING SCHEDULE**

The Facility Manager shall designate a person to develop a schedule for incarcerated person visitation that includes daytime, evening, and weekend hours. Each incarcerated person shall receive a copy of the visitation schedule in the incarcerated person handbook at orientation. The visiting hours will also be posted in the public area of the facility.

#### **1011.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES**

The Facility Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

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Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause (15 CCR 1062). Danger to the security of the facility or other good cause includes but is not limited to the following:

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or incarcerated person violates facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying the visitor into the facility.
- (e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of the documentation will be placed into the incarcerated person's file and another copy will be forwarded to the Facility Manager (15 CCR 1062).

#### **1011.7 GENERAL VISITATION RULES**

All visitors and incarcerated persons will be required to observe the following general rules during visitation:

- (a) A maximum of two adults and two children will be permitted to visit an incarcerated person at any one time. Children visiting incarcerated persons must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the incarcerated person and the parent or legal guardian, the incarcerated person will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.
- (b) An incarcerated person may refuse to visit with a particular individual.
- (c) Those incarcerated persons who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.
- (e) Inappropriate clothing, such as transparent clothing, halter-tops, excessively tight or revealing clothing, hats and bandannas, or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages, or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.

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- (i) Incarcerated persons will be permitted to sign legal documents, vehicle release forms, or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.

#### **1011.8 ATTORNEY VISITS**

Incarcerated persons shall have access to any attorney retained by or on behalf of the incarcerated person, or to an attorney the incarcerated person desires to consult, in a private interview room. Staff shall not interfere with, suspend, or cancel official visits except in circumstances where the safety, security, or good order of the facility is compromised (see the Incarcerated Person Access to Courts and Counsel Policy).

#### **1011.9 PROFESSIONAL VISITING**

Government and Law Enforcement Representatives must give their valid state Driver's License or ID cards, and show their agency's ID card to the Receptionist when requesting a professional visit with an incarcerated person. Office employees may wear their Office I.D. in place of a visitor's pass.

Physicians, psychologists, psychiatrists, and private investigators who are representing an attorney must give their valid State Driver's license or ID card to the Receptionist, and provide a letter from the attorney, which identifies and authorizes them to visit. The letter is valid only for six (6) months and must then be reissued by the attorney.

Physicians, psychologists and psychiatrists who conduct frequent court ordered evaluations or who evaluate incarcerated persons for State Parole may be approved for placement on the facility access list. Court orders requiring an incarcerated person evaluation must be in the incarcerated person's D-file and given to the Contact Visiting Deputy, prior to the Contact Visiting Deputy authorizing the visit.

Bail agents need to be licensed and show proper identification.

The Supervising Detention Specialist or designee may authorize individuals to visit using other valid identification once validity has been verified.

Generally, professional visitors, with the exception of attorneys and law enforcement officials, may only visit during professional contact or non-contact visiting hours. Professional visitors wishing to visit outside of normal visiting hours must have the approval of the Administrative Lieutenant or Watch Commander.

At the NCDF, professionals may have contact interviews in the lobby, 401 holding, designated interview rooms, in the Units or in the Unit yards.

The Administrative Lieutenant is responsible for approving professional visitor status. Refer to the Access-Passes policy.

The Contact Visiting Deputy may approve professional visitor status for Contact Visiting. Refer to the Access-Passes policy.

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Incarcerated persons may not receive professional visits in the contact visiting area during meal service, incarcerated person counts, mandatory or emergency lockdowns without prior approval.

Professional visits conducted in the contact visiting area must be scheduled for when the area is staffed.

Incarcerated persons whose behavior requires they be escorted by more than one Deputy are not eligible for contact professional interviews unless the visit is approved by the Administrative Lieutenant and arranged a minimum of 48 hours in advance (special circumstances may arise and emergency contact visits may be arranged contingent on available staff).

Contact interviews will be scheduled on a first come, first served basis.

Law Enforcement Officers who are either in uniform or plain clothes are not required to clear the metal detector prior to entering the facility. Law Enforcement Officers shall secure all weapons prior to entering the facility. Gun lockers are available in the lobby at both the MADF and NCDF, and the vehicular sally port at the MADF.

The Public Defender's Office, District Attorney's Office, District Attorney Investigators and Sonoma County Probation are allowed to bring a laptop computer or tablets into any detention facility while on duty and related to their job function. Any other requests will be considered on a case-by-case basis. When scheduling a visit, the person requesting to bring a laptop computer or tablet must notify the receptionist of their intent to bring a laptop computer or tablet into the facility's visiting area.

The use of cameras is strictly prohibited.

Any prohibited use of the laptop computer or tablet will result in losing the privilege of bringing a laptop or tablet into the facility for future visits.

All approved persons bringing a laptop or tablet will be required to sign a Memorandum of Understanding agreeing to these terms.

All of the professional visitor's property, including keys, with the exception of pertinent paperwork and appropriate items normally carried in pockets (e.g., change) shall be left either in the visitor's car or in a locker in the lobby.

Court appointed psychiatrists and physicians may bring necessary testing equipment to their interviews. Any case containing testing equipment must be searched before the psychiatrist/physician is allowed contact with the incarcerated person. The Contact Visiting Deputy will search all necessary items.

Professional visitors who are only going into the Administration area are not required to place their belongings in a locker.

Pocket knives shall not be allowed into the facility.

Law Enforcement Representatives may keep their keys.

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Attorneys wishing to give their clients legal documents while in contact visiting must first give the documents to the Contact Visiting Deputy for inspection and approval.

No physical contact will be permitted between the Professional Visitor and Incarcerated person.

Family reunification visits arranged by Child Protective Services staff (Social Service workers and case aids) may be held in the Contact Visiting Area during normal contact visiting hours. During these visits, the parent and child may have physical contact. At the NCDF, family reunification visits may be held in the lobby or designated area of the 400 building during normal professional visiting hours.

Children over the age of twelve (12) are not allowed contact family reunification visits for safety and security reasons. They may have non-contact visits.

If the Contact Visiting Deputy determines that there is a safety concern the family reunification visit will be held in a non-contact visiting booth.

The Contact Visiting Deputy will coordinate non-contact family reunification visits, as needed.

Administrative Separation incarcerated persons may not have family reunification visits. Exceptions may be made at the discretion of the Administrative Lieutenant.

Professional visits do not count against the number of personal visits an incarcerated person is allowed each day.

Contact visits will not be allowed between incarcerated person-to-incarcerated person or with family members, with the exception of family reunification visits with minor children.

Attorneys, Public Defenders, District Attorneys, and Law Enforcement are authorized to have contact visits.

Attorneys requesting to visit after normal professional visiting hours must obtain approval from the Watch Commander, who will make the determination to authorize or deny the visit.

Only clergy members who have been cleared for access and are on the Access List kept with the receptionist may have contact visits.

After the arrest, any attorney at law entitled to practice in the courts of record of California, may visit any incarcerated person at the request of the incarcerated person or any relative of the incarcerated person. All requests shall be accommodated, barring exigent circumstances.

## Resources for Released Persons

### 1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process of providing community resource information to any incarcerated person, in order to assist with the transition back into the community.

### 1012.2 POLICY

It is the policy of this office that community resource information will be available to all incarcerated persons.

### 1012.3 COMMUNITY RESOURCES

Community resource information should include, at a minimum, the contact information for the following organizations and resources:

- Community health centers
- Employment centers
- Registry office to obtain an identification card
- Substance abuse and mental health providers
- Housing agencies
- Education agencies

Subject to the approval of the Sheriff or the appropriate Detention Division Manager, the staff or community providers may offer classes within the facility that are related to these community services.

Upon request, the office will provide the verification needed for a replacement California identification card, if applicable (Vehicle Code § 14902(g)).

Upon request of Behavioral Health Staff, inmates may be issued a Re-Entry I.D. card to assist them with accessing services at pre-approved banks, pharmacies and Human/Social services.

## Substance Abuse Programs

### 1013.1 PURPOSE AND SCOPE

It is the policy of this office to provide substance abuse counseling and education for inmates with substance abuse problems, including providing information on services for post-release continuity of care and support in the community.

#### 1013.1.1 PHILOSOPHY

The Office seeks to provide services in cooperation with community substance abuse counseling volunteers, contracted substance abuse treatment providers, and other community resources, which support the mission of public safety and community reintegration through evidence-based programs and services.

### 1013.2 POLICY

The Sheriff's Office, in cooperation with all custody personnel, local alcohol and drug treatment centers, mental health professionals, alcohol and drug counseling volunteers, criminal justice partners, and other community resource entities provide substance abuse information, education, programs and services to inmates confined on the detention facilities.

### 1013.3 SUBSTANCE ABUSE PROGRAM OBJECTIVES

The objectives of substance abuse programs and services are:

- (a) To establish goals and objectives for the inmate, provide education and counseling, relapse prevention and discharge planning and transition services.
- (b) To provide programs to help identify physical, social, medical, mental health, community and spiritual needs.
- (c) To provide linkage to community-based programs upon the inmate's return to the community.

### 1013.4 PROGRAM PARTICIPATION

Participation in substance abuse programs and services is voluntary. These programs and services are focused on providing participants with the necessary knowledge, insight and skill for successful reentry into the community.

All inmates will be afforded equal opportunity to participate in substance abuse programs regardless of their race, national origin, color, creed, sex, economic status, political beliefs, religion and/or disability, subject only to the limitations necessary to maintain the safety and security of the facilities, the safety of inmates, staff and/or volunteers.

## Detention Alternatives - Electronic Monitoring Program (EMP)

### 1014.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Office offers qualified inmates/defendants the opportunity to participate in Detention Alternatives programs that allow them the privilege of serving their court-ordered sentence in a non-traditional manner. In lieu of incarceration, eligible inmates may be afforded the opportunity to continue their education and/or employment.

#### 1014.1.1 DEFINITIONS

**EMP** - Electronic Monitoring Program

**Inmate** - For the purposes of this policy, an individual charged with and/or convicted of a crime.

### 1014.2 POLICY

It is the policy of the Sonoma County Sheriff's office that pre-trial inmates being held in lieu of bail may participate in the Electronic Monitoring Program if they meet the criteria and follow the rules.

### 1014.3 GENERAL INFORMATION

Pre-trial inmates being held in lieu of bail with no holds or outstanding warrants may participate in the Electronic Monitoring Program (EMP) if one of the following circumstances exist (1203.018 PC):

- (a) The inmate has been held in custody for at least 30 calendar days from the date of arraignment pending disposition of only misdemeanor charges.
- (b) The inmate has been held in custody for at least 60 calendar days from the date of arraignment.

Inmates sentenced to County jail time may voluntarily participate and be placed on the EMP for their entire sentence in lieu of confinement in the jail (1203.016 PC & 1203.017 PC) and shall receive any sentence reduction (good and work time credits) in accordance with the applicable sentencing structure.

Inmates who are involuntarily placed on the Electronic Monitoring Program shall receive any sentence reduction credits that they would have received had they served their sentence in jail.

As a condition of participation, the inmate shall give his/her consent and agree to comply with all applicable rules and regulations of the program in writing in order to participate in the program. For involuntary participation, all inmates shall be informed in writing that they shall comply with the rules and regulations of the program. The rules include, but are not limited to:

- (a) The inmate shall remain within the interior premises of his or her residence during the hours designated by the Sheriff's Office.
- (b) The inmate shall allow admittance to any person or agent designated by the Sheriff's Office into his or her residence at any time for the purposes of verifying the inmate's compliance with the conditions of the EMP.

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#### *Detention Alternatives - Electronic Monitoring Program (EMP)*

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- (c) The inmate shall agree to the use of electronic monitoring devices for the purpose of helping to verify his or her compliance with the rules and regulations of the EMP.
- (d) The inmate shall agree that the Sheriff's Office may, without further order of the Court, take the offender into custody to serve the balance of his/her sentence if:
  - 1. The monitoring devices are unable to perform their functions at the place of home detention.
  - 2. The inmate fails to remain in the place of detention as agreed.
  - 3. The inmate fails to meet the established criteria to remain in the program.

An inmate shall be eligible for participation in EMP if the Sheriff's Office concludes the inmate meets the criteria for EMP and the inmate's participation is consistent with the rules and regulations of the EMP. There is no requirement that the Sheriff's Office allow an inmate to participate in EMP if it appears that the inmate has not satisfactorily complied with the rules and regulations while in custody.

The EMP rules and regulations shall be given to every participating inmate. The Board of Supervisors and the Sheriff's Office shall review the EMP rules and regulations and the EMP administrative policy annually.

The Sheriff's Office shall have sole discretionary authority to permit program participation as an alternative to physical custody. All inmates removed from program participation, shall be notified in writing of the specific reasons for the denial or removal. The notice of denial or removal shall include the inmate's appeal rights.

At any time, the Court may restrict or deny the inmate's participation in the EMP.

The Sheriff's Office may approve a schedule for EMP inmates that includes but is not limited to seeking and retaining employment, attending counseling, educational or vocational training classes, or medical and dental appointments. Willful failure of the inmate to return to the designated place of detention or unauthorized departures from the designated place of detention is punishable pursuant to Penal Code section 4532, Escape.

EMP inmates are responsible for arranging their own healthcare and healthcare insurance. Once an inmate is released on EMP, the Sonoma County Sheriff's Office has no obligation to provide healthcare until or unless the inmate is returned to custody.

No fees may be collected from inmates who participate in the Sonoma County Sheriff's Office Electronic Monitoring Program.

Regarding inmates who participate in EMP voluntarily, and notwithstanding any other law, upon request of a local law enforcement agency with jurisdiction over the location where an EMP inmate is placed, the Sheriff's Office shall provide the following information about EMP inmates:

- (a) Name, address, and date of birth
- (b) Offense(s) committed or alleged committed by the inmate.

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#### *Detention Alternatives - Electronic Monitoring Program (EMP)*

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Regarding inmates who participate in the EMP in lieu of bail and notwithstanding any other law, upon request of a local law enforcement agency with jurisdiction over the location where an EMP inmate is placed, the Sheriff's Office shall provide information in 4.0(L)(1) and 4.0(L)(2), in addition to the following:

- (a) The period of time the inmate shall be placed on Electronic Monitoring. Whether the inmate successfully completed the prescribed period of Electronic Monitoring or was returned to incarceration, and if returned to incarceration, the reason for return.
- (b) The gender and ethnicity of the inmate.

Regarding inmates placed in EMP involuntarily, and notwithstanding any other law, the Sheriff's Office shall provide the following information to the Board of State and Community Corrections, and upon request shall provide that information to the law enforcement agency with jurisdiction over the location where an EMP inmate is placed:

- (a) Name, address, and date of birth
- (b) Offense(s) committed or alleged committed by the inmate.
- (c) The period of time the inmate shall be placed on Electronic Monitoring.
- (d) Whether the inmate successfully completed the prescribed period of Electronic Monitoring or was returned to incarceration, and if returned to incarceration, the reason for return.
- (e) The gender and ethnicity of the inmate.

If an inmate's participation in the program is terminated, the revocation date and time will be the return to custody booking date and time.

#### **1014.4 PROCEDURES**

Applicants who volunteer for the EMP shall complete a Detention Alternatives Application and speak with a Detention Alternatives Deputy who shall explain program details and review the court commitment to ensure the inmate is eligible.

Upon approval into the EMP, the applicant shall be notified in writing via Notice of Enrollment and EMP Enrollment Instructions, which shall include a date/time and location for the inmate to report to begin EMP.

The Court will be provided a copy of the Notice of Enrollment once the inmate has been booked and enrolled in the program. Upon conclusion of the program, the Court will be notified.

The Detention Alternatives Supervisor shall be notified of any applicants who are denied participation in the EMP and any unsuccessful terminations from the program.

Applicants who are denied enrollment may appeal their denial and submit additional material for reconsideration within 10 business days to the Detention Alternatives office. The designated manager shall review the appeal and make their final decision. The inmate shall be notified in writing of the appeal results.

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#### *Detention Alternatives - Electronic Monitoring Program (EMP)*

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For involuntary participation, the inmate shall be informed in writing that they shall comply with the EMP rules and regulations of the program. The Detention Alternatives Deputy shall note that the inmate has been informed of, and given a copy of, the EMP rules and regulations.

Detention Alternatives staff and/or designated EMP contract employees may conduct regularly scheduled office visits, random and or scheduled drug/alcohol testing, and routine home visits on EMP inmates.

In the event an EMP rule violation occurs, Detention Alternatives will review the violation. Depending on the severity of the violation a determination will be made as to the disciplinary action to be taken.

Violations of any criminal law by inmates shall result in the immediate removal from the EMP. A crime report shall be requested regarding criminal violations.

In the event the inmate's participation is revoked, Detention Alternatives will either:

- (a) Advise an inmate to report to the appropriate Detention Facility.
- (b) Notify Sheriff's Dispatch or the appropriate law enforcement agency to have a law enforcement officer respond to the location and return him/her to the appropriate correctional facility.

If an EMP violation occurs and the inmate is removed from the EMP, the inmate has the right to an appeal but must return to custody prior to the appeal process. The designated manager shall review the appeal and make his/her final decision. The inmate shall be notified in writing of the appeal results.

EMP inmates must not leave their place of confinement, whether it is their place of residence, employment or education location without authorization from Detention Alternatives staff. In the event the participant fails to return to his/her place of confinement without permission and their whereabouts are unknown to Detention Alternatives staff, they may be considered an escapee. Detention Alternatives staff may initiate an escape report (Emergencies - Escape) and a crime report may be completed.

Detention Alternatives shall provide a summary of the EMP to the Detention Facilities Manager and Assistant Sheriff each month.

## **Incarcerated Person Work Program**

### **1015.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish the guidelines and requirements for the Incarcerated Person Work Program. The Incarcerated Person Work Program allows incarcerated persons to improve and/or develop useful job skills, work habits, and experiences that will facilitate a successful transition back to the community.

### **1015.2 POLICY**

The Sonoma County Sheriff's Office shall operate an Inmate Work Program within the secure perimeter of the facility, in accordance with all applicable federal, state or local work safety laws, rules and regulations, and to the extent that the operation of inmate work programs do not pose a risk to the safety of the staff, other inmates or the public. The Sheriff's Office may support community work programs focused on public works projects, such as maintenance to County roadways or parks. This policy establishes the requirements, selection process, supervision and training of inmates prior to and after entering the facility's Inmate Work Program.

### **1015.3 LEGAL REQUIREMENTS**

#### **1015.3.1 SENTENCED INMATE WORK REQUIREMENTS**

All sentenced inmates who are physically and mentally able shall work if they are not assigned to other programs. Inmates shall not be required to perform work which exceeds their physical limitations. Inmates may be excused from work in order to maintain their participation in an educational, vocational or drug abuse treatment program. The Office will abide by all laws, ordinances and regulations when using inmates to work in the facility.

#### **1015.3.2 PRETRIAL AND UNSENTENCED INMATE WORK REQUIREMENTS**

Pretrial inmates and those awaiting sentencing may not be required to work, except to do personal housekeeping and to clean their housing area. However, they may volunteer for work assignments, except for community public works projects.

### **1015.4 INMATE WORKER SELECTION**

Custody staff shall be responsible for the selection and assignment of inmates to the various work assignments. Custody staff should solicit input from other staff in assisting with inmate selection and assignment. The Staff also shall take into consideration the following eligibility criteria:

- (a) Inmates who have posed a threat in the past or have been charged with escape should be carefully screened for inmate work projects.
- (b) The inmate's charges and classification are such that the inmate will not pose a security risk to other inmates, staff or the public.
- (c) The inmate's capacity to perform physical tasks will match the job requirements.
- (d) The inmate is able to learn the necessary work routines.

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#### *Incarcerated Person Work Program*

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- (e) The special interests, abilities, craft or trade of the inmate will benefit the work assignment.
- (f) Selection for work assignments shall not be based on race, color, creed, national origin, or any other protected class.
- (g) All eligible inmates with disabilities who wish to participate in work assignments will receive assistance from the ADA coordinator to ensure they receive equal opportunity to participate.

Inmates must be able to pass a health screening test in accordance with the policies contained in this manual, and must meet all statutory and regulatory requirements. Health-screening shall be done for inmates who work in the kitchen, around food products or who serve meals to the inmate population.

Inmates whose work assignments will be in another module/unit other than their own, as commissary workers, and as cart pushers will be screened and selected by Classification.

#### **1015.4.1 INMATE SELECTION FOR COMMUNITY PUBLIC WORKS PROJECTS**

Sentenced minimum security inmates will be reviewed by a Sergeant for community public works project eligibility. In addition to considering the aforementioned eligibility criteria, inmates will not be eligible to work on community public works projects if any of the following apply:

- (a) Inmate has a current hold or warrant
- (b) Inmate has a victim notification and/or potential victim notification
- (c) Inmate has a history of smuggling contraband into a detention facility
- (d) Inmate has a prior escape/attempted escape from a community work assignment

Sentenced minimum security inmates with parole holds will be eligible for community public works projects if the following criteria is met:

- (a) Inmate has completed their hearing with the Parole Board
- (b) Parole Board has sentenced the inmate to serve their parole hold in the County jail
- (c) Inmate has an end date to their parole hold
- (d) The controlling offense on the parole hold does not exclude them from assignment on community public works project
- (e) Inmate does not have a victim listed

#### **1015.5 WORK ON PUBLIC PROJECTS**

Sentenced minimum security inmates may be assigned to public works projects with state, municipal and local government agencies, or to community service projects, with the approval of the Detention Division Assistant Sheriff and in accordance with all applicable laws and regulations.

Inmates assigned to community public works projects will not be permitted to work in locations outside the boundaries of Sonoma County. The Detention Division Assistant Sheriff has the authority to make exceptions.

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##### **1015.5.1 COMMUNITY PUBLIC WORKS PROJECT REQUESTS**

Requests for inmate workers for community public works projects must be made in writing on Department letterhead to the Detention Assistant Sheriff and should include the following:

- Agency name and responsible Manager contact information
- Type of work and length of time inmate work will be needed
- Location of work assignment and any potential safety concerns identified
- Confirmation of required training for those persons responsible for supervision of inmates on work assignment

All persons responsible for supervision of inmates on community public works projects must be cleared through the Detention Division Assistant Sheriff or designee and must complete the required training outlined in this policy prior to supervising inmates.

##### **1015.6 PROHIBITION OF NONPUBLIC WORK PROJECTS**

Work projects on behalf of any private individual or to an individual's private property are strictly prohibited and may constitute a violation of the law.

##### **1015.7 SUPERVISION OF INMATE WORKERS**

Staff in charge of work programs or who provide supervision of inmates assigned to work crews should adhere to the following:

- (a) Inmate workers should be provided with safety equipment, clothing and footwear commensurate with the work performed. Safety equipment may include, but is not limited to, eye protection, gloves, hardhat or headwear and sunscreen for protection from sun exposure.
- (b) Work periods shall not exceed 10 hours per day.
- (c) Inmate workers should be provided with work breaks to allow them to take care of personal needs.
- (d) Inmate workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.
- (e) Inmates who work shifts during the early morning or late-night hours should be provided with quiet space to allow for sleep during daytime hours.
- (f) The inmate workday approximates the workday in the community.
- (g) Inmate performance is regularly evaluated and recorded.

Inmate workers shall be under the direct supervision of the approved staff at all times when they are on assignment through the Inmate Work Program.

All persons who are responsible for the supervision of inmates on work crews shall receive PREA training, as well as training in basic areas of safety, security and reporting procedures.

Persons who are responsible for supervising inmates working on community public works projects must have received current training on cardio-pulmonary resuscitation (CPR) and basic first aid.

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Disciplinary action for inmate worker misconduct shall adhere to the Inmate Discipline Policy.

#### **1015.8 INCARCERATED WORKER TRAINING**

Incarcerated persons who are assigned to work in any area that may require the handling of any chemicals or the use of any equipment shall receive training from the respective office supervisor prior to using the chemicals or equipment. Work-crew supervisors shall also train incarcerated workers on safety practices. Incarcerated persons should never be assigned to handle dangerous chemicals or equipment that normally require a level of expertise and competency beyond their demonstrated ability.

#### **1015.9 INMATE WORKER INCENTIVES**

The Detention Division Assistant Sheriff or designee is responsible for establishing a recognition program for inmates assigned to the Inmate Work Program. Recognition of inmates can be observed in the following ways:

- (a) Granting "Good Time and Work" credits as allowed by state or local law.
- (b) Using credits for sentence reduction when allowed by statute.
- (c) Granting special housing, extra privileges, recreation and special rewards, as allowed by law regulation and policy. Inmate welfare funds may be used to offset the cost of a reward program.
- (d) Awarding certificates of achievement for successful completion of vocational, educational and/or work programs.

## Religious Programs

### 1016.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of incarcerated persons to exercise their religion and for evaluating accommodation requests for faith-based religious practices of incarcerated persons (15 CCR 1072).

#### 1016.1.1 DEFINITIONS

Definitions related to this policy include:

**Compelling government interest** - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Office, as opposed to something merely preferred, that can be furthered only by the policy under review.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Office adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

**Religious exercise** - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the incarcerated person's sincerely held religious beliefs.

**Substantial burden** - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Office that places an incarcerated person in a position of having to choose between following the precepts of the person's religion and forfeiting benefits otherwise generally available to other incarcerated persons, or having to abandon one of the precepts of their religion in order to receive a benefit.
- The Office puts considerable pressure on an incarcerated person to substantially modify the person's behavior in violation of their beliefs.

### 1016.2 POLICY

It is the policy of this office to permit incarcerated persons to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate governmental objectives of the facility.

### 1016.3 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any incarcerated person for participating or not participating in any religion or religious practice. Incarcerated persons are not required to participate in religious programs or activities.

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Facility staff will not allow their personal religious beliefs to influence them in the daily management of the incarcerated person population, particularly as it relates to religious practices.

#### **1016.4 INMATE PROGRAMS UNIT**

The Inmate Programs Unit shall be responsible for supervising, planning, directing, and coordinating religious programs. The Inmate Programs Unit may be responsible for duties including, but not limited to:

- (a) Coordinating religious services.
- (b) Reviewing requests for religious accommodations.
- (c) Providing or arranging for grief counseling for inmates.
- (d) Distributing a variety of religious texts.
- (e) Developing and maintaining a liaison with a variety of religious faiths in the community.
- (f) Making reasonable efforts to enlist religious leaders from outside the community as necessary.
- (g) Working with inmate families when requested.
- (h) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the inmate population.
- (i) Providing guidance to the Sheriff and the Detention Division Assistant Sheriff on issues related to religious observance.

#### **1016.5 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS**

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief and may change a designation at any time by declaring his/her religious belief in writing to the Inmate Programs Unit. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the facility's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted on an Inmate Request Form to the Inmate Programs Unit specifying the type of religious accommodation requested, and affirming the request is based on a sincere religious belief. Inmates may request changes to their religious accommodations no more than once every 90 days. In determining whether to grant or deny a request for accommodation of a religious practice, the Inmate Programs Unit will determine the sincerity of the religious claim of an inmate. The Sheriff's Office shall take reasonable actions to prevent imposing a substantial burden on inmates' exercise of religion, unless such burden furthers a compelling governmental interest and is the least restrictive means to do so.

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The Inmate Programs Unit shall determine whether to approve or deny the request for a religious accommodation within 5 working days (excluding weekends and holidays) of receiving it.

The cost of providing religious accommodations that are not traditionally provided by the Sheriff's Office (e.g., symbolic holiday religious foods, headdresses, or items used in prayer or ceremonies) must be paid by the requesting inmate or another person on behalf of the inmate, such as a family member. Inmates must also make arrangements to obtain any requested items of religious worship that are not readily available to the Sheriff's Office. All such religious items must be expressly approved by the Inmate Programs Sergeant prior to delivery to the inmate.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's management notes.

#### **1016.5.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

In an emergency or extended disruption of normal facility operations, the Watch Commander may suspend any religious accommodation. The Inmate Programs Unit may revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

#### **1016.5.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

Inmates may appeal the denial, suspension or revocation of an accommodation through the inmate grievance process.

#### **1016.6 DIETS AND MEAL SERVICE**

The Office should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done in consultation with the responsible Health Authority and be consistent with the security and orderly management of the facility. A religious diet request shall be denied if the responsible Health Authority determines that such a diet would be inconsistent with the inmate's medical needs.

The Inmate Programs Unit shall provide a list of inmates authorized to receive religious diets to the food services provider. The food services provider shall establish a process for managing religious meal accommodations.

#### **1016.7 HAIRSTYLES AND GROOMING**

Unless it is necessary for the health and sanitation of the facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

#### **1016.8 RELIGIOUS TEXTS**

Religious texts should be provided to the requesting incarcerated person, if the texts available do not pose a threat to the safety, security, and orderly management of the facility.

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##### **1016.9 UNAUTHORIZED PRACTICES OR MATERIAL**

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security
- (c) Self-mutilation
- (d) Use, display, or possession of weapons
- (e) Self-defense or military training
- (f) Disparagement of other religions
- (g) Nudity or sexual acts
- (h) Profanity
- (i) Use of illegal substances or controlled substances without a prescription

##### **1016.10 GROUP RELIGIOUS SERVICES**

Group religious services may be allowed after due consideration of the inmate's classification or other concerns that may adversely affect the order, safety and security of the facility.

A schedule of organized group religious services, programs, and activities will be made available to inmates in each housing unit. The various activities and programs will be listed with scheduled times and locations.

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, video tapes).

##### **1016.10.1 TERMINATION OF RELIGIOUS ACTIVITIES**

Custody staff may terminate periodic or ongoing religious activities at any time when such activities present a safety or security threat to the facility, staff, inmates or the religious advisors. Any staff who determines that such a threat exists will immediately notify Central Control or their Supervisor and take necessary steps to maintain safety and security. The termination of the activity, reason for the termination and actions taken shall be documented in an Incident Report.

##### **1016.11 RELIGIOUS SYMBOLS AND IMPLEMENTS**

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety, or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

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##### **1016.12 RELIGIOUS GARMENTS AND CLOTHING**

Inmate requests to maintain head coverings for religious reasons are also subject to the following specific considerations and procedures. All such requests are subject to review and determination by a Custody Manager in accordance with the terms of this policy.

Religious head coverings may not be worn during the booking photo process.

When removing religious head coverings for booking photos, if practicable, only persons of the same gender as the inmate/detainee shall be present. Staff should take reasonable actions to prevent the inmate/detainee from being viewed by the opposite gender during the booking photo process, but due to the physical layout of facilities this may not be feasible at all times.

If an inmate requests to maintain possession of a religious head covering while in booking, jail staff shall approve such a request on an interim basis if it does not pose a safety and security risk, and shall document such approval in the inmate's Classification and Management Notes.

If the inmate did not possess the requested head covering at the time of booking, the inmate may contact the Inmate Programs Unit to make arrangements for the head covering to be delivered to the appropriate facility. All head coverings delivered to the facility must be expressly approved by jail staff.

Inmates may request to use head coverings for religious reasons on a continual basis (e.g., for modesty per religious practice) or periodically (e.g., to be used in prayer or a religious service). If inmates request use of head coverings only periodically, they may wear such head coverings only during prayer, religious services, or other religious observances, and must store or carry their head coverings at other times.

All head coverings may be removed to conduct an authorized search. Jail staff shall inform the inmate of the need to conduct the search. During the search, jail staff shall maintain the head covering in a clean place and shall return the head covering to the inmate as soon as practicable.

When a female inmate has received approval to use a head covering for a religious purpose to preserve modesty, if practicable, a female staff member shall conduct the search and provide an area of privacy in which to remove the head covering.

##### **1016.13 FAITH- AND MORALS-BASED COUNSELING**

The Facility Manager shall be responsible for establishing a plan for incarcerated persons to receive faith- and morals-based counseling from the chaplain or religious volunteers. Incarcerated persons should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs, and other secular volunteer programs.

No incarcerated person shall be required to participate in any such program.

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##### **1016.14 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES**

Space for group worship will be dictated by the availability of secure areas and the classification status of the inmates to be served. All approved religious providers should have equal access to the space, equipment and services which the facility normally provides for religious purposes.

##### **1016.15 COMMUNITY RESOURCES**

The Inmate Programs Unit should establish contacts with clergy from a variety of faiths who can provide services to inmates.

All individuals providing faith-based services should be supervised by the Inmate Programs Unit.

The Inmate Programs Unit shall develop and maintain communication with faith communities. The Inmate Programs Unit shall review offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

##### **1016.16 TRAINING**

The Office shall provide training to facility staff on the requirements of this policy.

The Office shall also provide training in safety and security to all religious volunteers.

## Chapter 11 - Facility Design

## Space and Environmental Requirements

### 1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

### 1100.2 POLICY

It is the policy of this office to comply with federal and state laws, codes and correctional standards in matters relating to the jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the facility should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the facility should facilitate continuous personal contact and interaction between the custody staff and inmates. This contact should be by direct physical observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal contact and interaction.

All parts of the facility that are accessible to the public should be accessible to and usable by persons with disabilities.

### 1100.3 SPACE REQUIREMENTS

Except for emergency accommodations of a limited duration, all areas in the physical plant shall conform to building and design requirements contained in federal and state law, codes and minimum jail standards as required for their intended design and use. Areas that are repurposed for other than their original intended use shall likewise comply with all building design requirements for the new purpose.

### 1100.4 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings and equipment shall have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or inmate housing unit doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the facility in the event of an emergency.

### 1100.5 ENVIRONMENTAL REQUIREMENTS

All occupied areas of the physical plant shall conform to the building and design requirements contained in federal and state law, codes, and jail standards with respect to light, air, and noise level.

### 1100.6 DAYROOMS

Dayrooms shall be equipped with showers in compliance with Federal, State, and local regulations, and tables and sufficient seating for all inmates at capacity. Where inmates do not have continuous access to their cells, dayrooms shall also be equipped with toilets, an immediate source of fresh potable water and lavatory with hot and cold water consistent with the aforementioned regulations.

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##### **1100.7 JANITOR CLOSETS**

Janitor closets shall be located near or inside each housing unit. Each janitor closet should contain a sink and the necessary cleaning implements. Access to the janitor closets shall be controlled and supervised by the staff. Only authorized inmates shall be allowed access to the janitor closets, and then only under the supervision of staff.

##### **1100.8 EMERGENCY POWER**

The facility shall be equipped with a sufficient emergency power source to operate communications, security and alarm systems in control centers, and emergency lighting in corridors, stairwells, all inmate housing areas, security control points and audio-visual monitoring systems.

##### **1100.9 NEW CONSTRUCTION AND RENOVATION**

In the case of partial renovation of an existing facility, it is intended that these standards should apply only to the part of the facility being renovated. The remainder of the facility would be subject to the existing standards.

## Control Center

### **1101.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines for a control center for monitoring and coordinating the facility security, safety and communications.

### **1101.2 POLICY**

It is the policy of this office to maintain a control center, designated as Central Control, which shall be secure and staffed 24 hours each day to monitor and coordinate security, safety and communications.

### **1101.3 COMMUNICATIONS AND MONITORING CAPABILITIES**

Central Control shall have multiple means of direct communication capabilities with all staff control stations in incarcerated person housing areas, including telephone, intercom, and radio.

The Central Control staff shall be responsible for monitoring fire, smoke, and life-safety alarms and shall have the means to summon assistance in the event of an emergency.

### **1101.4 SECURITY**

Access into the Central Control should be through a sallyport entrance controlled by the staff inside the Central Control.

At no time should incarcerated persons be allowed to enter the Central Control.

## Crowding

### 1102.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the inmate population to the number of beds constructed. Occasionally, emergencies occur that will require the detention facility to exceed its approved bed capacity. This policy establishes the approved bed capacity of the detention facilities, addresses temporary population excess and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

### 1102.2 POLICY

It is the policy of the Sonoma County Sheriff's Office to manage the inmate population to the extent as is reasonably possible to avoid exceeding the facilities' approved bed capacity.

### 1102.3 CROWDING COMMITTEE

The Sheriff or the authorized designee is responsible for forming the crowding committee and for facilitating its meetings. When the inmate population nears the approved bed capacity of the facility, the Sheriff should schedule a meeting with the committee for the purpose of identifying potential solutions to reduce the population to, or below, the approved bed capacity.

A complete report describing facility population, conditions and mitigation recommendations should be provided to all members of the committee, as well as being released to the public.

The committee membership should include but is not limited to:

- (a) The Sheriff of the Office
- (b) The Facility Manager
- (c) A member of the local judiciary
- (d) A representative of the District or Prosecuting Attorney's Office
- (e) A representative of the Public Defender's Office
- (f) A representative from the County Administrator's Office
- (g) A representative from the legislative body (counsel, supervisor, commissioner)
- (i) One or more members of the public

### 1102.4 RESPONSIBILITIES

The Sheriff is responsible for ensuring that the facility has a sufficient number of housing units in an appropriate configuration so that inmates can be separated according to the facility's classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the inmate population to the approved bed capacity as soon as reasonably practicable. The Office will take affirmative action to address excess population. In the event that the inmate population remains over capacity or continues to

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increase, a crowding committee should be formed to examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

#### **1102.5 FACILITY NEEDS ASSESSMENT**

In the event that either detention facility maintains an average 80 percent occupancy rate consistently for one year, the Office should initiate a jail needs assessment. The assessment initiates a systematic process that is designed to identify a variety of operational issues and program needs, and may indicate when expansion or replacement of the facility is warranted.

#### **1102.6 INMATE POPULATION REPORT**

The Detention Division Assistant Sheriff or the authorized designee is responsible for ensuring that detailed daily logs of the facility's inmate population and other demographic information are completed and maintained by the staff. These logs shall reflect the monthly average daily population of sentenced and non-sentenced inmates by categories of male and female as of midnight of each day. The number of inmates occupying holding cells shall also be counted at midnight each day. An inmate population report summarizing this information shall be created daily and distributed to the Detention Division Assistant Sheriff, Detention Operations Captain, and the Detention Special Services Captain. The Detention Special Services Captain shall provide the Board of State and Community Corrections with applicable inmate demographic information as described in the Jail Profile Survey (15 CCR 1040).

## Video Management System

### 1103.1 PURPOSE AND SCOPE

The purpose of utilizing a Video Management System is to help prevent, deter, and provide documentary evidence for criminal investigations, internal or administrative investigations, and civil litigation.

#### 1103.1.1 DEFINITIONS

**Video Management System (VMS)** - A system where components originate, manage, distribute, control, view, and store video data.

**Privacy Zone Filter** - An electronic screen filter that is positioned on a video monitor to provide a visual obstruction for viewers for areas that are not the subject of an investigation.

### 1103.2 POLICY

The Sonoma County Sheriff's Office utilizes a video surveillance program known as the Video Management System, (VMS) to monitor large interior areas within the detention facilities. The Sonoma County Sheriff's Office use of VMS shall comply with all provisions in this policy.

### 1103.3 GENERAL INFORMATION

Members shall utilize all video surveillance equipment and recordings in accordance with the provisions in this policy to maximize the effectiveness of the video documentation to achieve operational objectives, and to ensure evidence integrity.

While video recordings can provide an objective record of events, it is understood that video recordings may not necessarily reflect the entire experience or state of mind of the individual employee(s) in a given incident. In some circumstances, the cameras will capture information that may not have been observed by the involved employee(s). Similarly, there will be situations where the cameras will not capture information that was heard and/or observed by the involved employee(s).

#### 1103.3.1 MEMBER PRIVACY EXPECTATION

All recordings made on any Office-issued device, at any time, and any recording made while acting in an official capacity for the Office, regardless of ownership of the recording device made on, shall remain the property of the Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

#### 1103.3.2 PROHIBITED USE

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for Office-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

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Members are prohibited from using and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with Office-issued or personally owned recorders.

Recordings shall not be used by any member for the purpose of embarrassment, harassment, or ridicule.

#### 1103.3.3 PLACEMENT OF CAMERAS

In accordance with the Prison Rape Elimination Act, most cameras are focused on common areas, including dayrooms, hallways, recreation areas. In dormitory units, cameras may be in the common area that include inmate beds and cells. Cameras are rarely located within shower or toilet areas. It is acknowledged that there is a diminished expectation of privacy in the open area of a dormitory setting or other common areas of correctional facilities.

The privacy of inmates and their visitors will be respected subject to the need to verify the identity of an inmate or visitor; enforce laws, regulations, and procedures; and to ensure the safety of persons and institution/facility security.

Video-recording devices may be utilized in visiting areas, excluding confidential attorney consultation areas.

#### 1103.3.4 ACCESS AND MONITORING

In order to maintain the ability to conduct thorough and effective investigations and incident reviews involving sexual abuse, sexual harassment, and other misconduct, appropriately trained internal and external investigators, and senior facility and agency administrators are not prohibited by the Prison Rape Elimination Act, Standard 115 from viewing cross-gender recorded camera footage in conjunction with an investigation or incident review.

Cameras focused on common areas, including dormitory sleeping units, may be monitored by any gender, as long as the footage does not depict inmates showering, performing bodily functions, changing clothes, or in a state of undress or partial undress.

Access to the VMS and recording storage areas will be controlled and granted to authorized personnel only. Access is authorized on a need to know, right to know basis. All access to the VMS will be logged and available for audit purposes.

Members shall not duplicate or distribute recordings, except for authorized legitimate Office business purposes. All such recordings shall be retained at the Office and members may only view recorded data at a Sheriff's Office authorized computer.

Privacy Zone Filters will be utilized by viewers of the opposite gender when viewing areas such as bathrooms, showers, or changing areas when the area is not the subject of an investigation.

Authorized members may review live recordings and recorded files according to the provisions of this policy as it relates to:

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- (a) The purposes of completing a criminal investigation and preparing official reports
- (b) Prior to courtroom testimony or for courtroom presentations
- (c) Providing a statement during an administrative inquiry
- (d) For training purposes
- (e) Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct
- (f) In response to court orders, subpoenas, public records act (PRA) requests, etc., the VMS may be reviewed by Sheriff's Office members who have a legitimate law enforcement reason, (Custodian of Records, SES Administrator, Command Staff, etc.)

#### 1103.3.5 RETENTION OF RECORDINGS

All recordings will be retained for a period of one year and one day. Recordings containing evidence will be retained in accordance with the Sonoma County Sheriff's Office- Property/Evidence Policy.

#### 1103.3.6 RELEASE OF RECORDINGS

Requests for the release of recordings will be processed in accordance with the Sonoma County Sheriff's Office - Records Maintenance and Release Policy.

#### 1103.3.7 CRITICAL INCIDENTS

In the event of a critical incident, the Sheriff's Office will follow the procedures and guidelines set forth in the Sonoma County Sheriff's Office-Critical Incident Protocol.

#### 1103.3.8 RESPONSIBILITIES

The Detention Division Planning and Research Lieutenant or designee will be responsible for ensuring the VMS remains in operable condition.

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## **Attachments**



## **INDEX / TOPICS**