

# **Sutter County Sheriff's Office**

## **Jail Operations Manual**

**Brandon Barnes  
Sheriff-Coroner**

August 2023  
Revised

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## **J100.00 - INTRODUCTION**

The Jail Operations Manual addresses the functions and management of the Sutter County Jail. The policy and procedure contained in this manual supersedes all existing orders, manuals and procedures now or formerly used in the jail. Copies of this manual are available to all employees on the Sheriff's Office computer server, as well as inside each control room.

Unless otherwise authorized, each employee assigned to the jail, including medical and mental health staff, shall be held accountable for their compliance with the contents of this manual.

The policy and procedures contained in this manual comply with the Minimum Standards for Local Detention Facilities, issued by the California Corrections Standards Authority: Title 15, California Administrative Code; which includes biennial inspections of all facilities, as mandated by the California Penal Code sections 6031, 6031.1 and 6031.2.

Any policy or procedure in this manual found to be illegal, incorrect or inapplicable shall not affect the validity of the remaining content.

Policy and procedure contained in this manual will be reviewed and updated annually, and approved by the Administration Chain of Command, which consists of the Jail Lieutenant, Jail Facility Manager, Undersheriff, and Sheriff. Input from Jail Sergeants and line staff is encouraged and requested at all times.

### **J100.10 - ANNUAL REVIEW**

An annual review of this manual is required of all jail employees and the review will be acknowledged by the respective supervisor of the employee during their annual evaluation.

### **J100.20 - JAIL SECTION MEMORANDA**

Memoranda concerning procedures or subjects of a short duration, or of an insufficient critical nature to warrant issuance of a policy or procedure, will be issued by the Jail Facility Manager. These memoranda will be of such a nature they can be purged periodically due to the short duration of their utility.

Memoranda may also be issued from one staff member to another or from a supervisor to a subordinate or subordinates.

### **J100.30 - MEMORANDUM DISTRIBUTION**

Each Sergeant will receive copies of any memorandum and shall be responsible for the dissemination of the information contained therein to all members under his command. *Sergeants will make sure each employee understands the content and purpose of each memorandum.*

### **J100.40 - PLACEMENT OF MEMORANDA**

- [1] When necessary, memoranda will be posted in the appropriate location within the Jail.
- [2] Sensitive memoranda will not be placed in view of or made accessible to any unauthorized individuals.

## **J100.50 - JAIL HOURS OF OPERATION**

The jail is open twenty-four (24) hours a day, seven (7) days a week. Information from the jail can be obtained by members of the public in person at 1077 Civic Center Blvd, Yuba City; by telephone at (530) 822-7300; or by visiting the Sutter County Jail website at <http://www.suttersheriff.org/>

## **J101.00 - DEFINITIONS**

### **J101.05 - INMATES**

- [1] Any person incarcerated in a facility of the jail.
- [2] Any person remanded by a court to the custody of the Sheriff of Sutter County.

### **J101.10 - PRE-SENTENCED INMATE**

"Pre-sentenced Inmate" shall be used to describe any incarcerated person awaiting arraignment, hearing, trial or sentencing.

### **J101.15 - PRE-ARRAIGNED ARRESTEE**

An individual brought into the jail and booked, but NOT yet formally arraigned before a Judge or Magistrate.

### **J101.20 - SENTENCED INMATE**

"Sentenced Inmate" shall be used to describe any incarcerated person who has been sentenced by a court to any jail.

### **J101.25 - INMATE WORKER**

"Inmate Worker" shall be used to describe any inmate currently performing a job assignment or work detail.

### **J101.30 - WORK FURLough INMATES**

"Work Furlough Inmate" is an inmate sentenced to serve time in the County Jail who is allowed to hold a regular job or attend school outside of the jail.

### **J101.35 - HOUSING UNIT**

"Housing Unit" shall be used to describe a type of housing area.

### **J101.40 - CELL**

"Cell" is an individual room within a housing area.

### **J101.45 - PERSONNEL**

"Officer" and "Employee" shall be used synonymously to include any Sheriff's Office employee, sworn or civilian, assigned to the jail.

### **J101.50 - MINIMUM JAIL STANDARDS**

Minimum Jail Standards refers to Minimum Standards for Local Detention Facilities, issued by the California Corrections Standards Authority: Title 15, California Administrative Code.

## **J101.55 - COMMITTEES AND BOARDS**

"Disciplinary Review Board" shall be used to describe a board consisting of a Jail Supervisor and one other jail staff member, who will convene upon the order of the Jail Facility Manager or Lieutenant. The Board will review inmate disciplinary reports, conduct hearings and make findings and recommendations.

"Inmate Welfare Committee" shall be used to describe a committee consisting of the Jail Facility Manager, the Jail Lieutenant, the designated commissary officer and any other persons appointed by the Jail Facility Manager. The Inmate Welfare Committee will oversee and approve the expenditure of any Inmate Welfare Account funds other than those used in the day to day operations of the Sutter County Jail Inmate Store. Such funds may be used solely for the benefit, education and welfare of the inmates confined within the jail per California Penal Code Section 4025.

## **J102.00 - ORGANIZATION AND FUNCTION**

### **J102.10 - SHERIFF**

The Sheriff is charged by law with the administration of a local detention facility/system. The Sheriff is equivalent to a "Facility Administrator" as described in the Minimum Standards for Local Detention Facilities, issued by the California Corrections Standards Authority: Title 15, California Administrative Code.

For the purposes of this policy manual, the term Sheriff may appear in lieu of Facility Administrator.

### **J102.20 - CAPTAIN/JAIL FACILITY MANAGER**

This position commands and is responsible for the activities of the entire jail in accordance with the policies and procedures prescribed by the Sheriff.

The Jail Captain is equivalent to a "Facility Manager" as described in the Minimum Standards for Local Detention Facilities, issued by the California Corrections Standards Authority: Title 15, California Administrative Code.

For the purposes of this policy manual, the terms Jail Facility Manager or Jail Captain may appear in lieu of Facility Manager.

### **J102.30 - JAIL LIEUTENANT**

Under direction of a Jail Facility Manager, assists in organizing, directing and supervising the activities of the Corrections Unit. The Jail Lieutenant may act on behalf of the Jail Facility Manager in their absence. This position is a first level management position responsible for the day-to-day operations/support of the Corrections Unit. The position has a responsibility for recommending and implementing policy and procedures. Incumbents in this classification both supervise and perform administrative support functions.

### **J102.40 - SERGEANTS AND OFFICERS IN CHARGE (OIC)**

Sergeants and the OIC perform supervisory duties and/or specialized staff assignments and are

equivalent to "Supervisory Custodial Personnel" as described in Minimum Jail Standards.

#### **J102.50 - CORRECTIONAL OFFICER**

The primary duty of a Correctional Officer assigned to the jail is the supervision of inmates. The position is equivalent to "Custodial Personnel" as described in Minimum Jail Standards.

Under designation of 830.1(c) P.C., a Correctional Officer is a peace officer 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. This 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, and when performing other law enforcement duties directed by his or her employing agency during a local state of emergency.

#### **J102.60 - CORRECTIONAL OFFICER RESERVE**

Reserve correctional officers may be assigned to the supervision of inmates at the jail on a temporary or part time basis. These positions, while on duty, are equivalent to "Custodial Personnel" as described in Minimum Jail Standards.

#### **J102.65 - PRECEDENCE OF RANK**

Within the jail, the following is the precedence of ranks in descending order, unless amended by a specific order:

*Sheriff  
Undersheriff  
Captain  
Lieutenant  
Sergeant  
Correctional Officer  
Reserve Correctional Officer  
Civilian Employee*

Any person may, when their immediate supervisor is not available, contact the next highest level of rank. (i.e., a Correctional Officer, in the absence of a Sergeant, may contact a Lieutenant).

#### **J102.70 - INMATE CLASSIFICATION AND PLACEMENT**

The Jail Sergeant, Officer in Charge (O.I.C.) or assigned Correctional Officer shall gather sufficient information on each inmate to properly assign them to a housing area based on the needs and security of the jail and the needs of the inmate.

#### **J102.75 - FOOD SERVICES MANAGER**

The Food Service Program for the jail shall be under the direction and supervision of the Food Services Supervisor. The Food Services Supervisor shall be responsible for coordinating and directing all food service programs, operations and supervision of inmate workers assigned to kitchen duties. They shall direct the preparation of menus and medical diets, requisition of food and the maintenance of inventories and other activities related to meal cost control.

A Registered Dietitian (RD) The Health Department reviews all facility menus.

Standards set forth by the Corrections Standards Authority relating to food groups and minimum number of servings shall be the criterion used in estimating food requirements and planning menus within budgetary allowance.

The Food Services Supervisor shall also inspect all food service areas, dishes, utensils and kitchen equipment for compliance with safety, sanitary and housekeeping standards. The Food Service Supervisor shall report to the Lieutenant except for the following:

The Food Services Supervisor will prepare a food service budget and submit it to the Jail Facility Manager by March 1st annually when requested.

The Food Services Manager will prepare an annual written report to the Jail Facility Manager outlining the food services provided, deficiencies, corrective plans of action taken, and recommendations for changes in the food services program and practices at the end of each fiscal year.

#### **J102.80 - FOOD SERVICE WORKER (FSW)**

The Food Service Workers (FSW) are civilian employees who shall assist the Food Services Supervisor in coordinating and directing all food service operations. Under the direction of the Food Services Supervisor, they will supervise the preparation of menus and medical diets, the requisition of food and the maintenance of inventories and other activities related to meal cost control. In the absence of the Food Services Supervisor, A lead will act as the Food Services Supervisor, under the direction of the Jail Lieutenant.

#### **J102.90 - VOLUNTEER ORGANIZATIONS**

Organized volunteer groups from the community shall, with the approval of the Sheriff, Undersheriff, Jail Facility Manager or Lieutenant, be permitted to visit inmates. The purpose of such visits shall include, but not be limited to, religious services, rehabilitation, and education programs for inmates. Appropriate security checks shall be made of all volunteers prior to participation in such programs. This may include searches of persons and/or materials.

#### **J103.00 - USE OF FORCE**

Every employee shall familiarize themselves with the Sheriff's Office Use of Force Policy, as described in the Sutter County Sheriff's Office Operations Manual, beginning in Chapter 4, section 4.15.

#### **J103.05 - FORCE DEFINED**

Force is the exertion of physical power to overcome or restrain an individual causing them to act, move, or comply against their will.

In all situations, personnel shall use only that degree of force which is necessary and reasonable, given the facts and circumstances known to the officer at the time of the event, to effectively protect themselves and others, or to overcome resistance, and bring an incident under control.

Personnel are not to be restricted in the lawful discharge of their duties and have a positive duty to use force when necessity exists.

Personnel shall be firm, resolute and energetic in exercising the means to properly perform their duty, and shall employ defensive and control techniques, including the use of Sheriff's Office approved equipment and devices. Personnel having in their custody any person under arrest or detention shall properly safeguard such person and their property.

#### **J103.10 - REPORTING THE USE OF FORCE**

In all cases where personnel are required to use physical force, the following procedures shall be strictly adhered to:

[1] Officers shall, as soon as possible, make an oral report to a supervisor. A reference to the oral report shall be made in all written reports and on the shift log.

[2] Whenever the incident in question requires a crime report, all details regarding the use of force shall be included in the crime report.

[3] Incidents requiring force and not requiring crime reports, i.e., altercations in jail units, recalcitrant bookings, etc., shall be reported orally to a supervisor. The supervisor shall determine if the force used was necessary and if further investigation may be required. A Jail Incident Report shall be submitted prior to the end of shift.

[4] The Jail Lieutenant shall be advised of all incidents regarding use of force. The Lieutenant will notify the Jail Facility Manager and conduct further inquiry if needed.

#### **J103.20 - IMPACT WEAPONS POLICY**

##### **PURPOSE:**

The purpose of this policy is to provide an operational guideline for the deployment and use of the Penn 40mm Impact Weapons System during those situations where the use of a less lethal compliance technique is warranted.

##### **PROCEDURES:**

The Sutter County Sheriff's Office places the highest of value on human life. The office is authorized and trained in the use and deployment of less lethal impact weapons and munitions. Less lethal munitions is a concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional tactics or equipment.

It is the policy of the Sutter County Sheriff's Office that impact weapons may be used for the control of a combative or potentially combative person as set forth in the Sutter County Sheriff's Office's Use of Force policy.

The Impact Sponge Round for the 40 mm is approved for use in the jail when necessary. The Impact Sponge round SHALL NOT be used any closer than 3 yards or 9 feet away from a subject. With the Approval of the Facility Manager or the Jail Lieutenant, the Stinger Ball may be used but no closer than 7 yards or 21 feet from a subject. With the approval of the Facility Manager or the Jail Lieutenant, the OC round may be used no closer than 21 feet at a wall or object (not at a person) simply to deploy OC

Impact weapon projectiles subdue subjects with a kinetic impact. The sting of the impact of the munitions causes a psychological impression of being shot. This impact weapon launching system can deliver projectiles with enough kinetic energy to produce temporary abrasions, bruises, and/or welts.

Officers may have to use impact weapons in defensive situations or offensive tactical inmate control situations. When the decision is made to use an impact weapon, the officer must react with only as much force as is reasonable. One or two effective impact strikes are a stronger deterrent to further aggression than several ineffective strikes used to keep a subject away. When an impact weapon is used as a striking instrument, the intent is to stun and stop a subject.

Impact weapons used in this manner are capable of permanent or disabling injuries. Since all full impact strikes have a potential for causing injuries, discretion must be used when selecting target areas. Another consideration is the proximity and access of subject to officer. The following guidelines shall be used when applying impact weapons.

1. Target areas include the center mass of the arm, center mass of the leg, or center mass of the upper body.
2. Areas to be avoided include the head, eyes, neck, spine, sternum, xiphoid process, solar plexus, and groin. Operators of the impact weapon system shall avoid intentionally striking these body areas unless a life-threatening situation exists, or the situation has escalated to lethal force.

#### **DEPLOYMENT:**

When deploying less lethal munitions, the following procedures shall be adhered to:

- A. Less lethal impact munitions should not be used at a distance of less than 21 ft. (7 yards) from the target. However, keep in mind that accuracy decreases as distance increases.
- B. When practical, other officers involved in an incident in which less lethal munitions are deployed should be advised of the deployment prior to the discharge of the weapon.
- C. During the deployment of less lethal munitions, the officer in charge of the incident should constantly evaluate the option selected against changing circumstances.
- D. A weapon loaded with less lethal impact munitions shall be treated with the same care and caution as weapons loaded with "lethal" munitions.
- E. Officers shall only deploy those less lethal munitions which are provided by the Sheriff's Office.
- F. The deployment of less lethal munitions shall only be performed by those officers trained and showing proficiency in their deployment.

The use of the Impact Weapon System falls within the "At Sheriff's Office Discretion" category of the Sheriff's Office Situational Use of Force Options chart. When feasible, the deputy or correctional officer

shall immediately notify the Operations or correctional sergeant of a situation that may require implementing the Impact Weapon System. This system can be used before the arrival of the operations sergeant or correctional sergeant when the situation dictates such use.

In all cases of deployment in the jail, the incident shall be videotaped with special attention given to the orders being given and the refusal of the inmate(s) to comply with the orders. The operations or correctional sergeant shall respond to all Impact Weapon System deployments where the subject/inmate has been hit. In all such cases, photographs of any subject/inmate and their injuries will be taken whether or not injuries are visible. The operations or correctional sergeant shall make all notifications and reports as required by the Sheriff's Office Use of Force policy.

Nothing in this policy abrogates the Sheriff's Office Use of Force policy in the Sutter County Sheriff's Office Manual or established policy and procedures of the Sheriff's Office.

#### **RENDERING MEDICAL AID:**

When use of a less lethal impact weapon causes injuries or complaints of injuries, officers shall take appropriate steps to obtain medical aid. Any subject who is struck by an impact weapon round shall be transported to a medical facility for examination.

#### **TRAINING:**

Only qualified, Sheriff's Office trained personnel shall be allowed to deploy and use the Penn 40mm Impact Weapon System. Training will consist of an initial four-hour STC Course on Less Lethal Weapons, lecture, and practical application. All phases of the training must be completed and successfully passed before receiving certification.

#### **EVALUATION:**

Each deployment of a Penn 40mm Impact Weapon System shall be documented on the Deployment and Use of the Penn 40mm Impact Weapons System Report Form. This includes when the launcher is only directed toward or seen by the subject, whether or not the launcher was used. Only non-incident deployments are exempt from the evaluation form requirement (e.g., training, accidental discharges, or product demonstrations).

#### **REPORTING:**

The use of the Penn Impact Weapon System, where the subject/inmate has been hit is considered a reportable, significant use of force. In the manual of Policy and Procedures, Use of Force Reporting and Review procedures shall be followed.

### **J103.25 – TASER USE POLICY**

#### **PURPOSE:**

To establish guidelines for the deployment and use of the Advanced Taser X26 manufactured by Taser International.

#### **POLICY:**

To deploy and use the taser to maximize the safety of all individuals involved in an incident.

#### **PROCEDURE:**

A. DEFINITION

ADVANCED TASER X26 - The Taser is a non-deadly device used to incapacitate subjects by discharging an electronic current into the subject via two wired probes. The Taser may also be used in a drive-stun capacity with a fired cartridge in the device or when the Taser is not loaded with a cartridge. The department shall utilize Advanced Taser's that are yellow and black in color.

B. CRITERIA FOR USE

- a. The Taser shall only be used by Correctional Officers and supervisors trained in its deployment and use. Officers shall use the Taser in a manner that is consistent with Sheriff's Office orders and training guidelines and the law.
- b. The Taser shall not be displayed on incidents unless the officer has specific information about the incident that reasonably indicates there is potential for the Taser's use. The circumstances of each incident shall dictate the reasonableness for the deployment of the Taser.
- c. **No individual officer shall simultaneously draw and hold a Taser and any firearm.**
- d. The Taser shall not be used to gain compliance over subjects who the officer reasonably believes are not presenting an immediate, credible threat to the safety of the officer(s) or the public. The Taser shall not be used against:
  - i. Passive demonstrators.
  - ii. Subjects detained in a police vehicle.
  - iii. Persons already detained in handcuffs that do not pose a threat.

C. PRE-DEPLOYMENT RESPONSIBILITIES

Officers assigned a Taser are responsible for maintaining the device's operational readiness. As such, officers shall:

- e. Store the device and extra cartridges in the issued holster or case when not in use.
- a. Court Bailiff's and Transportation Officers are permitted to wear the Taser home.
- f. Ensure that the Taser is accessible by carrying the device on the officer's person. **Taser holsters shall be worn only on the opposite side of the officer's handgun and drawn with the weak hand. Cross drawing the taser will not be permitted.**
  - i. Officers issued a Taser shall keep no more than two extra cartridges with the device.
  - ii. Extra cartridges should not be carried in pockets due to the risk that static electricity could cause an unintentional discharge of the cartridge.
- g. Check the Taser's battery strength to ensure adequate battery charge.
  - i. **Officers shall remove the cartridge from the Taser prior to checking battery strength or changing the batteries in the unit.**
  - ii. Officers may test battery strength by firing an unloaded Taser during their shift, but this test shall be before going in service at the beginning of the shift or after going out of service at the end of the shift. When testing the Taser, the device will be pointed into a discharge tube and for only enough duration of spark to ensure the device is operating correctly. In the event that the unit's battery strength is not adequate, officers shall replace the Taser's batteries with batteries specifically approved for use in the Taser.

These batteries are supplied by the armorer and can be obtained from a supervisor. Officers using the Taser X26 will not continue to use the Digital Power Magazine (DPM) displaying less than 20% battery strength.

- iii. The X26 Taser DPM will be stored in the device. The DPM will never be removed for more than 40 hours as this will cause damage to the X26 Taser.
- iv. When the DPM is inserted into the X26 Taser, it will not be removed until the boot-up process is completed which is indicated when the Central Information Display (CID) is no longer displaying any information. Removing the DPM during this process will damage the device.
- h. Check the expiration date and condition of the Taser cartridges. Expired and/or damaged cartridges shall be turned in to the Armorer or a supervisor for replacement.

**D. TACTICAL USE**

- i. Officers shall not use a Taser if they have reason to believe that:
  - i. The suspect has been exposed to flammable liquids.
  - ii. The suspect has been sprayed with any OC or mace with a flammable base. If the flammability of the OC or mace is not known to the Taser operator, the Taser shall not be used.
  - iii. The use would occur in a flammable or explosive environment (such as a clandestine lab or when household flammables are present such as oxygen bottles, gasoline or propane).
  - iv. The suspect could fall from significant heights or into a pool, river, or other body of water.
- j. The Taser should not normally be used against obviously pregnant females or elderly persons unless that person poses an immediate and credible lethal threat to an officer or the public.
- k. The Taser shall not be a substitute for lethal force. If circumstances dictate that the protection by lethal force is necessary, officers will utilize their firearms, not the Taser.
- l. When an officer determines that the Taser should be utilized, the officer deploying the Taser should, if possible, consider assembling a sufficient number of Officers to assist with taking the suspect into custody/or control. The number of additional officers and their responsibilities is dictated by the dynamics of each incident.
- m. Unless extraordinary circumstances exist, consideration should be given to designating responsibilities as follows:
  - i. One officer to fire the Taser.
  - ii. One additional officer armed with a second Taser. If a second officer is not available or it is not practical to have an officer act in this capacity, the primary officer deploying the Taser should be prepared to fire a second cartridge in the event that the initial cartridge misses the target or fails to function properly.
  - iii. Protection officer(s) prepared to deliver appropriate force cover option(s).
  - iv. Custody officer(s) who are given the responsibility to handcuff and restrain the suspect.

**NOTE:** Under exigent circumstances, nothing in this policy prohibits an officer from deploying and firing a Taser without requesting or having the presence of additional officers.

- n. When practical, prior to firing the Taser, the officer discharging the Taser shall:
  - i. Loudly announce the Taser is going to be discharged.

E. **RESPONSIBILITIES AFTER TASER DISCHARGE**

1. Any use or attempted use of a Taser against a subject shall be immediately reported to the Sergeant/OIC, Lieutenant or watch commander if the discharge occurred when the officer was off-duty.
2. After the Taser has been discharged and the suspect has been taken into custody, officers who discharge the Taser and supervisors shall:
  - a. Ensure the suspect's injuries (if any) are appropriately treated (only medical personnel may remove probes that are embedded in a suspect's skin).
  - b. Complete a Sutter County Sheriff's Office Use of Force Form. A Use of Force form will be completed for any Taser use including the display of the arc, drive-stun or probe deployment.
  - c. Ensure any discharged cartridges, probes, and a sampling of AFID (Anti-Felon Identification) "microdots" that are discharged with the probes are collected and booked as evidence.
  - d. Ensure probes are handled and booked as bio-hazardous "sharps".
  - e. Ensure the serial number of the Taser and cartridge(s) used are included in the appropriate report(s).
  - f. Ensure photographs are taken of probe impact sites and any other injuries. Any accidental discharge of a Taser cartridge shall be immediately reported to the Sergeant/OIC on duty, or the on-duty watch commander if the discharge occurred when the officer was off duty. Additionally,
    1. The circumstances surrounding the accidental discharge of a Taser cartridge shall be documented in either a Sutter County Sheriff's Crime or Incident Report, as circumstances require.
    2. The Taser and any involved cartridge(s) shall be booked for inspection.
    3. The on-duty watch commander (or designee) shall initiate an administrative investigation into the accidental discharge of the cartridge and send a copy of the findings in memorandum format through the chain of command to the Division Commander.

**Sutter County Sheriff's Department  
Deployment and use of TASER  
Report Form**

**Suspect Name** \_\_\_\_\_

**Date and Time of deployment** \_\_\_\_\_

**Location of Action** \_\_\_\_\_

**Officer Deploying Weapon** \_\_\_\_\_

Witnessing Officers /  
Citizens \_\_\_\_\_  
\_\_\_\_\_

**1. Did the suspect comply when the TASER was exhibited without charge being fired?**

(Circle one) Yes No

**2. Was the inmate/suspect warned of deployment prior to the TASER use? (Y) (N)**

**3. If no, explain.**

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**4. Photographs taken of suspect/inmate injury(s) (Y) (N)**

**If no, explain.**

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**5. Specify TASER Serial Number and AFID number:**

Taser Serial # \_\_\_\_\_

AFID Serial # \_\_\_\_\_

**6. What were the environmental conditions?**

(Circle all that apply)

Daytime      Dusk      Dawn      Night      Artificial Lighting

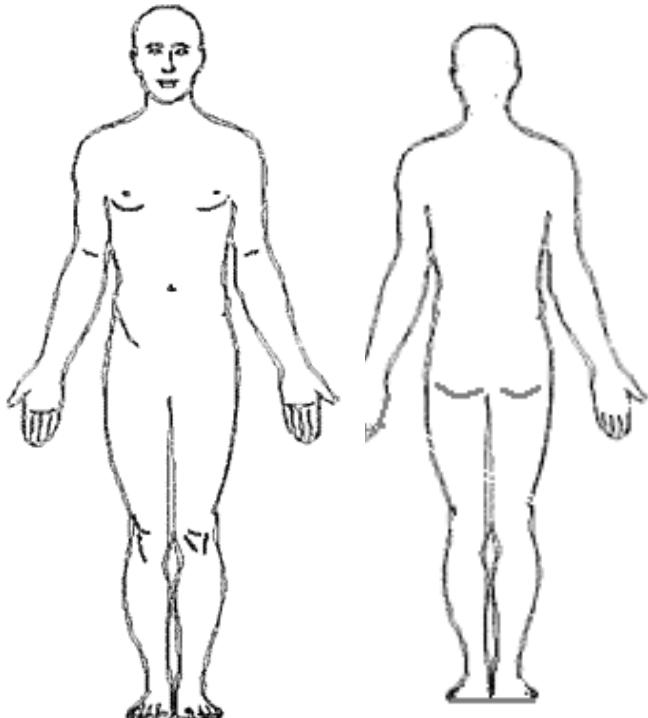
Cold      Warm      Hot      Damp      Raining      Foggy

**7. Range to Suspect: (In approximate feet)**

**8. Number of Cartridges Fired:**

**9. Number of Hits on Target:**

**10. Location of Hits on Body  
(Mark on Diagram)**



**11. Number of Pulses delivered**

\_\_\_\_\_

**12. Suspect Reaction**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## J103.30 - PEPPERBALL WEAPON SYSTEM POLICY

### **PURPOSE:**

The purpose of this policy is to provide an operational guideline for the implementation of the Pepperball System during those situations where the use of a non-lethal compliance technique is warranted.

### **PROCEDURES:**

Pepperball Projectiles are plastic spheres that are filled with Oleoresin Capsicum (OC) powder. A high-pressure air launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder.

Pepperball projectiles subdue suspects with a combination of kinetic impact and OC powder. The sting of the impact of the Pepperball Projectiles causes a psychological impression of being shot, which is combined with the strong irritation of the OC powder to the suspect's nose and lungs. When inhaled, the OC powder within the Pepperball Projectiles leads to coughing, shortness of breath, and in some instances vomiting. Some individuals experience eye irritation as well. Response to inhaling the OC powder in Pepperball Projectiles varies among individuals. In most cases the symptoms last between five and ten minutes. The Pepperball launching system can deliver the projectiles with enough kinetic energy to produce temporary abrasions, bruises, and/or welts.

Although classified as a less-lethal device, the potential exists for the projectiles to inflict injury when they strike the face, eyes, neck, spine and groin. Operators of the Pepperball System shall avoid intentionally striking those body areas unless a life-threatening situation exists.

The use of the Pepperball System falls within the "At Officer Discretion" category of the Sheriff's Office Situational Use of Force Options chart. The use of the Pepperball System should be used prior to the implementation of impact weapons when the situation allows for this. When feasible, the deputy or correctional officer shall immediately notify the operations or correctional sergeant of a situation that may require implementing the Pepperball System. This system can be used before the arrival of the operations sergeant or correctional sergeant when the situation dictates such use, if available. In all cases of deployment in the jail the incident shall be videotaped with special attention given to the orders being given and the refusal of the inmates to comply with the orders. The operations or correctional sergeant shall respond to all Pepperball System deployments where the suspect/inmate has been hit. In all such cases, photographs of any suspect/inmate and their injuries will be taken whether or not injuries are visible. The operations or correctional sergeant shall make all notifications and reports required by the Officer Use of Force policy.

Nothing in this policy abrogates the Sheriff's Office Use of Force policy in the Sutter County Sheriff's Office Manual or established policy and procedures of the Sheriff's Office.

### **TRAINING:**

Only qualified, Sheriff's Office trained personnel shall be allowed to deploy and use the Pepperball System. Training will consist of lecture, video review, practical application, and a written test. All phases of the training must be completed and successfully passed before receiving certification.

### **EVALUATION:**

Each deployment of a Pepperball System shall be documented on the Deployment and Use of Pepperball

Projectile System Report Form. This includes when the launcher is only directed toward or seen by the suspect whether or not the launcher was used. Only non-incident deployments are exempt from the evaluation form requirement (i.e., training, accidental discharges, or product demonstrations).

## **REPORTING:**

Each use of the Pepperball System in which the suspect/inmate has been hit is considered a reportable, significant use of force. Such use of force will be reported pursuant to the Sheriff's Office Operations Manual Use of Force Reporting and Review procedures.

## **J104.00 - USE OF PHYSICAL RESTRAINTS**

Physical restraint devices **may** be used:

- [1] To safely move persons, or groups of persons.
- [2] As a precaution against escape.
- [3] To prevent self-injury, injury to others or property damage.
- [4] At the request of medical or mental health supervisors for medical or mental health reasons.

Circumstances under which restraint devices **may not** be used:

- [1] When applied in a manner that causes unnecessary discomfort, pain or injury to the person being restrained.
- [2] In a manner contrary to their intended use.
- [3] For punishment, as a substitute for treatment, or for a longer period of time than is reasonably necessary.
- [4] When an inmate has a medical condition or injuries that would prevent him or her from being an escape risk, leg irons shall not be required until the persons has recovered to the point where he or she could be considered an escape risk. For example, persons with the following injuries may not be considered escape risks, absent information to the contrary:
  - Paralysis
  - Double-compound fractures of both legs
  - A broken back (non-ambulatory)
  - Burns over fifty (50) percent of the body
  - Traction from head to toe
  - Others, as deemed appropriate (i.e., major head surgery)

## **J104.10 - REQUESTS BY HOSPITAL STAFF TO REMOVE RESTRAINTS**

Requests by hospital staff to remove handcuffs, leg irons or waist chains shall be reviewed by the Correctional Officer guarding the inmate to determine if the request is necessary. If so determined, the Correctional Officer shall maintain constant and direct supervision of the inmate to prevent escape.

## **J104.20 - APPLYING RESTRAINTS TO PREGNANT INMATES**

No pregnant person detained in the Sutter County Jail may be handcuffed behind her back, shackled around her ankles, chained around her belly, or in a restraint chair. Once it is known that she is pregnant, none of these kinds of restraints can be used during her entire pregnancy. At any point, a medical

professional may order that restraints be removed. This includes labor, delivery, or recovery after delivery or termination of the pregnancy.

During labor, delivery, and recovery after delivery or termination of the pregnancy, a pregnant person is not to be restrained at all unless for the safety and security of the incarcerated person, the staff, or the public; however, if a medical professional, currently responsible for the medical care, states that the person must be released from restraints, no restraints may be used. This includes during any medical emergency, including at any point during pregnancy, in addition to labor, delivery, or recovery after delivery or termination of the pregnancy.

Incarcerated persons should be given the maximum level of privacy and may have a support person present during the labor and delivery process. During labor, childbirth, and during postpartum recovery while hospitalized. The support person may be an approved visitor or the jail's staff designated to assist with prenatal care, labor, childbirth, lactation, and postpartum care.

If medical professional staff requests officers to remove handcuffs, the Correctional Officer shall maintain constant and direct supervision of the persons to prevent escape.

[1] Pregnant persons may only be restrained with handcuffs.

[2] Pregnant persons must be handcuffed in the front so that if they fall, they will be able to break the fall with their hands.

[3] Pregnant persons are not to be restrained by chaining them to other persons.

[4] Pregnant persons are not to be restrained with leg irons.

[5] Escort officers may take other precautions, such as the use of a wheelchair, to ensure the safety of the pregnant persons while under escort in restraints.

[6] If a pregnant person in labor is secured with any type of restraint, the Jail Facility Manager is to be notified at the earliest opportunity.

[7] This policy will be incorporated into the incarcerated persons handbook, which is provided to all persons.

[8] Upon confirmation of an persons' pregnancy, she shall be advised by jail staff, orally and in writing, of the standards and policies governing pregnant persons, including, but not limited to the provisions of this chapter, the relevant regulations, and the correctional facility policies.

#### **J104.30 - RESTRAINTS – TYPES AND APPLICATIONS**

Persons will be transported in restraints consisting of waist chains with handcuffs and leg irons. In the event waist chains are unavailable, a person may be transported with their hands cuffed behind their back. In all cases, the handcuffs and leg irons will be double locked.

Persons who are combative and dangerous to officers, or who have the potential to commit vandalism to a transport vehicle, shall **not** be placed in a position commonly referred to as being "hog tied"

(positioned on their stomach with their ankles bound and secured to their wrists behind their back). Instead, use soft restraints (such as those described below) with a long tail to secure a prisoner's legs and/or ankles together. The soft restraint tail will be closed in the door of the transport vehicle, limiting the prisoner's leg movements. The prisoner will be secured with a seat belt, providing the officer can fasten the seat belt without jeopardizing his or her own safety.

Below are descriptions of commonly used restraints:

### **Handcuffs**

Apply behind the person (except pregnant females) with palms of the hands away from each other, key holes facing up the arms, and always double locked when on the inmate.

### **Waist Chains**

Also known as belly chains, these are a length of chain that fits snugly around the person's waist and is secured in the back with a padlock. There is a handcuff attached to a short length of chain on either side for each wrist. The wrist cuffs are applied like handcuffs, with the key holes facing up toward the arms, and always double locked when on a person.

### **Leg Irons**

With the person in the kneeling position, apply to the ankles, double bars up, so the key holes face the floor when the person stands up. When applied in this fashion, it allows for easy application and removal by the officer while limiting the access of the person to the key holes. As with handcuffs, the device is always double locked when on the person.

### **Plastic Cuffs**

Also known as flex-cuffs, these disposable restraints can be applied snugly to crossed wrists, preferably behind the back. They should only be removed using a flex-cuff cutter or blunt-nosed scissors designed especially for that purpose. An open-bladed knife or regular scissors should never be used to remove the cuffs due to possible injury to yourself or the restrained persons.

### **Cuff Belt**

A waist belt made out of chain or leather and secured at the rear. There is a metal loop in front through which to put handcuffs. It uses the same principle as waist chains but the hands are in front and secured with an actual pair of handcuffs.

### **Leg Braces**

There are two types of braces: mechanical and orthopedic. Both are used to *slow down* the persons if they were to run. The mechanical brace is usually worn on the outside of the person's clothing and is made of metal. It is attached to the person who is then locked into the device. The orthopedic brace is usually made of high impact plastic that the person steps into and the device is strapped on using Velcro. The person's clothing is worn over this type of device. With either brace other restraint gear can be worn at the same time. The concealed brace is useful during jury trials or on high visibility transports.

### **Soft Restraints**

Soft restraints are nylon or leather straps capable of looping around a person's legs and securing them

together. The strap shall be long enough to allow approximately 3 feet of extra strap after the legs are secured. The remaining strap is to be shut in the transportation vehicle door to restrict movement by a prisoner. The strap shall be able to be fastened to itself by a buckle device, Velcro, or a snap so the loop does not slip loose and allow the person to pull his or her legs free.

### **Spit Hoods**

These disposable hoods are made primarily of paper and netting that slip easily over the head of a person who assaults others by spitting. The person can still see through the netted area, and a small area of thin plastic is positioned in front of the person's mouth, thereby keeping the area from becoming saturated on the outside.

### **Pharmaceutical Restraints**

There are medications that serve as chemical restraints to control behavior if incarcerated persons are found to be a danger to themselves or other persons by reason of mental disorder. These can only be prescribed by a physician and administered by an appropriately licensed medical staff member and must meet the guidelines as set forth in Title 15 Section 1217, Psychotropic Medications and, policy J147.75.

### **Safety Restraint Chair**

The Safety Restraint Chair is designed to immobilize a person who is a danger to himself or herself, a danger to others, or is damaging property. See Policy J104.35.

#### **J104.35 – SAFETY RESTRAINT CHAIR**

The following rules apply to the usage of the restraint chair:

1. In no case shall the safety restraint chair be used for punishment or as a substitute for treatment.
2. The safety restraint chair should be utilized only when it appears less restrictive alternatives, including verbal de-escalation techniques, have been attempted and are deemed ineffective. Persons shall be placed in safety restraints only with the approval of the Jail Commander, Correctional Lieutenant, or a Sergeant, or a responsible healthcare staff member (e.g., LVN, RN, Doctor, RNP, PA). The Lieutenant or Jail Commander shall be notified within one hour of the person's placement in the device.
3. Under no circumstances shall any safety restraint device be used longer than reasonably necessary for the safety of the persons or staff and in no circumstances be longer than the manufacturer's recommendation.
4. A person shall not be placed in the safety restraint chair for a determinate length of time, but rather must be released by a Sergeant or OIC as soon as he or she has established the person is able to maintain control.
5. Use of the safety restraint chair on a person known to be pregnant is prohibited.
6. A person may not be placed in the restraint chair for longer than two (2) hours without reauthorization by the Sergeant and the approval of the Wellpath nurse or doctor; however, continued retention shall be evaluated every hour.

7. The safety restraint chair should be used in a Safety Cell if possible. If a safety cell is not available, an observation cell may be used. A video recording device and/or video surveillance camera shall be used to record the placement of the person in the safety restraint chair and to continuously record the person in the safety restraint chair until the person is finally released from the chair. The jail's surveillance system will be sufficient for on-going recording as it provides video and sound.

The following are confinement time limits and conditions under which persons shall be transported for medical and diagnostic evaluation:

- A. One confinement shall not exceed four (4) consecutive hours.
  - 1. No person shall be confined in Safety Restraints for a period longer than four consecutive hours at any one time.
  - 2. Persons shall be transported to the hospital for further medical and diagnostic evaluation when confined in Safety Restraints for a period of four (4) hours.
- B. Two or more confinements shall not exceed eight (8) total hours within a twenty-four (24) hour period.
  - 1. No person shall be confined in Safety Restraints two (2) or more times totaling more than eight (8) hours within a twenty-four (24) hour period.
  - 2. Persons shall be transported to the hospital for further medical and diagnostic evaluation when confined in Safety Restraints two (2) or more times totaling eight (8) hours within a twenty-four (24) hour period.

Any person confined in Safety Restraints shall be transported to the hospital for further medical and diagnostic evaluation when directed by medical staff and/or the shift supervisor.

Involuntary Blood Draws, Involuntary Administration of Court Ordered Medications, and DNA Collection: The Safety Restraint Chair may be used to restrain persons to provide a level of safety, helping to protect persons from harming themselves and helping protect staff during involuntary blood draws, involuntary administration of court ordered medications, and involuntary DNA Collection. Involuntary blood draws will only be conducted pursuant to a court order or valid warrant. Involuntary DNA Collection is to be done in accordance with policy J150.95.

Safety Restraint Duties and Responsibilities: shift supervisor; custody staff; medical staff

- A. Shift Supervisor
  - 1. The shift supervisor will document on the Safety Restraint Log their approval of the person's initial placement in Safety Restraints.
  - 2. The shift supervisor shall check the welfare of the restrained person at least every hour, in person, and document his or her observations.
  - 3. The shift supervisor shall be present when the person is removed for hydration and sanitation reasons.

4. The shift supervisor shall be aware of all the observations and reviews required by this policy and shall take steps to ensure these observations and reviews occur as required, during the time the person is confined in Safety Restraints.

**B. Custody Staff**

1. Custody staff shall at least twice every thirty (30) minutes conduct and document on the Safety Restraint Log their direct visual observations of the person confined in Safety Restraints. Documentation shall include custody staff's observations of all fluids, food and medication offered or given to the restrained person. Continuous direct supervision shall be maintained until medical staff has evaluated the person after the initial placement.
2. Custody staff shall ensure cardiopulmonary resuscitation equipment is available and accessible to them when Safety Restraints are used.
3. Custody staff shall offer the person food at regular meals times and fluids at least once every two hours. Staff must notify medical personnel if a person refuses fluid for more than two (2) hours while confined in Safety Restraints.
4. Custody staff shall allow persons confined in Safety Restraints the opportunity for the individual movement of his or her extremities for at least ten (10) minutes out of every, one (1) hour, while also ensuring the safety of the person and staff. This will be accomplished by releasing alternating extremities, one at a time and having another staff member stand by for cover.
5. Custody staff shall advise medical personnel of any complaint or observation of pain experienced by the person confined in Safety Restraints, including but not limited to chest pains or breathing difficulty.
6. Custody staff shall adjust the Safety Restraints and notify medical personnel any time they observe a lack of circulation in the extremities.
7. Custody staff and the shift supervisor shall assess and re-evaluate the need for continued restraint when the person is caring for his or her sanitary needs (defecation and urination). To facilitate this, custody staff shall notify the shift supervisor every time custody staff allows the person the opportunity to care for his or her sanitary needs. The person will be allowed to care for his or her sanitary needs at least once every two hours.

**C. Medical Staff**

1. Medical personnel shall document on the Safety Restraint Log their approval of the person's placement in Safety Restraints as soon as possible, but not more than one (1) hour after placement.
2. Medical staff should check the welfare of the person and, at a minimum, check the person's vital signs every hour after the person's initial placement in Safety Restraints.

Medical staff should assess the condition of a person at the time of placement in the safety restraint chair, but in all cases within one hour of such placement.

3. Medical staff shall consult with a mental health professional as outlined by the contracted medical providers policies and procedures.

#### Safety Restraint Reporting Documents; Reviewing, Routing, and Filing

##### A. Safety Restraint Reporting Documents include:

1. Safety Restraint Log: A Safety Restraint Log will remain on the wall adjacent to the Safety Cell door at all times where the person is in safety restraints and shall be filled out as directed in this policy. The Safety Restraint Log will be used instead of the Safety Cell Log while the Safety Restraint Chair is being used.
2. Incident Reports: An Incident Report shall be completed each time a person is placed in Safety Restraints. If a person is removed from safety restraints, then placed back into them, regardless of the amount of time that has passed since the last placement, each placement will be considered a new event. Temporarily releasing a person for sanitary needs will not indicate a new placement. All procedures listed in this policy must be followed and a report shall be written for each new placement.
3. If force is used to place the person into the safety restraints, a Use of Force report designation will be noted on the report in Central Square.

##### B. Reviewing Routing and Filing

###### 1. Safety Restraint Logs

- a. The shift supervisor shall review Safety Restraint Logs, ensuring the recording staff members are identifiable and the logs are legible, making sure to include dates, times, persons' names, etc.
- b. The shift supervisor shall ensure all Safety Restraint Logs are routed to the Lieutenant for filing.

###### 2. Incident Reports

- a. All reports shall be completed prior to the end of the shift unless an extension is authorized by the shift supervisor. Reports shall include the reason for placement, who authorized placement, staff members involved in placement, injuries sustained, the duration of placement, and any other pertinent details.
- b. The shift supervisor shall review and approve all reports.
- c. The shift supervisor shall route all reports to the Lieutenant in Central Square.

## J104.40 - MAINTENANCE OF RESTRAINTS

On a *daily* basis restraint gear should be:

- [1] Checked to see if in good repair and working order
- [2] Removed from service immediately if not working properly

On a *regular* basis restraint gear should be:

- [1] Disinfected in an approved solution
- [2] Dipped in a cleaning solution, blown dry, and lubricated

## J105.00 - CONDUCT IN DEALING WITH INMATES

### J105.05 - TREATMENT OF INMATES

Inmates are entitled to fair and impartial treatment. Personnel shall respect the dignity of each person and refrain from profane, callous, or degrading remarks. Personnel shall maintain proper demeanor with all inmates in custody and shall perform their duties in a mature, professional manner.

Personnel at the same time must be firm, impartial and resolute in requiring compliance with rules and regulations of the facility.

### J105.10 - CONDUCT TOWARD INMATES

Personnel shall not pre-judge the guilt or innocence of any inmate. Personnel shall not become emotionally involved because of the nature of the crime which resulted in the inmate's arrest, or any crime committed while the inmate is in custody.

### J105.15 – RELATIONSHIP TO INMATES

Personnel having knowledge that a relative or family member is incarcerated shall immediately report such a fact in writing to the Jail Facility Manager through the Chain of Command at each occurrence. Such report shall contain the inmate's name, SC number, and the nature of the relationship.

The terms "relative" and "family member" as used in this section include both immediate and extended family, whether related to the employee by birth, marriage, adoption, or as part of a foster family. Among the many examples are siblings, cousins, stepfathers, ex-wives, nephews, foster parent, etc.

The Jail Facility Manager shall make a determination if the relationship is such that the inmate's continued incarceration at the facility may serve to jeopardize the safety of the inmate, the employee, or if the efficiency of the employee may be impaired.

If such conditions are found to exist, the Jail Facility Manager shall take appropriate action.

### J105.20 - FRATERNIZATION WITH INMATES

Persons in custody may be highly manipulative and constantly looking for ways to compromise the integrity of any person who has access to them from the outside. They may attempt to gain information from staff that could threaten the safety and/or security of all. Consequently, interaction

with persons in custody is subject to various restrictions.

Therefore, it shall be expressly prohibited for any member of the Sutter County Sheriff's Office to knowingly maintain a personal association with any person(s) who has an open and notorious reputation in the community for criminal activity; person(s) under criminal investigation, charged with a crime, in custody, on probation, or parole, recently released from custody; or, has recently been released from the custody of any law enforcement facility or other custodial program where such association would bring discredit upon the employee or the Sheriff's Office.

**A. Prohibited Interactions with Persons In Custody:**

- [1] Employees will not hold unnecessary conversations with any inmate. In answering questions, the employees will be brief, courteous and to the point. All employees shall refrain from discussing an inmate's case with an inmate except to direct the inmate to appropriate assistance when requested. Under no circumstances is an employee to offer legal advice or assistance in completing legal paperwork.
- [2] Employees will not discuss with inmates or within the presence of inmates, the actions of any peace officer or law enforcement agency, unless required as part of a duty requirement, and if so, never in a derogatory manner.
- [3] No employee shall be permitted to have any personal financial dealings with any inmate. There shall not be buying, selling, or exchanging of any article of value between, nor shall any employee be permitted to collect a fee, commission, or gratuity for disposing of any inmate's property or for any other reason.
- [4] No employee shall accept any gift from, or offer any gift to, an inmate. This include providing soft drinks, candy, snacks, tobacco products, or any other unauthorized gift to an inmate.
- [5] No employee shall bring into, or carry out of, the facility any letters, notes, books, packages, notions, cosmetics, tobacco, or any other thing for inmates confined in the jail.
- [6] No employee shall establish, nor continue, any personal or physical relationship with an inmate outside the realm of a professional relationship. Engaging in a physical relationship with an inmate that consists of sexual activity is a public offense and is punishable by imprisonment in either state prison or county jail. (Section 289.6 PC).

**B. Personnel shall:**

- [1] Immediately report to a Correctional Sergeant or Supervisor any attempts by inmates to purchase, sell, loan, borrow, or give any money or articles to them or any other personnel, or attempts by inmates to initiate or continue friendships, dating relationships, or other relationships outside the realm of a professional relationship.
- [2] In any of the above cases, an Incident Report shall be completed and the copies distributed to the inmate and the proper files.

Nothing in this policy shall be construed to prohibit the normal course of business in the operations of the facility, nor prohibit conversations with inmates in any official investigation.

**J105.25 – PRISON RAPE ELIMINATION ACT POLICY (PREA)  
EXECUTIVE ORDER #4-2013**

**POLICY**

It is the policy of the Sutter County Sheriff's Office to detect, prevent, reduce, or prosecute incidents of sexual assault/rape in the Sutter County jail system. The Sutter County Sheriff's Office has a zero tolerance for any incidents of sexual assault/rape, for inmate-on-inmate sexual assault, and staff sexual abuse, sexual misconduct, and sexual harassment toward inmates. This policy provides a response plan universal for all instances of sexual abuse, sexual assault, and sexual misconduct.

It is the policy of the Sutter County Sheriff's Office to thoroughly investigate every allegation of sexual abuse, and where warranted by evidence, proportional sanctions, up to and including criminal prosecution, is implemented.

The Sheriff's Office imposes appropriate disciplinary sanctions and initiates criminal charges against any individual committing the crime of sexual assault/rape within the County jail system.

It is the policy of the Sutter County Sheriff's Office that retaliatory measures against employees or inmates who report incidents of sexual abuse shall not be tolerated and shall result in disciplinary action and/or criminal prosecution. Retaliatory measures include, but are not limited to, coercion, threats of punishment, or any other activities intended to discourage or prevent an employee or inmate from reporting the sexual abuse.

This policy applies to all inmates and persons employed by the Sutter County Sheriff's Office, including volunteers and independent contractors.

A Jail Sergeant will be appointed as the agency wide Prison Rape Elimination Act (PREA) Coordinator for the Sutter County Sheriff's Office.

### **GUIDELINES:**

The Prison Rape Elimination Act (PREA) is a Federal law enacted to establish a zero-tolerance standard for incidence of sexual assault/rape in correctional facilities and establishes national standards for the detection, prevention, reduction, and punishment of sexual assault/rape in a correctional setting. This Policy establishes the procedural actions required by various components of the Sutter County Jail to be in compliance with PREA.

At the beginning of the booking process all detainees will be screened for sexual affiliation, at risk of being sexually abused or being sexually abusive; if the arrestee has been victimized before either in custody or in public and will be classified accordingly.

All newly housed inmates will receive a copy of the *Inmate Orientation Handbook/Pamphlet* upon arrival. The pamphlet discusses PREA and the steps an inmate should take in reporting any incidents of sexual misconduct.

### **Sexual Misconduct**

Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to arouse or gratify sexual desire; completed, attempted, threatened, or requested sexual acts; or occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.

### **Reported Incidents of Misconduct**

If a Correctional Officer is approached by an inmate who alleges to be a victim of some type of sexual

misconduct, a supervisor will be immediately notified. Correctional Staff should only gather enough information to support a reasonable belief that a crime may have occurred. If there is enough information to establish a crime, the correctional supervisor will notify the on-duty Operations Division shift supervisor. The on-duty shift supervisor will assign a deputy or a detective to investigate the alleged misconduct.

The investigating deputy shall explain to the victim Penal Code Section 293(a) that his/her name can be kept confidential. The advisement and the victim's response shall be included in the investigative report.

Victims do not have to give the name of the suspect to receive protection. If the name of the suspect is given be sure to secure the suspect in a safe area until the Operations Division is able to conduct an interview.

Investigating when the incident took place is instrumental in determining what steps need to be taken.

Not all crimes will be reported shortly after the incident has occurred. When the alleged crime was committed more than 48 hours prior to the report, the below preservation steps will not apply.

While waiting for Operations Division staff to arrive, be sure to follow these steps:

Immediately, secure the cells of both the suspect and the victim, there may be evidence. If the victim states the assault occurred in an area other than a cell, also secure that scene.

#### Victim

- A. Oral assault - Be sure the victim does not eat, drink, or brush their teeth.
- B. Sodomy - Do not allow the victim to change clothes and if possible have them refrain from using the restroom unless it is absolutely necessary.
- C. Do not have them wash their hands. There may be evidence under that can be obtained from the victim's hands or under their nails.

#### Suspect

- A. Move the suspect to a holding cell with no running water or toilet. Don't allow the suspect to change clothes. If the suspect changed his/her clothes retrieve them for evidence.

Any employee who is made aware of an allegation of inmate sexual misconduct shall take immediate action to protect all parties involved and notify his/her supervisor. The supervisor shall notify a lieutenant or the Jail Commander as soon as possible. The Jail Commander, or designee, shall ensure that the following procedures are implemented:

- A. At the direction of the investigators, the victim shall be taken to the Emergency Room where they can be examined by a SART using the correct evidence collection kit. The victim shall not be returned to a housing unit until an assigned investigator and/or sergeant arrives on scene.

The assigned investigator/sergeant shall be responsible for contacting the Wellpath representative concerning the medical evaluation.

- B. The victim shall also be offered pregnancy testing (if applicable) without cost and regardless of whether the victim cooperates with any investigation.
- C. If a suspect is identified, he/she will be isolated in a secure area until an investigator arrives.
- D. A uniformed staff member or supervisor shall remain with the inmate until the initial investigation has been completed and the inmate(s) has been reassigned to appropriate housing.
- E. In every case where there is a victim of sexual assault, the victim shall be offered timely information and access to emergency contraception and sexually transmitted infections prophylaxis when medically necessary, without cost to them, and regardless of whether the victim cooperates with any investigation.

#### **Delayed Reporting of Sexual Abuse**

If the alleged sexual assault is reported or discovered more than 72 hours after the incident, the supervisor shall secure the alleged crime scene (if feasible) and place the alleged suspect (if identified) into separate/segregated area.

The victim shall be taken to the appropriate medical facility for a Sexual Assault Response Team (SART) exam if the assault occurred within 120 hours. In addition, the victim should be asked if he/she retained any evidence of the assault (e.g., soiled bedding, clothing, etc.).

SART medical staff will be responsible to conduct an examination of the victim an alleged suspect to determine the presence or absence of physical trauma, and perform follow-up testing for sexually transmitted diseases and pregnancy testing, as appropriate.

#### **Employee Sexual Contact with an Inmate**

As specified in Jail Policy Manual 105.20 - Fraternization with Inmates, any undue familiarity or fraternization with inmates is specifically prohibited. In addition to a policy violation, an employee may also be charged with a crime for having sexual contact with an inmate. Any sexual contact or sexual acts are prohibited between inmates and employees, volunteers, medical/mental health representatives, or those who contract to provide services for the Jail Division.

Follow-up Actions: The Jail Commander, or designee, shall take the following “follow-up” actions related to inmate sexual misconduct:

Notify Jail Administration and supply them with the following information which they will report to DOJ:

- A. Cell Inspection Log from the day of the occurrence.
- B. The investigating officers name, ID#.
- C. A copy of the completed report.

The following information will be reported to DOJ when requested:

- A. Annual Survey of Sexual Violence
- B. Survey of Sexual Violence – Incident Form (Adult)

Notify the County Risk Manager of the PREA incident and provide the date report was received, and the time, location, description, and parties involved.

### **Employee Training**

All employees who may have contact with inmates shall be trained on the zero-tolerance policy for sexual assaults. Training will be offered during new employee orientation and selected annual jail training courses and roll call training.

### **Screening for Inmate Housing**

All inmates shall be screened during the intake process and during the initial classification process to assess their risk of being sexually abused by other inmates or sexually abusive toward other inmates. If an inmate discloses prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up reception with the medical or mental health practitioner within fourteen (14) days of intake screening.

Inmates shall be rescreened when warranted due to a referral, request, or incident of sexual victimization.

If the victim chooses to have his/her name remain confidential, any written report concerning the offenses must indicate that the victim requested confidentiality of his/her name pursuant to PC 293(a). If the victim has requested confidentiality, the victim's name and address may not be released except to specified persons as authorized by law.

### **J106.00 - EMPLOYEE GUIDELINES**

All personnel are encouraged to familiarize themselves with the Human Resources Department's "Sutter County Personnel Rules and Regulation" and "Sutter County Rules Governing Employee Compensation, Benefits and Working Conditions", as well as any current Sheriff's Office Memorandums of Understanding (MOUs).

### **J106.05 – SICK LEAVE**

When the need for sick leave is known in advance to the employee, the employee shall request authorization at such time from his/her Jail Sergeant or OIC. In all other instances, the employee shall notify his/her Jail Sergeant or OIC immediately as directed in the Sheriff's Office Manual, unless circumstances make it impossible to provide said notice within the prescribed time frame. If an emergency prohibits such notifications within the prescribed time frame, employees shall make such notifications as soon as possible thereafter.

### **J106.10 - HOLIDAY / VACATION TIME / COMP TIME**

Arrangements to take vacation, holiday, or compensatory time off must be approved by the Jail Sergeant. In all cases, a request for time off will be submitted prior to taking the time off.

## J106.15 - TELEPHONE AVAILABILITY

- [1] All jail personnel shall have a phone so they may be contacted in case of an emergency.
- [2] While awaiting the installation of a phone, personnel shall furnish the jail with a working phone number through which they may be reached.
- [3] Personnel shall immediately notify the jail of any change in phone numbers.

## J106.20 - CARE OF SHERIFF'S OFFICE BUILDING, OFFICES AND FIXTURES

Personnel shall not mar, mark, or deface any surface in Sheriff's Office buildings or offices. No material shall be affixed in any way to any wall or fixture, including employee lockers, without specific authorization from the Lieutenant.

## J106.25 - NOTICES OR ANNOUNCEMENTS

Personnel shall not mark, alter or deface any posted notice of the Sheriff's Office. Notices or announcements shall not be posted on bulletin boards without the permission of the commanding officer. No notices of a derogatory nature will be posted at any time.

## J106.30 - SEARCHES OF EMPLOYEE STORAGE AREAS

All lockers, desks, offices or personal storage areas within this facility are subject to search. Employees shall make such areas under their control available for search upon reasonable notice by a supervisor.

## J106.35 - REQUIRED EQUIPMENT

All jail personnel are required to carry the following equipment on their person while working within the Sutter County Jail:

- [1] Badge
- [2] Nameplate
- [3] Gloves
- [4] Handcuffs and handcuff key
- [5] Keys for assigned working area
- [6] Jail radio
- [7] Flashlight
- [8] Notebook
- [9] Narcan

## J107.00 – FOOD SERVICE PLAN

**Policy Statement:** It is the policy of the Sutter County Sheriff's Office that meals will be served under the supervision of staff in a manner that ensures food safety, proper handling, and standard portions for inmates, and overall waste reduction. The purpose of the Food Service Program for the Sutter County Jail is to operate a neat, clean, healthy, safe, and efficient Jail Kitchen. Staff Food Service Workers, and inmates assigned to the kitchen as workers, are responsible for preparing three nutritious meals and special diets each day that are served to an average of 300 jail inmates and staff of the jail.

The food service program will meet appropriate nutrition and sanitation requirements identified in Title 15 for meal preparation. Under the supervision of the Food Service Supervisor, the Food Service

Workers will prepare meals that are listed on the menus for the general population at the Sheriff's Jail Kitchen. Foodservice Workers will also prepare meals for inmates with special dietary requirements such as medical, therapeutic or for religious reasons. The Food Service Supervisor will maintain inventory of food, dry goods and supplies; initiate purchases for new or replacement equipment, supplies and perform other assignments that are needed to run the kitchen sufficiently.

## J107.05 – MENU PLANNING

### **Jail Menus**

The jail menus consist of four-week menus that are cycled through monthly and are planned at least one month in advance of their use. They contain a variety of foods preventing repetitive meals which are approved by a registered dietitian before being used. Changes on the menu will require a suitable replacement from the same food group and the change will be noted, in writing, on the menu. The changes in the menu will be evaluated at least annually by a registered dietitian. Menus will be evaluated and analyzed to assure that the nutritional and the fat content requirements are met and comply with Title 15. The menu is posted on Monday the week it will take effect. A holiday menu will be posted with the required nutritional traditional holiday meals for Christmas and Thanksgiving.

- [1] Summit Food Services will submit the jail four-week menu plans to the Jail Lieutenant for approval prior to implementation.
- [2] The Food Services Supervisor will post the jail weekly menu in the kitchen area on the Monday morning of the week it is to go into effect.
- [3] The Food Services Supervisor will notify the Jail Lieutenant in writing of changes in the jail's four-week menu.
- [5] The Food Services Supervisor or Food Service Worker will ensure substitute meals are of the same nutritional value as the originally planned meal.
- [6] The menus as served shall be evaluated by a public health nutritionist or a registered dietitian at least every twelve-(12) months.

### **Minimum Diet**

The minimum diet provided will be based upon the nutritional and caloric requirements found in the 2011 Dietary Reference Intakes (DRI) of the Food and Nutritional Board, Institute of National Academies, the 2008 California Daily Food Guide (CGF): Fulfilling the Dietary Guidelines for Americans, and the 2015-2020 Dietary Guidelines for Americans. Facilities providing religious, vegetarian or medical diets shall also conform to these nutritional standards.

**The Protein Group:** The protein group includes 14 grams or more for three servings a day and in addition legumes will be served three days a week.

**The Dairy Group:** The Dairy Group includes three servings a day which includes;

1. One serving of reduced fat 8 oz. milk that provides at least 250 mg. of calcium and is pasteurized and fortified with vitamins A and D
2. One serving of Nutria-Cal Drink Mix that is a Non-Dairy milk alternative that is Fortified with Calcium and is equal to one serving of an 8 oz. serving of milk at (303 mg) at 30%, vitamins A (507IU)10%, B12 45%, C 14%, D 25%, E 10%
3. Pregnant Inmates will get an additional serving of 8 oz. milk with extra calories, which are

prescribed by a Physician.

**The Vegetable and Fruit Group:** will include fresh, frozen and canned vegetables, and five servings of fruits and vegetables. One serving is a fresh fruit or vegetable, one source of vitamin C that Contains 30mg. or more, and one serving of a vitamin A source fruit or vegetable with 200mg that is Retinol Equivalent (RE) or more.

**The Grain group:** Will be offered six servings a day, three servings will be made with whole grain. One serving of grain is a ready-to-eat grain cereal, pasta, rice, and corn bread. The three whole grain food items will include whole wheat rolls, two slices of whole wheat bread, whole-wheat oatmeal coffee cake, whole wheat biscuit, or whole wheat muffins.

**Additional Servings and Fat Content in the Menus:** Additional servings from the dairy, vegetable, and grain group will be provided to assure caloric supply levels. The total saturated fat will not exceed 10 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts to make the diet palatable. Facility diets shall consider the recommendations and intentions of the 2015-2020 Dietary Guidelines of the Americans of reducing overall sugar and sodium levels.

**The Disciplinary Isolation Diet:** A disciplinary isolation diet may constitute an exception to the three meal-a-day standard. Inmates who are on a medical diet are not to be placed on a disciplinary isolation diet without being reviewed and approved by the Wellpath Medical Services physician. Inmates who are on a regular diet who need to be disciplined will be approved by the Jail Lieutenant.

The isolation diet will consist of a nutritionally balanced meat loaf which will be provided twice, along with 2 slices of whole wheat bread. There is access to water at the inmates living quarters in which the inmate may drink with their meals. Such a diet shall be served twice within each 24-hour period and shall consist of one-half of the loaf (or a minimum of 19 oz., cooked loaf no more than 14 hours between meals, and shall not be continued for longer than 72 hours without the written approval of the Facility Lieutenant. The recipe for the isolation diet meat loaf is listed. The isolation diet may be divided into portions to be served at the usual Jail meal times for a person who requires this modification for medical reasons, if approved by the Wellpath Medical Services physician.

The disciplinary diet loaf shall consist of the following;

2 ½ oz. nonfat dry milk  
4 ½ oz. raw grated potato  
3 oz. raw carrots, chopped or grated fine  
1 ½ oz. tomatoes juice or puree  
4 ½ oz. raw cabbage, chopped fine  
7 oz. lean ground beef, turkey or dehydrated, canned, or frozen Textured Vegetable Protein (TVP)  
1 ½ oz. whole wheat flour  
2 ½ fl. oz. oil  
¼ tsp. salt  
4 tsp. raw onion, chopped  
1 egg  
6 oz. dry red beans, pre-cooked before baking (or 16 oz. canned or cooked red kidney beans)  
4 tsp. chili powder

Shape the ingredients into a loaf and bake at 350-375 degrees for 50 to 70 minutes.

### **Medical Diets**

All medical diets are prescribed by a physician. The nursing staff will evaluate the inmate's booking report and list the food allergies and medical diets that have been prescribed by a Wellpath Medical Services provider or by Wellpath protocol. Prescribed medical diets may not be discontinued or changed except by specific Wellpath provider medical order. The kitchen staff will make a diet list from the work order supplied by the medical staff. The diet will then be prepared and then delivered by the officer. A written work order of the special medical diet is given to the Food Service Supervisor to keep in a file for a year. There is a diet manual that includes sample menus that are available to the Food Service workers Staff for reference and information. A registered dietitian reviews the diet manual on an annual basis. The dietitian is also available to answer questions regarding diets.

## **J107.10 – PURCHASING**

### **Purchasing Food**

Summit Food Services purchases foods from various food venders. These vendors are Sysco Foods Co, Danielson's Food Co., Good Sources Foods Co, US Foods Co., Highland Food Co., Pro Pacific Fresh Produce Co, and General Produce Co. Summit Food Services will obtain a list of the specified products that are purchased and used, and nutrition fact sheets.

The price of the food item is compared to the different food venders listed to determine the cheapest price and quality, then purchased and scheduled for delivery. This food that is purchased will be used to cook the meals that are listed on the menus that have been approved by the registered Dietician. The food is purchased on Mondays with Tuesday's delivery and purchased on Thursday for Friday delivery. One large monthly purchase is ordered, and other smaller deliveries are ordered once a week. The Food Service Supervisor, or the Food Service Worker, will receive the invoice and compare the product to the invoice. The food products will be inspected to assure that there is no damage or have signs of temperature abuse. The food product is then delivered by the delivery person and then placed in the pantry, refrigerator or freezer.

The invoice from the delivery is then documented and recorded and sent to the Secretary for the billing process to determine the monthly food cost. The population count is written down three times a day on a meal count record sheet and kept in the Food Service Worker break room. This form is sent to the Lieutenant monthly who forwards information to Captain. All the invoices are sent to the Secretary weekly.

## **J107.15 – STORAGE AND INVENTORY CONTROL**

An inventory system will be created to ensure necessary food supplies are on hand and to prevent the theft of jail food supplies. This system should include accurate records of:

Weekly food supplies on hand  
Food supplies used daily  
Food supplies ordered  
Food supplies received

[1] The Food Services Supervisor and Food Service Worker will inventory weekly all food supplies on

hand and record the results on the Food Supplies Record Form.

- [2] The Food Services Worker will immediately inform the Food Service Supervisor by phone, any food product shortages, substations or food related discoveries.
- [3] The Food Services Supervisor will review the jail menu for the coming two (2) weeks and food supply records for the last two (2) weeks and current food inventory to determine supplies needed to be ordered.
- [4] The Food Services Supervisor will record the quantity of food supplies ordered and the date of the order.

An inventory is taken twice a week of all foods and non-food items that are to be used to cook with. Such items that are inventoried are foods, dry goods, and household items.

All items are counted, dated and rotated to the front of the shelf so that they are used first. The label of the product is to be facing out so that that specific item can be easily identified and inventoried. Open or damaged foods are to be sent back to the vendor and Summit receives credit. Damaged foods which may not be used due to spoilage will be discarded, recorded, and filed.

The Food Worker will write down the daily usage of food products that have been used for the meals and any substitutions made for medical diets.

#### **Receiving Food Supplies:**

- [1] It shall be the responsibility of the Food Services Supervisor to receive, inspect, and account for all kitchen deliveries made to the jail.
- [2] Food supplies ordered will be delivered by the food supplier and received by the Food Services Supervisor or Food Service Workers through the kitchen delivery door.
- [3] The Food Services Supervisor or Food Service Worker will inventory all food supplies delivered by:
  - A. Checking each item listed on the food supplier's invoice to ensure the item is actually received.
  - B. Comparing the food supplier's invoices to the jail food supply record to determine which items ordered are actually received.
- [4] The Food Services Supervisor or Food Service Workers will not sign the food supplier's invoice until all items ordered are received, or the invoice has been adjusted to reflect the actual items received.
- [5] The Food Services Supervisor or Food Service Worker will instruct the person delivering food supplies to adjust and sign the food supplier's invoice to reflect the actual food items received.
- [6] The Food Services Supervisor will retain and file a copy of the food supplier's invoice in files as documentation of the food supplies received.
- [7] From the food suppliers invoice the Food Services Supervisor or Food Service Worker will record the items received on the Jail Food Supply Record.
- [8] The Food Services Supervisor will submit the food supplier's invoice to the Administrative Secretary for payment and filing.
- [9] The Food Services Supervisor or Food Service Worker will ensure the kitchen workers store the food supplies properly.

**Storage:** In order to prevent spoilage and waste, the Food Services Supervisor will ensure all food supplies are stored properly and rotated on a regular basis.

- [1] The Food Services Supervisor will ensure all food supplies received are immediately stored in proper

food storage areas.

- [2] Food supplies will be stored on shelves or pallets and never on the floor.
- [3] Food storage area will be maintained at the proper temperatures.
- [4] A thermometer will be kept in each temperature-controlled storage area and checked daily to ensure proper temperatures are being maintained.
- [5] Perishable food and drink will be stored under refrigeration at a temperature of 41 degrees Fahrenheit or less.
- [6] Hot foods are held at 135 degrees or higher until served.
- [7] Frozen foods will be stored at a temperature of zero degrees Fahrenheit or less.
- [8] Frozen foods will be thawed under refrigeration.
- [9] Opened canned foods will be stored in plastic containers, stainless steel pans and never in the original container.
- [10] Food storage areas will be locked when not in use or when unattended.
- [11] Keys for food storage areas will be maintained in the Control Room and signed in and out to jail kitchen staff daily.
- [12] Cleaning compounds, insect sprays and poisons will be stored separate from food and under lock and key. Such items will never be stored in food storage areas.

**Emergency Food Supplies:** To ensure an adequate supply of food for inmates in case deliveries of food are interrupted, the jail will maintain an emergency food supply sufficient to feed an inmate population of two hundred fifty (250) persons for a two-week period.

- [1] The Food Services Supervisor will ensure emergency food supplies consist of the four basic food groups.
- [2] The Food Services Supervisor will notify the Jail Facility Lieutenant in writing when and for what reasons it is necessary to use emergency food supplies.

### **Rotation of Food Supplies**

- [1] Food supplies will be rotated on a weekly basis according to the expiration dates stamped on them to ensure food supplies are used before the expiration dates.
- [2] The Food Services Supervisor will mark on food supplies that need to be used first.
- [3] The Food Services Supervisor will record and dispose of food supplies that are not used before their expiration date or perishable items which have spoiled or are not usable.

### **J107.20 – FOOD PREPARATION**

Food must be prepared in compliance with local and state health regulations. The Food Services Supervisor is responsible for ensuring this compliance is met at all times.

- [1] The Food Services Supervisor and Food Service Workers will know and practice local health regulations for food preparation.
- [2] The preparation of food at the Sutter County Jail will be under the direct supervision of the Food Services Supervisor or a Food Service Worker.
- [3] The Food Services Supervisor or a Food Service Worker will ensure meals are prepared under clean and sanitary conditions.
- [4] Food service areas will be inspected daily to ensure sanitary practices are maintained.
- [5] The Food Services Supervisor or Food Service Worker will inspect the inmate food handlers daily

to ensure:

Clean uniforms are worn daily  
Proper personal hygiene is maintained  
Proper hair restraints are worn  
Kitchen workers do not have open cuts or sores  
Kitchen workers do not show signs of illness

- [6] The Food Services Supervisor will invite local health officials to inspect the jail food service areas on a regular basis to ensure compliance with local health regulations.
- [7] The Sutter County Jail will use only government inspected meat and poultry.
- [8] Frozen food will be thawed under proper refrigeration only.
- [9] All raw food will be washed and cleaned thoroughly in clean, fresh and safe water before being served.

The Food Service Workers use standard military recipes and other recipes that have been adjusted according to the population inmate count. The food is cooked using commercial industrial equipment. Food Service Workers prepare food with the following equipment.

1. A gas operated griddle
2. A gas operated stainless-steel tilt skillet
3. A gas operated stainless-steel boiler that is hooked to a steam-cooker
4. A gas operated stainless steel double stacked convection oven
5. An electric operated stainless-steel meat slicer
6. An electric operated stainless steel twenty-gallon mixer
7. An electric operated stainless steel forty-gallon mixer
8. A stainless steel commercial industrial dish washer
9. Seven stainless steel heated carts to deliver the hot food in.

Frozen meats are kept in the freezer and placed in the walk-in refrigerator to defrost with a label stating the date the frozen meat was pulled from the freezer and what meal it will be used for and the date of the meal planned. Freezer pull sheet is then written by the staff member regarding the meals that were pulled and the date it was pulled along with the date it is planned for. The meat is inspected to assure that there is no evidence of temperature abuse. The freezer pull form is then filed with the Food Service Supervisor in case there may be an investigation regarding meats there is a record regarding the flow of the meats. The Fruits and vegetables are kept in the walk-in refrigerator. The canned and boxed food items are kept in the pantry. All food is kept at the required temperatures set forth through Title 15 Regulations.

There are two ten-inch knives with cables and locks that are numbered and kept locked in the employees break room. The Food Service Worker and the Food Service Supervisor monitors the knives. If the knife is being assigned to an inmate, this knife is logged in the sign-off sheet with the inmates name, booking number, date, and time the knife went out. The knife is then placed at a designated area which is by the sink area and locked through the cable. When the inmate is done with the knife then the Food Service Worker will check the condition of the knife and then placed back in

the break room and signed back in on the knife log. If the knife is damaged by the inmate, then the inmate will receive a disciplinary write up for the damaged knife and may lose their good time spent in the kitchen and could be charged for destruction of county property. The knives are also checked again after each shift to assure that these knives are locked in their designated areas in the Food Service Workers office.

## J107.25 – FOOD SERVING

The Jail kitchen staff members serve breakfast at 4:00AM, lunch at 10:00 AM, and dinner at 4:00 PM; the breakfast and dinner consist of a cold meal, and the lunch is a hot meal.

Food Service Workers will serve a sample main line meal on a foam tray for breakfast, lunch, and dinner. The sample trays will be dated and labeled as such for each meal. They will be kept in the walk-in refrigerator then disposed of after three days.

The flow of the cooking process is met through the temperatures that are required to keep food safe. The freezer, walk-in refrigerator, and a standard refrigerator have temperature gauges so that the Food Service worker or Supervisor may monitor the temperatures closely to assure that that food stays within the required temperature range. If the temperatures change dramatically, we notify the Sergeant on duty and notify the Food Service Supervisor so that a maintenance ticket is issued so that they may fix the problem. These temperatures are logged on the daily cell logs for each housing unit.

The steam table is cleaned and sanitized prior to placing food on the steam table. The inmates and the Staff members wash their hands and wear a new pair of plastic food handler's gloves prior to changing food groups and serving food on the line. The inmates and staff members also wear a clean apron and a hairnet with their hair tucked in.

A Dasher Capacity Chart is used so that the required amount of food is measured accurately to assure that the portion of food is controlled and that the inmates get the right amount of food placed on the trays.

A check off cleaning list has been implemented so that after the meal has been served, we are certain that all areas of the kitchen have been inspected and cleaned after each shift. The hot Food stays at the required temperature and the allowed time frame.

The inmates are assigned by the staff members on areas around the steam table so that they may serve the hot foods along with the staff members who closely monitor the food trays as they are served by them and the inmates. The trays with food are placed in a heated food cart that is kept at 160 degrees and delivered within the safe required time lines.

The staff member will call out on the radio to the control room to let the Sergeant and the floor officers know so that the officer will pick up the food cart, count the trays with a kitchen worker, then deliver it to the proper location.

The food trays will be served on a steam table by the Food Service Worker and four inmates who will place in the heated food carts. The cold food is placed in Styrofoam bowls and on plastic carts and stored in the walk-in until the officer arrives to get the food cart. The Food Service Worker will

then call to the control room using a radio to let the supervisor know and the officers throughout the jail that the first cart is ready to be picked up for delivery.

The order of carts that will be served with the trays are called accordingly beginning with the single cell unit, females housing location, medium facility, the dorm housing unit, and the around the block area. A hall way worker inmate is given a job to help the officer assigned to deliver the food carts. When the inmates are finished eating which is approximately thirty minutes the hall way worker inmate and the officer will pick up all the trays from each cell and deliver the trays so that they will get washed by the inmates in the kitchen.

Jail Food Service Workers will provide a comparable meal to inmates who have not eaten, and who return to the jail after scheduled meals. This will not apply to new bookings that arrive after scheduled meals.

The Food Service workers or Floor Officer will secure the inner door to the kitchen prior to opening the hall door to the mainline area.

Once the door is secured the Floor Officer will then enter the sally-port area and push the food cart and plastic cart and plastic cart into the mainline hallway and prepare to feed the mainline tanks. The Floor Officer will make certain at no time will the maximum-security hallway workers enter the kitchen area. Kitchen inmate workers will not be allowed into the mainline hallway area.

Inmates in the Dorm housing unit will be instructed to return to their respective living units and prepare to be fed. The mainline floor inmate workers and the floor Correctional Officer will bring the hot food cart into the hallway. The feeding process will begin by Dorm Officer calling out one living unit at a time. The Dorm Officer assigned will supervise the feeding process and they will be assisted by a Floor Officer; if available. As each individual unit is called out for feeding, the Dorm Officer will be responsible for inspection of each inmate to make certain they are properly dressed and wearing the appropriate wrist I.D. Band. Also, during the feeding process, a formal count will be conducted of all inmates assigned to the Dorm unit.

After all inmates have received their meals from the hot cart, beverages will be served. Milk is served only at breakfast. Calcium packets are served at lunch. No drink supplement is served at dinner. The inmates will be allowed at least thirty (30) minutes to eat their meals, when all inmates have finished their meals all kitchen items will be returned to the kitchen cart, after being cleaned out and neatly stacked for return to the kitchen.

The feeding process for inmates assigned to "Mainline Tanks will be accomplished by using the assigned floor inmate worker who will assist in pushing the hot food cart to each individual tank where the Correctional Officer will hand each inmate one tray per person.

The assigned Floor Officer will supervise the feeding process to insure all inmates are fed in an orderly manner, all inmates are dressed properly, and they are wearing the appropriate I.D. Bands. At no time will one inmate be allowed to receive an additional tray for the purpose of taking it to another inmate within the tank. Each inmate will be responsible for getting up, dressed and receiving their own trays. Should an inmate elect not to get out of their beds and get their tray, this will be considered a refusal or

no desire to eat and the tray will remain in the hot cart.

At no time will inmate hall workers be allowed to enter the cells and deposit food trays on the dayroom tables. The inmates will be allowed a minimum of thirty (30) minutes to eat their meals. After they have finished their meals each inmate will be required to clean out their trays and stack them in an orderly fashion for return to the kitchen area.

Inmates are not allowed to keep and store uneaten food after meal time. All food items, with the exception of commissary items, will be considered contraband.

### **Inmate Dining:**

The Sutter County Jail will provide a pleasant atmosphere for inmates to enjoy their meals. Jail staff will not impose unnecessary restrictions on inmate dining that serves no purpose other than to make the inmates' meal less enjoyable.

- [1] Due to the size of the Sutter County Jail and the number of staff available to supervise inmate dining, inmates will dine in small groups around the tables in the day room area of their assigned housing areas.
- [2] Meals will be delivered to each day room area by the jail staff.
- [3] Jail staff will exercise only the supervision necessary to maintain control and order, and to assure one inmate does not deprive another of their food.
- [4] Jail staff will allow inmates enough time to enjoy their meals in an unhurried manner.
- [5] Meals will not be withheld from inmates as punishment.
- [6] Inmates housed in segregation and or isolation will be served the same meals as the general population (with the exception of an inmate on a disciplinary isolation diet). These inmates will be served in their cells.
- [7] Jail Staff will ensure eating utensils used by inmates in segregation are of a type which cannot be used as weapons or to inflict self-harm.
- [8] Inmates returning from court or work crews after scheduled meals will be furnished a meal tray in their assigned cell.

**Meal Tray Pickup:** After the feeding process has been completed and inmates have finished eating their meals, the assigned Floor Officer will escort the floor inmate worker to each cell to retrieve all kitchen supplies such as trays. The floor officer will personally count all items to make certain all items are removed from the tanks and returned to the kitchen to be washed and cleaned for the next meal. The Dorm Officer will contact the Floor Officer when all the trays are brought into the dorm are ready for pickup and return to the kitchen. The Floor Officer will escort the hall workers to the dorm and retrieve the food cart and containers and return them to the kitchen for cleaning.

**Food Supplies Brought from Home:** Staff is allowed to bring food from home for their personal use only. Inmates will not be allowed to receive foodstuffs from outside the jail. This policy will aid in maintaining the sanitation of the jail, as well as deter fraternization with inmates.

**Employee Jail Meals:** Some employees assigned to the jail will be allowed meals at no cost under the following regulations:

- [1] Only scheduled on-duty personnel will be allowed meals, including jail staff and Food Service Workers.
- [2] Inmates will be fed line meals before employees eat.
- [3] Employees will eat regular line food. No special meals will be prepared.
- [4] Employees may not consume meals in an area open to public view.

*EXCEPTIONS: Only the Sheriff, Undersheriff, Captain or Lieutenant may request a line meal for any person not listed above.*

### J107.30 – TRANSPORTING FOOD

Inmate meals will be served during designated time periods as defined in the facility schedule. Inmates will be provided three meals at a minimum diet. All meals will be pursuant to a written plan and menus that are implemented by the Food Service Supervisor and approved by a registered dietician. One meal will be hot, and kept at 160 degrees, and two will be cold, and kept at 40 degrees, and will be served at regular meal times which are 7:00 AM for breakfast, 12:00 PM for lunch and 7:00 PM for dinner during each twenty-four-hour period. There will be no more than fourteen hours between the evening meal and breakfast. Supplemental food will be provided if the interval between meals exceeds fourteen hours. A minimum of fifteen minutes will be allowed for actual consumption of each meal. Inmates on therapeutic medical diets, who miss a regularly scheduled meal, will be provided with a prescribed meal, by a physician, and may have additional time to complete their meal.

If an inmate involuntarily misses a regularly scheduled meal, they will be provided with a sack lunch.

#### **Transportation of Food to Inmates Housed in the General Area**

All inmates will be supervised while they are served their food trays. Intake, Sheltered, and Medical will eat their meals in their assigned areas prior to the classification process. The general population will eat at the day room - such as the dorm housing unit, the single-cell unit, or the Medium facility. Inmates that are located in the 'Around the Block Unit' area eat in their cells. Inmates restricted to their cells in Intake, Sheltered, and Medical Housing units will eat meals in their cells. Administrative segregation housing, which is located at the Single cell unit, is inmates who are prone to: escape, assault staff or who disrupt the operations of the jail, or need protection from other inmates or the welfare of the staff will eat meals in their cell. Prior to each meal, the food service worker will call each housing unit to determine the number of meals to deliver or prepare. The Medium facility west-side housing unit is equipped with an ice machine. Food trays will be delivered to the cells by the officers that are scheduled to work in the jail.

Heated carts that are designed for placing trays of food are heated and kept at a temperature of 160 degrees and plugged into an electrical outlet so that the temperature will continue to stay at the designated temperature.

### J107.35 – ORIENTATION AND ONGOING TRAINING

The Food Service Worker is a civilian employee who shall assist the Food Services Supervisor in coordinating and directing all food service operations. Under the direction of the Food Service Supervisor, they will supervise the preparation of menus and medical diets, the requisition of food and the maintenance of inventories and other related assigned task to the meal cost control. In the absence of the Food Services Supervisor, the Food Service Worker will help the assigned Food Service Worker in charge (F.S.W.I.C)

under the direction of the Jail Lieutenant.

The Food Service Workers will follow procedures providing specific instructions for safety, sanitation and Food Safety regulations and will be trained in these procedures, in the annual training manual; Training classes that complies with the Serve Safe Certification. New employees will go through an orientation and will be trained with the Food Service Supervisor using a training manual.

After the new employee finishes the orientation then the new employee will be assigned to work with both the AM shift which is the breakfast and lunch meals, and the PM shift the dinner meal. When the new employee has adjusted and has learned how the operations of the kitchen then this employee may on occasion work alone with assigned inmates that are scheduled to work in the kitchen.

### **Inmate Workers**

- [1] Inmates to be considered for kitchen worker positions by the Jail Staff must have a medium security classification.
- [2] Inmates being considered for kitchen positions must be found physically fit and medically cleared to work in food services by the Officer in Charge using a standard worker health screening form.
- [3] The inmates must be sentenced to qualify as kitchen workers.
- [4] A high standard of personal hygiene shall be maintained by all food handlers.
- [5] All inmate food handlers shall be required to wear a hair net to prevent contamination of food.
- [6] Additionally, food handlers shall wear clean, washable outer garments, keep their hands clean and shall use appropriate serving devices such as tongs, ladles, etc. All food handlers shall wear gloves when serving food.
- [7] Food handlers must not work in the kitchen at any time with visible signs of illness.
- [8] Refusal to comply with this policy shall result in the immediate reassignment of the inmate and/or disciplinary action if appropriate.

The following is a list of written information that all Food Service Workers are to list prior to their shift ending:

1. A list of the names of the inmates with their signature stating they participated and understood the Rules of the Kitchen in the daily Safety Briefing.
2. The Freezer Pull Form for Pulling Meat

A Freezer Pull form will be given to the Food Service Supervisor to be filed from the Food Service Worker. The freezer Pull form will be a list of any raw meats and cooked lunch meats that were pulled from the freezer. Raw meats are kept in the refrigerator Walk-in for three days. The vacuumed packed lunch meat that is sealed is also kept for three days until we serve the lunch meat. The Following are questions that the Freezer Pull Form will include.

1. The name of the person pulling the meat.
2. The date the meat was pulled from the freezer.
3. The date the meat will be sliced.
4. The date the meat will expire.

5. An inspection on the meat to determine if the meat looks and smells good.
6. The date the meat will be served.

### **The Freezer Pull Tag**

1. A Freezer Tag will be placed on the pan that the meat was pulled from the freezer on the day that the meat was pulled.
2. A list of food items that were used for the meal that was prepared that day.
  1. A list of food items that were substituted for a medical diet or vegetarian diet.
  2. A Daily check off list of all the areas of the kitchen that must be cleaned and sanitized daily.

### **Kitchen Knives**

The Jail Kitchen has an inventory of three ten-inch knives with five feet, five and a half inches long attached with plastic/wired cables. The knives and cables have a dead bolt lock that are kept with the handles facing up and placed in a wired storage rack located on the wall of the Food Service Worker's break room. Knives will be sharpened and replaced by Gager Chemical Company only.

### **The Sutter County Jail Kitchen Employee temperature and Knife Log**

1. A recorded temperature reading of the freezer, walk-in and small refrigerator will be logged and filed with the Food Service Supervisor. The log will be kept in the Food Service Worker break room.
2. The Food Service Worker will record and inventory after their shift, three knives with cables and bolt locks will be logged. The inventory will be filled by the Food Service Supervisor. The log and the knives will be kept in the Food Service Break room. The knives will be supervised at all times. A log will be filled out and kept in the Food Service Worker Break room.

### **Food Handlers' Procedures**

All inmates assigned to work in the kitchen will be medically cleared for kitchen work, maintain good personal hygiene, and wear gloves and hair tucked in the hairnets prior to working in the kitchen. Inmates that have beards on their face will wear a hair net over their beards. The inmates will be supervised at all times while working in the kitchen.

Training will be provided to the inmates on equipment prior to using. Training on safety will be briefed prior to the shift is started. There are policy rules of the kitchen that the inmate will follow in order to receive credit earned in the kitchen. Fifteen days will be worked to receive a three-day credit. If the kitchen rules are not followed, then the inmate will be denied recommendation for service credit. To receive credit the inmate will work a full day. A request form to receive credit must be submitted by the inmate requesting the credit time earned by working in the kitchen at least three days prior to the out date via the tablet.

### **Rules and Safety Procedures for the Sutter County Jail Kitchen**

Rules and Safety procedures are posted in the jail kitchen and are to be briefed daily to the inmate workers. All rules posted will be followed. Kitchen Staff member may recommend disciplinary action for those inmates not following kitchen rules and safety procedures.

#### **J107.40 – PERSONNEL SUPERVISION**

The inmates are supervised at all times by the Food Service Worker staff and cameras are set in certain locations to assure that the inmates are supervised where they do not tamper with the food. The inmates also are assigned to appropriate jobs in the kitchen. The food is also prepared and served only under the immediate supervision of a staff member.

#### **J107.45 – BUDGETS AND FOOD COST ACCOUNTING**

The Jail Budget has an established account which pays for the food prepared for inmates. This budget is established and based upon the average daily population from the previous 12 months (December - November) for the budget year and on the average per-meal cost. Cost accounting for the food items is monitored by the Jail Commander and the Jail Lieutenant. Billing for food costs is directed to the Administrative Assistant.

#### **J107.50 – DOCUMENTATION AND RECORD KEEPING**

The Food Services Supervisor shall maintain a record keeping system that will include:

- A. The four-week menu plan approved by a nutritionist or dietitian.
- B. Substitute meals served; the change shall be noted in writing on the menus.
- C. Number of meals served to inmates, staff and visitors.
- D. Dietary content of each meal.
- E. Complaints regarding meals served.
- F. Special diets served to inmates with special therapeutic needs.

#### **J107.60 – WASTE MANAGEMENT**

**Waste Management:** The Jail Kitchen staff members recycle the card board that we gather from the boxes of canned goods and placed in a separate trash bin. The other trash is placed in a separate garbage disposal trash can, and they are both picked up by the garbage company. The trash cans are located on the south part of the kitchen door.

**Hazardous Materials:** The Food Service Supervisor monitors the chemicals that are delivered to the jail. An inventory is kept on file and M.S.D sheets of all chemicals are also kept at areas that are designated for chemicals such as the store area that is in the hall way that is separated from the kitchen. All chemicals are kept away from food and are not to be kept in the kitchen unless they are supervised by the Food Service staff members for cleaning purposes. There is also a designated area in the jail where the chemicals are kept and another designated area at the Minimum/Medium facility. All empty buckets of chemicals are picked up by the Gager Chemical Company where they may recycle them.

#### **J107.65 – MAINTENANCE AND REPAIR**

**Maintenance and Repair:** The Food Service Supervisor monitors the equipment and repairs to determine if repairs need to be fixed. If the equipment or repairs needs to be fixed the Food Service Supervisor will place a County maintenance ticket on the County's Intranet. If the County maintenance cannot fix the equipment problem, then the Food Service Supervisor will call Hobart Company so that they may fix the equipment.

The Food Service Supervisor will monitor the kitchen to ensure that the Food Service Workers and the inmates clean and sanitize and organize the preparation areas. There is a cleaning log that the staff members use that covers all the areas of the kitchen. There is a commercial Industrial dish washer that washes and sanitizes all pots, pans, utensils and multi-service consumer utensils. The dish washer is maintained at 150 degrees Fahrenheit for washing and 180 degrees Fahrenheit for rinsing.

**Replacement of Equipment:** If equipment needs to be replaced the Food Service Supervisor will fill out a form with justification and details regarding the type and the price of the equipment. The request is then sent to the Jail Lieutenant and approved by the Jail Commander. If the request is approved, then the request is then placed on a list of items that are needed and approved. The request is then added to budget for the next fiscal year so that it is purchased. If there is sufficient money in the budget, then the equipment could be purchased by the County purchaser.

There is mechanical ventilation that overlooks the equipment that sufficiently removes gases, odors, steam, heat, grease, vapors and smoke from the kitchen. When food is being cooked, this ventilation system is on. The ventilation system is cleaned by a company every six months.

**Kitchen Sanitation:** Food preparation and service areas must be kept sanitary, clean and orderly. The Food Services Supervisor will implement practices to ensure all food services areas are kept sanitary and orderly.

- [1] The Food Services Supervisor or Food Service Worker will inspect food service areas after each meal to ensure the areas are sanitary and clean.
- [2] The Food Services Supervisor or Food Service Worker will inspect to see food service equipment is cleaned after each use.
- [3] The Food Services Supervisor or Food Service Worker will inspect eating utensils and serving trays to ensure they are washed and sterilized after each use.
- [4] The Food Services Supervisor or Food Service Worker will ensure the water temperature of the dish washer is maintained at 150 degrees Fahrenheit for washing and 180 degrees Fahrenheit for rinsing.
- [5] The Food Services Supervisor or Food Service Worker will ensure kitchen floors are swept and washed after the lunch meal has been served.
- [6] The Food Services Supervisor or Food Service Worker will ensure refrigerators; freezers and the walk-in coolers are clean and frost free.
- [7] The Food Services Supervisor or Food Service Worker will ensure counter tops and work areas are cleaned after each use.
- [8] The Food Services Supervisor will ensure a thorough cleaning of all food storage areas at least weekly.
- [9] The Food Services Supervisor will ensure walls, exposed pipes, lights and other areas are cleaned as needed.

**Storage area for Cleaning Supplies:** The floors are swept after each meal and cleaned with floor cleaner after the lunch meal has been served and delivered. The storage area is located in the hall way out side of the kitchen. All the chemicals and cleaning supplies that are for the jail and the kitchen are kept secure and locked until needed. An inventory is kept, and a log is placed in the storage area so that if a person takes something from the storage area they must sign their name, date, the name of the product, and the location that they are taking the product to.

## **J108.00 - INSPECTIONS**

Continual safety, security and sanitation inspections are the responsibility of all jail employees.

### **J108.05 - GENERAL AREAS TO BE INSPECTED**

Facility Interior

Facility Exterior

Operations

Equipment

Fire and Safety Hazards

The inspecting officer is not obligated to conduct an extensive inspection at any given time or of any specific area, nor are they limited to the listed areas.

They shall, however, inspect a reasonable number and variety of areas. Any noted maintenance discrepancies, the Kitchen Supervisor will dispatch a Facilities Work/Maintenance Repair Ticket at the on line County Intranet Website.

Work Orders, Incident Reports or Housing/Cell Area Inspection Checklists shall report the results of all facility inspections, including the findings and remedial action taken or recommended. The report will be submitted in the form of a memorandum. These reports shall be forwarded to the Jail Facility Manager, Lieutenant or Sergeant.

The Jail Facility Manager or Lieutenant shall review and note on the report or work order any further remedial action that may be warranted.

### **J108.10 - EQUIPMENT INSPECTIONS**

The Jail Facility Manager shall have procedures that will ensure the following equipment is inspected regularly:

All firefighting equipment

All emergency equipment

All weapons

The discovery of any inadequacy shall result in the immediate remedy either by repair or replacement. A record shall be maintained of all equipment inspections, inadequacies discovered, and corrective measures taken.

## **J109.00 - SECURITY AND KEY CONTROL**

### **J109.05 - KEY CONTROL**

The Key Control Box in the Main Jail Control Room is the only place facility keys are to be stored. Keys for duty will be obtained from, and returned to, the Key Control Box at the beginning and end of each shift.

The oncoming shift Jail Sergeant or OIC shall inventory and account for all key rings before relieving the off going Jail Sergeant or OIC.

The Key Control Box shall have an accurate log containing the following:

Number of total keys

Number of keys available for each lock

Number of keys on each ring

- [1] All officers removing a key ring from the Key Control Box shall place their matching brass name chit on the key hook from where the key ring was removed.
- [2] No key ring shall contain both interior and exterior door keys.
- [3] All duplicate keys shall be kept in the key control box.
- [4] Under no circumstances are inmates or inmate workers allowed to handle any jail key or tamper with any locks or security equipment.
- [5] Keys shall never be left in locks or lying around in the jail.
- [6] Broken or malfunctioning keys or locks shall immediately be reported both verbally and in writing to the Jail Sergeant on duty. The Jail Sergeant will, in turn, notify the Jail Lieutenant, as well as submit an urgent repair order.
- [7] Operational key sets shall never be taken beyond the jail perimeter for any reason. Jail perimeter includes traversing within the Main Jail Facility.
- [8] If a staff member is assigned a task outside the perimeter, they will return their issued keys to the key control box before leaving the jail.
- [9] Employees shall not duplicate a facility key or lock.
- [10] All personnel shall, prior to leaving the facility for any reason, return their shift keys to the key control box. If stationed at a fixed post such as Minimum/Medium security or SCU, personnel shall turn their shift keys over to their relieving officer. Until relief is accomplished, all personnel assigned keys shall retain total responsibility for them.

#### **J109.10 - FIRE KEYS**

A set of fire keys will be maintained in a locked area within the Sheriff's office. Fire keys may be removed from the Sheriff's office only for emergency use and shall NEVER be used in place of operational key sets. If assistance is needed from outside the jail, be sure to advise dispatch.

#### **J109.15 - SECURITY PROCEDURES - GENERAL**

All persons and objects entering the Sutter County Jail are subject to search. Persons attempting to bring contraband or weapons into the jail will be arrested and prosecuted to the fullest extent of the law.

Exterior and Interior Doors will remain closed and locked on all shifts when not in use.

Generally, if two doors need to be passed through in succession, the first door will be closed and locked before the second door is opened.

Never leave doors unlocked or open for convenience. Prior to admitting any person or inmate to pass through an electric/automatic door, all personnel will first ascertain the identity and purpose of the person requesting or attempting to pass.

#### **J109.20 - PERIMETER DOORS**

The perimeter doors are the keystones of the jail security plan. The following regulations will be enforced without exception:

Perimeter doors shall only be opened when necessary, and only for as long as necessary. Persons passing through a perimeter door will do so only with a Jail Staff member present.

#### **J109.25 - KITCHEN SECURITY**

- [1] Kitchen security shall be maintained at all times.
- [2] When not in use, both interior and exterior kitchen doors shall remain locked on all shifts. If two doors need to be passed through in succession, the first door will be locked before the second door is opened. Doors shall never be left open or unlocked for convenience.
- [3] The Food Services Manager and Food Service Workers will ensure doors to kitchen offices are locked. Inmates are not allowed entry to these areas.

#### **J109.30 - EVENING LOCKDOWN**

The locks of individual cells and cell blocks will be checked for locking and proper functioning during each evening lockdown. The Lockdown Hour will be at 2300 hours. Lights, phones, tablets, and televisions will be turned off at lockdown. If inmates have privilege of late-night lights, phones, tablets, and television will be turned off at 0100 hours.

#### **J109.35 - CELL BLOCK AND CELL SECURITY**

Personnel should be alert for their personal safety at all times in inmate areas.

Keep a position of advantage at all times and never turn your back on an inmate. Keep them in front and in sight whenever possible.

When an officer has cause or suspicion of danger or belligerence, they should order inmates into their cells or into a secure area. Do not enter a cell area by yourself to handle a problem. Get assistance!

Staff will visually inspect all cells and living areas at least once every hour. The Supervisor shall tour all cells and living areas at least once per shift. Attention will be made to inmate safety, hazardous conditions, cell cleanliness and security violations or violations of inmate rules. Immediate action will be taken on any observed violations. Both staff and supervisory inspections will be recorded on Cell Activity Logs.

The Supervisor will ensure a physical inmate count is made at least twice per shift, ascertaining all jail inmates are present and/or accounted for. Count will be recorded on Cell Activity Logs.

#### **J109.45 - INMATE WORKER ASSIGNMENTS**

Only sentenced inmates will be considered for inmate work outside the facility. Inside inmate workers and inmate kitchen workers may be unsentenced. Inmate Workers will be secured at all times and under the direct supervision of correctional staff at all times.

Inmate Workers selected for assignment to outside work details will not be permitted outside unless supervised by Sheriff's Office personnel or other competent persons. Competency of supervising persons shall be determined by the Sergeant, Lieutenant or Jail Facility Manager. Inmates assigned to work outside details will wear appropriate attire.

Correctional Staff will log inmate workers in and out of the Central Square system.

#### **J109.50 - JAIL FACILITY MANAGER RESPONSIBILITY**

The Jail Facility Manager shall ensure the security of the facilities under his command. All bars, locks, doors, windows, and other security fixtures shall be examined on a periodic basis. Any discrepancies shall be remedied immediately.

#### **J109.55 - SECURITY OF HOUSEKEEPING EQUIPMENT AND SUPPLIES**

The facility shall provide for the secure storage of housekeeping equipment and supplies while not in use.

Cleaning agents which are potentially dangerous shall be kept under lock and shall be used only under the supervision of jail personnel.

#### **J109.60 - SECURITY OF MEDICATION**

Wellpath Medical Services Policies and Procedures provides for the secure storage and the controlled administration of all legally obtained drugs. Such plans, procedures, space and accessories shall include, but not be limited to the following:

- [1] Secure locked cabinets, closets and refrigeration units.
- [2] Means for a positive identification of the recipient, such as wrist band or photograph.
- [3] Procedures for administering prescribed drugs at the proper time and dosage.
- [4] Designated jail personnel shall confirm the recipient has ingested the medication.
- [5] Procedures for the administration of controlled substances and dangerous drugs in liquid or powdered form, whenever possible.
- [6] Procedures for recording the prescribed dose that has been administered and by whom, or if not administered, the reason therefore.
- [7] Inmates are prohibited from the administration of drugs.

*NOTE: "Medical Protocol" refers to the Sutter County Wellpath Medical Services Policy and Procedures.*

#### **J109.65 - SECURITY OF TOOLS**

All tools assigned to or used within the facility shall be controlled so they are not used by an inmate to affect an escape or to use as a weapon.

Any member becoming aware of a condition which allows unauthorized inmates access to tools shall immediately secure the tools and report the incident to their immediate supervisor. All tools assigned to the facility such as gardening, mechanical, culinary, etc., shall be safeguarded and accounted for properly.

An inmate shall not use tools without proper supervision and control. Inmates shall not retain these tools after their task has been completed.

## J109.70 - SECURITY CHECK AFTER REPAIRS

Whenever workmen or Maintenance Department personnel make repairs in an area, jail personnel assigned to that area shall check to ensure tools or supplies are not left behind. Any discrepancies are to be reported to the Jail Facility Manager, via the chain of command, immediately.

*NOTE: If necessary, Inmates may be removed from housing units or locked down during repairs.*

## J110.00 - SEARCHES

The jail shall implement standards for searches which shall include, but are not limited to, the following:

- [1] Specific area searches (i.e., kitchen, booking, visiting)
- [2] Housing area searches
- [3] Facility perimeter searches
- [4] Unexpected searches
- [5] Inmate searches
- [6] Narcotics searches

All searches will be conducted pursuant to Penal Code Section 4021, which reads as follows:

4021 (a) Whenever any female prisoner or prisoners are confined in any local detention facility in the state there shall be an appropriately trained female custodial person assigned, available, and accessible for the supervision of the female prisoners.  
(b) It shall be unlawful for any officer, station officer, jailer, or custodial personnel to search the person of any prisoner of the opposite sex, or to enter into the room or cell occupied by any prisoner of the opposite sex, except in the company of an employee of the same sex as the prisoner.

The results of all facility inspections, including the findings and/or remedial action taken or recommended, shall be reported in writing to the Jail Facility Manager, Lieutenant or Sergeant by Work Order, Jail Incident Report or memorandum.

## J110.10 - INMATE SEARCHES

**PURPOSE:** The Sutter County Jail recognizes that clothed pat searches, strip searches or visual body cavity searches, and physical body cavity searches are sometimes necessary to resolve an officer's suspicion that an inmate is concealing a weapon or contraband that may pose a threat to the safety and security of the facility, staff and inmates. These searches are also an effective means of preventing the introduction and movement of contraband within detention facilities. The jail also recognizes that such searches are necessarily intrusive of an individual's privacy rights and, as such, require greater justification than other less intrusive searches.

To ensure that such searches are conducted only when adequate justification exists and do not intrude upon an inmate's privacy any more than is reasonably necessary to meet the security and safety objectives of the search, the following policy will be adhered to.

**POLICY:** Pursuant to California Penal Code Section 4030, and in accordance with relevant Federal, State and case law, Sutter County Jail has established this policy to provide clear and uniform guidelines concerning the circumstances warranting the search of in-custody inmates. Searches are

conducted to preserve the safety of the inmates, staff, and the public; maintain the security of the facility by preventing the introduction of weapons and/or contraband; and protect inmates from unnecessary strip or visual body cavity.

**DEFINITIONS:**

**Body Cavity:** The stomach, mouth, nasal passages, ear canals or rectal cavity of a person; includes the vagina of a female person.

**Clothed Body Search or Pat Search:** Inspecting an arrestee's hair, mouth, ears, clothed body and outer clothing (including coats, headwear, wigs, pockets, socks and footwear) through visual observation and the physical patting or grasping of an inmate's outer clothing to detect contraband.

**Clothing Search:** This search includes a thorough inspection of clothing in order to discover and retrieve contraband concealed in clothing. Clothing includes, but is not limited to, coats, headwear, wigs, pockets, socks and footwear.

**Contraband:** Contraband is any item possessed by inmates that is declared illegal by law or not specifically approved for inmate possession. Examples of contraband include weapons, escape devices, drugs, drug paraphernalia, or authorized items that are possessed in excessive quantities or altered to be utilized in a manner not intended. This includes items purchased from commissary.

**Metal Detector Search:** The use of any device, that when walked through or waved over, a person can detect metal objects on or within a person. A metal detector search is conducted while the person is fully clothed.

**Physical Body Cavity Search:** A physical body cavity search involves the physical intrusion into a body cavity for the purpose of discovering an object concealed in the body cavity.

**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 undergarments, breasts, buttocks, anus or genitalia of such person.

**Visual Body Cavity Search:** A visual inspection of the anal and/or vaginal area; generally requiring the subject to bend over and spread the cheeks of the buttocks, to squat, and/or otherwise expose body cavity orifices for the purpose of detecting contraband or weapons. No physical contact is made during this visual search.

**Strip Search Authorization Form:** A form that provides written authorization from an on-duty Correctional Sergeant or Supervisor for a strip search or visual body cavity search.

**Witnessed Clothing Exchange:** For the purposes of this policy, the witnessed clothing exchange is the process whereby an arrestee exchanges his/her personal clothing for jail clothing under the general supervision of jail staff. The exchange shall be controlled and witnessed only by staff of the same sex as the arrestee.

**Reasonable Suspicion:** Quantum of knowledge sufficient to lead an ordinarily prudent and cautious

person under the circumstances to believe that an individual may be in possession of contraband. Reasonable suspicion requires less information than probable cause, but more information than a hunch or a guess.

Concerning strip searches or visual body cavity searches, reasonable suspicion must be based upon specific and articulable facts that the inmate is concealing a weapon or contraband, and a strip search and/or visual body cavity search will reveal it.

Reasonable suspicion may be based on such factors as the nature of the offense, the arrestee's appearance, conduct, custody status, prior arrest record, and any other factors that would lead a reasonable person to conclude that a strip search may result in the discovery of contraband.

#### J110.11 – BODY SCANNER

**Tek 84 Intercept Body Scanner.** The Tek 84 Intercept scanner will be utilized to scan new intakes, housed inmates, objects and property. The purpose of the scanner is to prevent contraband from entering the facility, and to detect weapons, drugs and contraband possessed by inmates within the facility, or hidden within their property.

All arrestees and housed inmates brought into the jail may be subject to an x-ray scan, unless a condition exists that would prohibit scanning. As a standard practice, only male staff are allowed to scan males and only female staff are allowed to scan females. Staff should do their best to avoid viewing scans of the opposite sex unless there is a legitimate need to do so including, but not limited to; in order to assist an officer in interpreting the scan due to possible anomalies detected on a scan.

**Purpose:** The low dose X-Ray based operation of the Tek 84 Intercept body scanner will be used as a tool to assist staff with detection and prevention of weapons, contraband and prohibited items from entering the secure areas of the jail. The purpose of this policy is to establish an effective radiation safety and protection program that will reduce the risk of exposure related to the use of ionizing x-radiation and provide for the safe operation of the Tek 84 Intercept scanner. Additionally, the purpose of the scanner is to prevent contraband from entering the facility, and to detect weapons, drugs and contraband possessed by inmates within the facility, or hidden within their property.

The Tek 84 Intercept body scanner does not take the place of a pat search or strip search when facts exist to warrant a strip search.

APPLICABLE AUTHORITIES	SECTION	DESCRIPTION
Code of Federal Regulations, Title 10	Part 20	Standards for protection against radiation
Code of Federal Regulations, Title 21 Food and Drugs	Chapter 1, Subchapter J 1020.40	Radiological Health Cabinet x-ray systems
California Code of Regulations, Title 17	Chapter 5, Subchapter 4	Radiation
California Code of Regulations, Title 17	Chapter 5, Subchapter 4.5	Radiologic Technology
California Penal Code	4030 (d) (2)	Scanning of Pregnant Women

## **DEFINITIONS:**

**Body Scan:** X-ray technology used to produce an image revealing the presence of contraband concealed on or inside of a subject.

**Body Scan Device:** A stationary system for obtaining full height radiographic images of a person to detect any kind of weapons, explosives, drugs, and precious stones and metals either concealed under the clothes, swallowed, or hidden in anatomical cavities of the human body (for example, drugs in capsules) without causing harm to the scanned person. (i.e., Tek 84 Intercept)

**X-Ray:** Also referred to as x-radiation, is a form of electromagnetic radiation similar to light but of shorter wavelength and capable of penetrating solids and ionizing gases.

**Radiation:** Radiation is the process in which energetic particles or waves travel through a medium or space. There are two distinct types of radiation; ionizing and non-ionizing. X-radiation is an ionizing radiation.

**Radiation Survey:** Measurement of the X-radiation equivalent dose rate at the external surfaces of the body scan device, the personnel work station(s), the boundaries of the working zone, and in adjacent rooms if applicable.

**Exposure:** A term defining the amount of ionizing radiation that strikes living or inanimate material. The Federal Drug Administration definition is found at 21 CFR 1020.40(b)(5).

**Dose:** The quantity of radiation or energy absorbed.

**RSO:** Radiation Safety Officer.

## **GUIDELINES FOR SCANNING**

### **PACEMAKERS AND OTHER MEDICAL DEVICES**

There is no FDA published material indicating the use of the body scanner will adversely affect implanted medical devices, such as a pacemaker. A person who claims to have such a device should first be examined by medical staff prior to a scan; however, the presence of such a device should not preclude the use of the scanner, unless other circumstances known to medical staff or jail staff indicate otherwise.

### **PREGNANT INMATES**

1. The Body Scan device **shall not** be used to scan arrestees or inmates who are known or alleged to be pregnant under any circumstances. A statement by the arrested person or inmate that she is pregnant is sufficient for officers to assume the subject is exempt from a body scan.

2. Pregnancy tests are administered to female arrestees at the time of intake or within 72 hours of arrival at the jail, and upon request at any time during incarceration. Pregnancy tests shall be voluntary and administered only by medical personnel.
3. Any incarcerated person who declines a pregnancy test shall be asked to sign an "Informed Refusal of Pregnancy Test" form that shall become part of their medical file.
4. If medical staff advises a female arrestee claiming to be pregnant has tested negative (not pregnant), the female arrestee shall be scanned with the body scan device. This will only occur if the negative test result is revealed before the female is housed.
5. Prior to scanning a female arrestee or inmate, the officer performing the scan shall ask the arrestee/inmate if they are pregnant.

#### **INTOXICATED ARRESTEES**

Care should be exercised when scanning persons who demonstrate an acute level of intoxication to such an extent that standing or remaining still for the duration of the scan might not be possible. If the person demonstrates objective signs of intoxication to the extent that their safety may be compromised, the scan should be delayed to a later time, or not done at all if the person will be released when sober.

#### **NEW ARRESTS**

All new intakes will be scanned using the following procedures:

1. The arrestee will be subject to a pat search followed by removal of all property from their clothing.
2. The arrestee will remove their shoes for visual inspection by intake staff.
3. Following removal of all property, the arrestee will be escorted and instructed to stand facing the scanner approximately 2 to 3 feet away from the body scanner looking at the display screen inside the scanner. Staff will enter the arrestee/inmate's First and Last Name, middle initial, and if know their Jail ID#. (This process allows for the tracking of radiation that person has received during scanning in a year period.) Staff will take the arrestee/inmate's picture. If the picture is of acceptable quality, touch the center of the face to crop and accept the photo.
4. Staff will instruct the arrestee/inmate to stand on the platform facing forward with his or her hands down to the sides. The inmate will be scanned using the highest level of scan. Staff will select the far-right icon of available scan levels on the display screen prior to starting a scan.
5. Staff will review the scan, looking for any anomaly in the scan that could be consistent with contraband on or in the person being scanned prior to the

arrestee/inmate being allowed to step off the scanner platform, unless otherwise directed by the officer.

6. If it is suspected the inmate may have concealed weapons or drugs in their shoes, the officer should scan the shoes separately to avoid potential use of a weapon, or destruction of evidence. Shoes should be placed at a level of approximately 12 inches off the floor of the scanner to be fully scanned.
7. The intake process will continue if no anomalies are detected.

#### **DETECTION OF CONTRABAND**

If the scanning process of a new arrest reveals an object that is clearly identifiable as a weapon, drug or contraband, the following procedures will be followed:

1. If the object is clearly a weapon or suspected drug, appropriate officer safety practices will be utilized, the arrestee secured with restraints and placed under constant supervision.
2. Advise the shift sergeant of the detection.
3. The arrestee's clothing will be searched in the approximate area where the object appeared to be located.
4. If the clothing search/pat down is unsuccessful, a strip search may be authorized by the shift sergeant, based on the totality of the facts known to staff (see below).
5. If the object appears to be in a body cavity such as the rectum, vagina or mouth, the arrestee will be asked to remove the object, if it is safe to do so.
6. If the arrestee refuses to remove the object, or the object appears to be in a location where a physical body cavity search or intrusive medical procedure would be required, **the arrestee will not be accepted for booking**.
7. The arresting officer will be required to obtain a medical clearance from a hospital before the arrestee will be accepted.
8. Nothing in this policy will preclude staff from conducting more than one scan of an inmate or arrestee to ensure all possible contraband has been detected.

#### **HOUSED INMATES**

To prevent the introduction, transfer or concealment of weapons, drugs and contraband inside the facility, all booked and housed inmates may be scanned at any time. No specific articulable facts are required beyond the routine security precautions necessary to safeguard the safety and security of the facility, and the health and welfare of the inmate population.

Considerations that may warrant use of the scanner for housed inmates:

1. Inmates returning from court, outside medical appointments or inmate transfers from other institutions where the inmate(s) may have had access to weapons, drugs or contraband.
2. Inmates within housing units who demonstrate signs or symptoms of drugs intoxication.
3. Housed inmates who are the subject of a jail or criminal investigation involving weapons, drugs or contraband.
4. Confidential Informant information that indicates a specific inmate is concealing weapons, drugs or contraband.
5. Other information known to any staff member that would indicate an inmate, or group of inmates, may be in possession of weapons, drugs or contraband.

The scanner may be used to scan any arrestee or item belonging to an arrestee or inmate who is booked into or housed within Sutter County Jail. Use of the scanner to inspect the contents of packages or articles not belonging to an arrestee, or items that will not be stored inside the jail property room will not be conducted absent clear legal authority to do so.

NOTE: To maintain the integrity of the Sutter County Jail facilities and control the spread of contraband, jail staff is encouraged, to randomly scan inmates of different classifications when time permits.

#### **REFUSAL BY ARRESTEE / COMBATIVE INMATES**

1. Due to the nature of the scanning process, scanning a combative arrestee or inmate will not produce a usable image. If the arrestee's charges, history or behavior would otherwise qualify them for a strip search, the arrestee will be strip searched with a jail sergeant's written authorization and given jail clothing while housed in an observation cell. This will occur immediately after a body scan refusal and before the arrestee will be allowed to continue in the booking process.
2. If the arrestee would not otherwise be qualified for a strip search, their refusal to submit to a scan may be considered with other factors such as behavior, symptoms of drug use or observations that would seem to indicate an attempt to conceal a weapon or drugs. The shift supervisor will make this determination based on the totality of circumstances.
3. Arrestees or inmates who refuse to cooperate with the scanning process will be placed into an observation cell where their activities can be monitored. The toilet should be shut off at this time. The inmate can be held in observation for up to 48 hours. After the 48 hours, if the inmate still does not cooperate with the scanning process, the inmate will be showered and housed in a single cell until the

classification officer deems the inmate is no longer a security risk. The inmate can ask to be reclassified in 30 days.

4. In any case where an inmate is placed in an observation cell pursuant to this section, the on-duty supervisor will notify jail administration and the placement will be reviewed by jail administration within the first twenty-four (24) hours of placement, and again within forty-eight (48) hours.
5. Anytime an inmate refuses to be scanned, the intake officer will generate a jail incident report.

#### **PRESERVATION OF IMAGES**

In the event weapons, drugs or contraband items are detected, the image will be flagged as a “suspect” and noted in the log book maintained at the operator station. The shift sergeant will be notified of the detection and appropriate steps will be taken to preserve the image, if needed as evidence for a criminal prosecution. Sheriff’s Office protocols for booking evidence will be utilized for criminal cases handled by the Sheriff’s Office or jail. If the evidence is being provided to another agency, that agency will be responsible for documenting chain of custody and preservation of the image (digital or print).

1. When contraband is recovered as a result of the scanner, a jail incident report, and, if needed, a crime report will be generated with the scan number notated.

#### **INMATE PROPERTY**

1. Inmates have traditionally used a variety of methods to conceal weapons, drugs and contraband. Methods have involved concealing prohibited items inside inmate commissary containers, issued bedding and within envelopes used for legal materials.
2. Notwithstanding language regarding the property of fresh arrestees or persons not housed in the jail facility, any property located in inmate housing may be scanned at any time, and for any reason.
3. Inmate property located in a jail property bag may be scanned when staff has information to believe articles within the property bag may contain illegal property, weapons, drugs or contraband that would pose a risk to this facility if not recovered from the bag, a risk to another institution if the inmate is transferred, or a risk to the general safety of the public if the inmate is released.

#### **SCANNER SYSTEM SAFETY AND OPERATING PARAMETERS**

**The following provisions shall be adhered to by all staff:**

1. Upon becoming aware of any safety issues related to a body scan device, staff shall immediately report their concerns to their supervisor, who will forward them to the Radiation Safety Officer. Operators of a body scan device shall use it in a responsible

manner, in accordance with this policy, and in accordance with the manufacturer's operating instructions.

2. The operator's manual for each body scan device shall not be removed from the officer's work station of each unit. During operation of the body scan device, unauthorized persons (other than service personnel) are not allowed within the immediate area, to prevent the arrestee/inmate from being distracted and the scan being unreadable.
3. All part removal and installation of scan device components shall be completed by a service engineer of the representative company and/or additional service contractors.

#### **STAFF TRAINING**

**Body scan device operator training consists of the following subject matter:**

1. Design of the scanner: purpose of the basic components, principles of the scanner operation.
2. Radiation and overall Scanner operation safety principles: History of x-ray, nature of x-rays, the x-ray tube, penetration and absorption, security x-ray machines, x-ray scanners features, prohibited items, limitations of x-ray, operating procedures, and health and safety.
3. Control of the scanner: switching on, testing, data input, scanning and switching off.
4. Principles of investigation of digital images: analysis (determination) of objects on the human body, using the mathematical filters, scaling, etc.
5. Malfunction diagnostics.
6. Practice and knowledge testing.
7. STAFF WHO MAY BE PREGNANT OR HAVE CONFIRMATION OF PREGNANCY SHALL NOT OPERATE OR BE IN THE PROXIMITY OF THE TEK 84 INTERCEPT BODY SCANNER DURING ITS USE.

**NOTE:** No employee shall operate a body scan device without first successfully completing proper training.

#### **DUTIES OF THE RADIATION SAFETY OFFICER**

The Correctional Lieutenant, or designee, shall serve as the Corrections Division Radiation Safety Officer (RSO). The Radiation Safety Officer (RSO) will:

1. Maintain the Radiation Safety and Protection Program and coordinate the safe operation of x-ray-based body scan devices in compliance with applicable state and federal regulations.
2. Ensure all new or relocated radiation sourcing equipment operated by the Sheriff's Office within the Corrections Division is registered with the Radiologic Health Branch of the California Department of Public Health (form number RH-2261).
3. Ensure all radiation sourcing equipment operated by the Sutter County Sheriff's Office within the Corrections Division is maintained and serviced in compliance with applicable state and federal requirements.
4. Arrange and schedule any needed repair or service for a body scan device upon being advised of any damage or malfunction.
5. Retain any survey, service, inspection, and instrument calibration records for the lifetime of each body scan device.
6. Ensure that the annual fee for each body scan device is paid to the Radiologic Health Branch of the California Department of Public Health prior to the anniversary of the effective date of the license.

**NOTE:** Title 17 of the California Code of Regulations, Section 30231, requires the above payment and mandates that failure to do so requires all usage of the body scan device to immediately cease until such time that the fee and any late fees have been paid.

#### **DUTIES OF THE SHIFT SUPERVISOR**

The shift sergeant, with the assistance and coordination of the Radiation Safety Officer, will:

1. Receive authorization from the RSO prior to allowing staff to operate any new x-ray emitting equipment.
2. Notify the RSO upon becoming aware of any maintenance issues related to a body scan device.
3. Notify the RSO immediately upon becoming aware of any safety issues related to a body scan device.

#### **BODY SCAN DEVICE SAFETY FEATURES**

The system operation modes and techniques are preset by the manufacturer at the factory and are not to be changed by the operator. The system contains several design features to minimize radiation exposure to staff and inmates:

1. Redundant safeguards and interlocks prevent exposure to unsafe levels of radiation, even in the event of intentional misuse or serious malfunction. The only component critical for

radiation safety is the x-ray shielding around the x-ray source and fan beam collimator. Even if all other safety mechanisms were to fail, Intercept cannot produce a dangerous radiation exposure as long as this shielding is intact. The only opening in the x-ray shielding, the fan beam aperture, is too small to allow significant levels of x-ray radiation to be emitted.

2. Safety components including:

- Fan beam collimator shielding.
- Interlock against disassembly.
- Dose monitor.
- Vertical motion sensor.
- Kv (Kilo Voltage) and mA (Milli Amperes) monitoring.
- Watchdog x-ray source controller.
- Scan stop switch on the kiosk with the fixed position of the button, when activated, cuts off the X-ray radiation.
- X-Ray on signal from the Intercept Monitor when system is generating x-rays.

#### **FAILURE OF SAFETY FEATURES / VENDOR REPAIR**

The above safety features are required to be functioning to operate the system. Should any of these features become inoperable, the operator of the body scanner will:

1. Shut down the body scan device.
2. Immediately notify a Sergeant.
3. The supervisor will notify the RSO and Jail Administration. The Radiation Safety Officer or shift sergeant will contact a contracted vendor to make any repairs as necessary.

#### **ANNUAL SERVICING AND SURVEY OF BODY SCAN DEVICES**

The calibration, periodic annual maintenance of the X-Ray scanner and radiation survey will be performed only by persons and contractors authorized to perform such services. Refer to the Intercept Operations Manual for detailed service tasks.

A review of this policy shall be conducted at least once annually. The review shall be documented.

#### **RADIATION SURVEY**

An annual radiation survey shall be performed on each body scan device to ensure no radiation exposure to operators:

1. Upon installation of a new unit;
2. At intervals not exceeding one year;
3. Upon relocation of an existing unit;
4. Immediately following any service that could potentially increase the system output.

This survey shall only be performed by persons and contractors authorized to perform this service.

#### **RADIATION DOSES AND DOSIMETRY PROGRAM**

## **SAFETY OF THE PERSONS SCANNED**

The inspected person dose rate per inspection does not exceed the contracted value of 0.1-1.0  $\mu\text{Sv}$ .

## **DOSE PER SCREENING**

The maximum radiation dose to which an inmate or arrestee being scanned is exposed per scanning session, does not exceed .90  $\mu\text{Sv}$ . For the Intercept body scan device, the annual quote of the dose for one person in case of repeated inspections of one person is set to be 250  $\mu\text{Sv}$  per year as per the ANSI /HPS N43-17-2009 Standard. The three scan techniques available on the Intercept body scan device are:

1. "Low" (0.25 $\mu\text{Sv}$  per scan), "medium" (0.50 $\mu\text{Sv}$  per scan), and "high" (0.90  $\mu\text{Sv}$  per scan).
2. Considering the above characteristics of the body scan device, it allows the same person to be scanned up to 1000 times per year at .25  $\mu\text{Sv}$ , 500 scans per year at .50  $\mu\text{Sv}$ , and 278 scans per year at .90  $\mu\text{Sv}$ . (Up to two or three scans a day if the Intercept scans at the lowest to medium scan setting)
3. Each respected scan level produces a slightly higher level of image resolution. The scan level chose should follow the ALARA Principal, "As Low As Reasonably Achievable" to find any anomalies for identification.

## **SAFETY FOR THE OPERATOR AND BYSTANDERS**

The "exclusion" zone for the operator or bystander is equal to the foot print of the unit itself, and therefore no markings are required on the floor to identify this region.

STAFF, INMATES OR BYSTANDERS WHO MAY BE PREGNANT OR HAVE CONFIRMATION OF PREGNANCY SHALL NOT OPERATE OR BE WITHIN FIVE (5) FEET OF THE TEK 84 INTERCEPT X RAY BODY SCANNER DURING ITS USE.

## **SYSTEM CHECK**

Staff using the scanner will look and listen for any changes in the operation of the scanner. If something does not look or sound right, staff will:

1. Inspect the device for obvious damage.
2. Ensure all access panels are securely in place.
3. Ensure all accessible (external) cable connections are secure.
4. If the system is not already on, turn it on using the key switch (clockwise);
5. Verify that the "POWER" light is lighted.

If any damage or malfunction is found during a system check, staff will:

1. Power the unit off.
2. Notify their immediate supervisor who will notify the RSO or designee.

The shift sergeant will:

1. Advise the RSO the scanner may need service or repair.
2. Ensure the scanner is not operated until appropriate service or repairs have been completed.
3. If it is believed that the damage or malfunction may compromise the safety of any persons in the immediate vicinity of the device, the emergency procedures outlined within will be followed.

#### **EMERGENCY PROCEDURES**

If an emergency situation occurs, the body scanner shall be powered off and the appropriate personnel shall be notified in accordance with the system check requirements.

**NOTE:** If the control panel is not accessible or functioning, the unit should be unplugged immediately.

#### **ADDITIONAL REFERENCES:**

<http://www.nrc.gov/reading-rm/doc-collections/cfr/part020/full-text.html>

[https://www.cdph.ca.gov/Programs/CEH/DRSEM/CDPH%20Document%20Library/RHB/rhb23\\_64.pdf](https://www.cdph.ca.gov/Programs/CEH/DRSEM/CDPH%20Document%20Library/RHB/rhb23_64.pdf)

#### **J110.15 - AUTHORIZATION FORM**

If a strip search/visual body cavity search is to be conducted based on reasonable suspicion, the requesting officer shall:

Contact the Jail Sergeant or OIC and complete the top portion of the *Strip Search/Visual Body Cavity Search Authorization Form* (see **Appendix A**) articulating the specific facts that caused the officer's suspicion. This form must be approved and signed by the shift supervisor prior to a search being conducted.

Once the search is approved, it will be conducted as soon as reasonably possible.

If a strip search/visual body cavity search is authorized, the searching officer shall be responsible to document the results, complete the form and route it appropriately.

A copy of the form will be placed in the inmate's file and the original routed to the Jail Facility Manager. The Jail Facility Manager will maintain the form for a minimum of five (5) years.

When an authorized strip search/visual body cavity search reveals found contraband, a Sutter County Jail Incident Report and/or Criminal Report is to be completed.

If the request to conduct a strip/visual body cavity search on an inmate is **DENIED**, the *Strip Search/Visual Body Cavity Search Authorization Form* shall be so documented, and the original form routed to the inmate's file.

*NOTE: If exigent circumstances dictate such a search without prior supervisory review and approval, such review and approval shall be accomplished as soon thereafter as possible, and in any event, prior to the conclusion of that shift.*

#### **J110.20 - PHYSICAL SEARCHES AS PUNISHMENT**

Physical searches are intended to ensure jail security and afford protection for the jail staff and inmates. They are not to be used to inflict physical stress or punishment on inmates. As such, inmates shall not be subjected to unnecessary searches, nor required to remain in a search position for protracted periods of time.

#### **J110.25 – CONTRABAND WATCH**

Treat contraband watch as a medical issue and only put them on "potty watch" when a doctor has determined the contraband is not life threatening.

The Jail Sergeant or Supervisor will give the inmate an opportunity to remove the contraband from their body cavity. If the inmate refuses to remove the contraband, or is deliberately indifferent regarding the placement of contraband, then the inmate shall be transported to the hospital for immediate medical attention.

- If medical personnel determine that the object concealed in the inmate's body poses a life-threatening event, the medical staff shall determine the proper medical procedures to rectify the situation. If an inmate refuses to comply with the proper medical procedures, a valid search warrant authorizing removal of the contraband shall be prepared.
- If medical staff determines, with x-rays, the concealed object is not life threatening, and there are no health risks to the inmate, the inmate shall be transported back to the jail facility and may be placed on Contraband Watch at the direction of a sergeant.

#### **Contraband Watch**

When an inmate is placed on Contraband Watch, the following procedures shall be followed:

The inmate will be isolated and unrestrained in a cell with an outside flush only.

The water to the toilet should be turned off and flushed to void it of any water, and a plastic bag may be placed over the toilet to collect any waste.

The inmate will be supervised by a staff member or floor officer.

The inmate will remain on contraband watch until the inmate is able to produce a bowel movement.

If the inmate begins to show any signs of distress, facility medical staff will be called, and outside emergency responders will be summoned if necessary.

### **Contraband Collection**

When an inmate produces a bowel movement, it will be searched thoroughly for contraband using appropriate safety equipment.

Before handling the contents of any bowel movements, staff will put on gloves, a mask, or a face shield.

The contraband will be collected, booked into evidence. A Jail Incident Report will be completed and a criminal report documenting the incident will be completed when applicable.

An entry will be made on the inmate's Classification Notes.

A Disciplinary Report will be written to document any rule violations.

## **J110.30 - CLOTHED BODY PAT SEARCH**

### **At Intake:**

- A systematic and thorough clothed body pat search shall be conducted by correctional staff on all arrestees, jail commitments, self-surrenders, and inmates returning from passes. This search can also include the use of walk through or hand held metal detectors.
- The initial pat search shall occur in the booking area, prior to passing through the door marked "Booking".
- Pursuant to Penal Code section 4021, it is unlawful for any officer to search any prisoner of the opposite sex, except in the company of an employee of the same sex as the prisoner.
- Whenever possible, there should be two (2) correctional officers present for intake pat searches. The primary officer is responsible for conducting and directing the search, while the secondary officer is responsible for back up when warranted.
- Prior to removing handcuffs, the pat down officer will remove items from the arrestee's pockets and remove all jewelry and hats. Once the officer is reasonably sure that the arrestee is not concealing weapons or contraband, the officer will remove handcuffs.
- The officer will direct the arrestee to remove footwear, jewelry, belts, wigs, dental plates, prosthetic devices and outer garments down to one layer of clothing over the undergarment for physical inspection.
- While the arrestee is facing the wall, he/she will be directed to place their hands on the wall, and stand with their feet about shoulder width apart, so that the officer can conduct a thorough search by physically patting or grasping the inmate's outer clothing to detect contraband.

### **In Custody:**

- All inmates leaving a housing unit for any program, medical, attorney, professional visits, court, work detail, visiting, or recreation shall be subject to a clothed body pat search by an officer.

- All inmates shall be pat searched by an officer once they return to a housing unit.
- Pursuant to Penal Code section 4021, it is unlawful for any officer to search any prisoner of the opposite sex, except in the company of an employee of the same sex as the prisoner.
- Correctional staff may pat search any inmate at any time, in the interest of facility security. Prior to doing the pat search, the officer shall consider the classification and demeanor of the inmate and the location where the pat search will take place.

## J110.40 - STRIP SEARCH/VISUAL BODY CAVITY SEARCH

### At Intake:

- If an arrestee meets the following criteria, he/she is NOT to be subjected to a strip search or visual body cavity search:
  - Pre-arraigned arrestees brought in solely for infraction or misdemeanor offenses unrelated to weapons, controlled substances or violence, and who also fail to stimulate reasonable suspicion that they are concealing a weapon or contraband, shall not be subjected to a strip search or visual body cavity search.
  - Arrestees who are to be booked and released without being housed within the jail shall not be subjected to a strip search or visual body cavity search.
  - Arrestees held in custody on any charge (including those that involve weapons, controlled substances or violence), who have notified staff that they intend to post bail, shall not be strip searched or transferred into the general jail population during the time frame in which they are trying to arrange for bail (not less than three (3) hours from the time of arrest). The three (3) hour time limit may be waived by a subject who states he/she has no intention or possibility of posting bail. If bail is no longer an option, and the subject meets another criterion for reasonable suspicion, a strip search or visual body cavity search may be conducted.
  - First time offenders shall not be subjected to a strip search or visual body cavity search unless they meet the criteria for reasonable suspicion.
  - Civil commitments shall not be subjected to a strip search or visual body cavity search unless they meet the criteria for reasonable suspicion.
- Strip searches and visual body cavity searches MAY be performed on arrestees who meet the following criteria:
  - All strip searches or visual body cavity searches of arrestees shall be supported by reasonable suspicion, based on specific and articulable facts, that the arrestee is in possession of a weapon, a controlled substance, or any other significant contraband that threatens the safety and security of the facility, staff and/or the inmates therein; and that a strip search or visual body cavity search will result in the discovery of the weapon or contraband.
  - The Jail Sergeant or OIC on duty shall be responsible to individually assess each arrestee during the intake process and determine if reasonable suspicion exists to believe the arrestee may be in possession of a weapon, a controlled substance, or any other significant contraband. Reasonable suspicion may exist in, but is not limited to, the following situations:

- The arrestee is in custody on a parole violation or a parole hold (i.e., PC 3056, W&I 1767.3).  
This does NOT include Federal holds or holds placed by Immigration Customs Enforcement (I.C.E.). Arrestees booked on Federal or I.C.E. holds shall not be subject to a strip search or visual body cavity search based on the hold alone. Federal or I.C.E. holds must meet another criterion supporting reasonable suspicion.
- The subject is arrested on a crime (misdemeanor or felony) that involves weapons, controlled substances, or violence. When a subject is arrested on a warrant for a crime involving weapons, controlled substances, or violence, consideration shall be given to the proximity in time from the date the warrant was issued to the actual date of the arrest.
- Transfer from another correctional facility.
- “Criminally sophisticated” arrestees with long incarceration histories and an increased awareness that contraband items can elevate their status within the jail facilities are more likely to conceal contraband upon entry. For similar reasons, many arrestees who arrive at the jail on a Court Commitment or Remand Order are aware that they were likely going to be incarcerated and may attempt to do the same. In these instances, there may be reasonable cause to believe the offender is concealing contraband, and such an individual may be searched.

### **In Custody:**

- Inmates may be subjected to a strip search or a visual body cavity search if there is reasonable suspicion based on specific and articulable facts to believe such person is concealing a weapon or contraband, and that a search will result in the discovery of the weapon or contraband.
- Inmates may be subjected to a strip search or visual body cavity search if they have had unsupervised physical contact with the public or have returned from any place where they have not been under continuous staff supervision and could reasonably have obtained and concealed contraband before being returned to custody. Examples of such contact includes, but is not limited to:
  - Inmates returning from a court-ordered pass or any other approved pass (i.e., funerals or other contact visits)
  - Inmates returning from assigned work crews, either on or off the grounds
  - Inmates returning from medical appointments or hospital stays
  - The *Strip Search/Visual Body Cavity Search Authorization Form* may be completed, with the original form forwarded to the Jail Facility Manager and a copy placed in the inmate’s file to document any circumstances that gives rise to reasonable suspicion that the inmate is in possession of a weapon, drug or any contraband.
  - The officer who performs a search involving an escape or suicide attempt shall also write a Jail Incident Report.

**Guidelines:** The following guidelines shall be maintained while conducting any strip or visual body cavity search:

- The search shall be conducted under sanitary conditions.
- Staff members conducting or present during the search shall be of the same sex as the inmate being searched.
- Transgender inmates shall be searched by custody staff with the same genitalia as the inmate.
- Officers shall maintain a professional attitude when conducting searches and shall refrain from making any comments intended to degrade, humiliate or embarrass the inmate.
- All searches shall be conducted in an area of privacy so that the search cannot be observed by staff members not participating in the search. Only those staff members necessary to conduct the actual search shall be present during the search.
- Searches shall only be conducted on individual inmates in an area where they cannot be observed by any other inmate. *Group strip searches are not allowed.*
- Searches shall not be videotaped nor done in an area under video surveillance.
- Persons conducting a strip search, or a visual body cavity search, shall not touch the breasts, buttocks, or genitalia or the person being searched.
- The inmate will be supplied appropriate jail attire immediately after the search.

**Search Technique/Procedure:** All Strip Searches/Visual Body Cavity Searches shall be conducted thoroughly, consistently and in the following manner:

- The inmate shall be instructed to remove all clothing, bandages, prosthetic devices, wigs, dental plates or any other removable item from their person.
- The inmate shall be directed to lean forward and run their fingers aggressively through their hair, and then pin their ears forward to allow inspection behind the ears.
- The inmate will then face the officer, who shall visually inspect the inmate's hair, ears, mouth, nose, body, armpits, hands, arms and legs. The inmate shall be instructed to lift any layers of skin or breasts capable of concealing contraband. A male inmate shall be directed to peel back the foreskin of his penis and to lift his penis and scrotum to permit visual inspection.
- The inmate shall turn away from the officer upon instruction and the officer shall then inspect the inmate's back, buttocks, thighs, bottom of the feet and toes. Lastly, the officer shall inspect the inmate's anal/vaginal area by having the inmate bend over, spread the cheeks of their buttocks and cough. A female inmate will be told to spread her labia at the same time to allow a clear view of the vaginal area.
- If the officer suspects the inmate is secreting contraband in the genital or anal area, the officer shall direct the inmate to squat and cough vigorously. This will dislodge all but deeply inserted contraband.
- Any contraband retrieved from a body cavity, or which is otherwise suspected of being contaminated, shall be handled using appropriate safeguards (i.e., disposable gloves) and shall be clearly labeled "contaminated".
- If a weapon or contraband is observed protruding from any body cavity, the inmate will be instructed to remove the item in such a manner as to ensure officer safety and the preservation of evidence. If the inmate refuses to remove the item, officers shall NOT attempt to remove the item themselves. This would constitute an unauthorized physical body cavity search.
- Radio for back up as appropriate and take reasonable steps to restrain and/or monitor the inmate to prevent destruction or disposal of the contraband.

- Notify the Jail Sergeant or OIC immediately to determine if a search warrant for a physical body cavity search will be sought, or if a forcible strip search will be conducted.

#### J110.45 – ADDITIONAL SEARCH PROCEDURES FOR TRANSGENDER AND INTERSEX INMATES

- Searches of transgender and intersex inmates shall be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.
- Custody staff of either gender may conduct an immediate cursory strip search or visual body cavity search of such inmates in exigent circumstances. Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a medical examination conducted in private by a medical provider. Custody staff shall ask the inmate what gender they identify with.
- Strip searches shall be conducted by the custody staff member of the gender requested by the transgender person (if available) to search those parts of the body that are anatomically similar to those of the custody staff who is requested to do the search.
- Staff shall document all cross-gender strip searches, cross gender visual body cavity searches, and cross gender female pat downs on the Strip Search Authorization Form.

#### J110.50 - REFUSALS AND FORCIBLE STRIP SEARCH/VISUAL BODY CAVITY SEARCH

- Inmates directed to submit to a strip or visual body cavity search under the guidelines of this policy do not have the right to refuse. The officer attempting to conduct the search shall explain the search process, the reason for the search and the consequences for non-compliance – including disciplinary action and possible prosecution under Penal Code Section 148.
- The inmate shall be given a thorough clothed body pat search and placed in an isolation cell to prevent contact with other inmates.
- The Jail Sergeant or OIC shall be notified of the inmate's refusal. The inmate shall not be processed or relocated until the search has been completed.
- The Jail Sergeant or OIC shall attempt to convince the inmate to submit to the search, notifying the inmate that he/she shall be forcibly strip searched if he/she does not comply.
- If the inmate continues to refuse to submit to the strip search, the Jail Sergeant or OIC shall direct officers to do one of the following:
  - Forcibly strip search the inmate immediately.

- Allow the inmate one (1) hour to cooperate.
  - Place the inmate alone in a holding cell, restrained; especially if the suspected contraband poses an immediate threat to the safety of a suicidal inmate, jail staff or the security of the facility.
- If it becomes necessary to use force to execute a strip or visual body cavity search:
  - Take the inmate to an available area designated for the search (i.e., a Safety Cell).
  - Be certain that all persons conducting or otherwise present during the search are of the same sex as the person being searched (exceptions to this are physicians or licensed medical personnel).
  - Place the inmate in a position most advantageous to the deputies conducting the forcible strip search.
  - Remove the inmate's clothing, one piece at a time, physically searching each piece for contraband.
  - Visually inspect the body of the inmate. At no time shall the officers touch the breasts, buttocks or genitalia of the inmate being searched.
  - Provide the inmate with jail clothing appropriate to their classification.
- In all cases, staff will only use that force which is necessary to remove the clothing, to control the inmate and to reveal the external body parts to visual inspection. Personnel shall comply with Sutter County Sheriff's Office Operations Manual, Section 4.15 "Use of Force", regarding the application and reporting of the use of force.
- If at any time during the forcible search, the inmate indicates that they wish to comply staff shall allow the inmate to do so.
- A Jail Incident Report documenting the forcible strip search and efforts made to obtain the inmate's compliance shall be written and provided to the Jail Administration. All contraband recovered will be noted in the report.
- If pursuing an official complaint (i.e., 148 PC), a report must be submitted to the District Attorney's office.

## J110.60 - PHYSICAL BODY CAVITY SEARCH:

### **At Intake:**

Custody staff shall refuse to accept new arrestees from an arresting agency that arrive with an arrestee in need of a physical body cavity search. In these instances, the search must be conducted prior to acceptance into the facility.

### **In Custody:**

To conduct any physical body cavity search, the following condition shall **simultaneously** exist:

- There shall be reasonable suspicion that an inmate is concealing contraband or weapons and a search will result in the discovery of said items, **and**
- The search shall be conducted under the authority of a valid search warrant issued by a court of competent jurisdiction.

**Guidelines:** Physical body cavity searches may only be conducted under the following

circumstances:

- A valid search warrant or court order must be obtained.
- An inmate's consent is NOT sufficient.
- The search must be conducted under sanitary conditions and at an appropriate medical facility or medical examining room.
- The search can only be performed by licensed medical personnel (e.g., M.D., R.N., L.V.N., Nurse Practitioner, or E.M.T. Level II).
- All staff members present during a physical body cavity search shall be of the same sex as the inmate being search, except for authorized medical personnel.
- Only those staff members necessary to maintain security shall be present during a physical body cavity search as deemed necessary by a Jail Sergeant or OIC.
- All physical body cavity searches shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search. Persons are considered to be participating in the search if their official duties relative to search procedure require them to be present at the time the search is conducted.

If an in-custody inmate requires a physical body cavity search, the Jail Lieutenant or Jail Facility Manager shall be notified and make the necessary arrangements to obtain a search warrant.

A copy of the search warrant and the report documenting the results shall be forwarded to the Jail Facility Manager; and a copy placed into the inmate's jail file.

#### **J110.65 – HAND HELD METAL DETECTOR**

The purpose of this operations order is to establish procedures and guidelines for the use of the mobile metal detector within the jail facility.

It is the policy of the Sutter County Jail to maintain proper control and use of the mobile metal detector, so it is available and functional when needed. A mobile metal detector is to be accessible in every control room in the jail; main jail control room, main jail dormitory, single cells, and medium facility.

Jail personnel who have received departmental training and authorization may use the mobile metal detector when there is a reasonable suspicion contraband is present.

#### **Reasonable Suspicion:**

When a supervisor or officer has reasonable suspicion to believe that weapons or other contraband are in the possession of a subject, the officer is authorized to use a mobile metal detector to search the subject.

“Individualized reasonable suspicion” means a belief based on the totality of the circumstances which, when taken together in the context of the facility or activity in which they occur, make the subject or property searched more likely than a subject or property selected at random to contain or possess evidence of a violation of state or federal law, a violation of jail rules, or a condition that endangers the safety or health of the inmates or staff. Information provided by other persons may be considered by a supervisor as a part of the supervisor's individualized reasonable suspicion

where the supervisor has reason to believe the information is credible.

The scanning will begin at the toes and continue to the head in all directions without touching the subject's body.

Suspected narcotics, knives, and illegal contraband shall be photographed, and the proper chain of evidence shall be maintained.

#### **J110.70 - GROUP STRIP SEARCHES**

Group strip searches of prisoners shall not be conducted.

#### **J110.80 - TRAINING**

- New correctional staff shall be introduced to this policy during their initial training program. Written acknowledgement of his or her understanding of the policy shall be documented and included as part of the employee's training file.
- All jail personnel are responsible for continued compliance with the requirements of this policy. A thorough review of this policy shall be conducted on an annual basis. It shall be included by the Training Sergeant as one of the many important policies reviewed regularly by jail personnel. Each employee will confirm their review in writing.

#### **J110.95 - AUDITS**

- A monthly audit of the strip search/visual body cavity search process will be conducted by the Jail Lieutenant. Minimally, the audit will include:
  - Ten (10) randomly selected inmate files will be reviewed to ensure that each search related to the records selected for audit was appropriately documented.
  - Review each *Sutter County Jail Classification: Cover Sheet* to validate the search determination decisions of pre-arrangement inmates.
  - Review each *Strip Search/Visual Body Cavity Search Authorization Form* to validate the search determination and confirm supervisory approval.
- The Jail Lieutenant shall review the *Strip Search/Visual Body Cavity Search Authorization Forms* bi-annually and report the following information to the Jail Facility Manager:  
Total number of strip searches conducted,  
Total incidents of contraband recovery, and  
Types and amounts of contraband discovered.
- The results of the audit will be documented in a report to the Jail Lieutenant.
- The Jail Lieutenant will submit a copy of the audit, including any corrective action recommendations/plans, to the Jail Facility Manager within thirty (30) days of the completion of the audit.

## J111.00 - RELEASE OPTIONS

When receiving an arrestee who has been arrested for a misdemeanor or infraction, staff will attempt the following release options:

- [1] Bail [Cash Bail or Bail Bond]
- [2] Cite and Release [853.5/853.6 PC]
- [3] O.R. Release [1270 PC]
- [4] Release without further proceedings pending when arrest for intoxication only. [849(b)(2)]

Jail staff members are required to utilize a minimum of three (3) hours' time in providing the arrestee opportunity to obtain release.

When a release cannot be obtained, three (3) hours have been expended, and there is no other alternative except to house the arrestee, the booking officer shall advise the Jail Sergeant and the arrestee will be housed appropriately according to classification.

In any case in which a person is arrested and released without trial or in which a person is arrested, tried, and acquitted, if such person is indigent and is released or acquitted at a place to which he has been transported by the arresting agency and which is more than 25 airline miles from the place of his arrest, the arresting agency shall, at his request, return or provide for return of such person to the place of his arrest.

## J111.20 - MISDEMEANOR WARRANT ARRESTS

Pursuant to a longstanding agreement with the Sutter County Superior Court, a person arrested on a misdemeanor warrant may be released on his/her Own Recognizance when the amount of bail specified on the misdemeanor warrant is \$10,999 or less.

Additionally, a person should be presumed eligible for O.R. on all out-of-county misdemeanor warrants, regardless of the bail amount (even "No Bail"). Exceptions to this are Yuba, Butte and Colusa Counties, which should be called as a courtesy to determine if those nearby counties intend to pick up. In preparing the Own Recognizance release agreements for other counties or agencies, it is important to specifically consider the appearance date and time as directed on the warrant.

This O.R. procedure DOES NOT apply when a person has been arraigned by a judge and the bail has been reduced to \$10,999 or less.

If Sutter County is called to pick up a person arrested in another county on a Sutter County misdemeanor warrant, our Jail Sergeant can authorize the other county or agency to O.R. the person (as long as the bail specified on the misdemeanor warrant is \$10,999. or less.) When doing this, it is important to communicate the correct appearance date and time to the outside agency.

## J111.30 - FELONY WARRANT ARRESTS

All Felony warrants, regardless of amount or point of origin, are ineligible for O.R. release.

A person booked on a felony warrant may post bail, as long as a bail amount is specified on the warrant.

Persons booked on “No Bail” felony warrants, even those from other counties, are not eligible to bail until they are seen by a judge and a bail amount is set.

Anyone booked on an out-of-county “No Bail” felony warrant will be held until the county or agency of origin comes to pick up the inmate, or until the time limit statute by which the inmate is held runs out.

If Sutter County is called to pick up a person arrested in another county on a Sutter County felony warrant, our jail transportation officers will be notified immediately and pick up arrangements will be made.

#### **J111.35 – OUT OF COUNTY WARRANT ARRESTS/ORDER FOR REMOVAL**

When an out of county warrant/abstract is received the subject’s booking information and charge screen will be updated with the newly received charges. Place a copy of the warrant/abstract in the individual’s jail file folder.

A teletype shall be sent to the originating agency indicating the subject has been booked on their warrant/abstract and advising them of a disposition for pickup with a proper date and time for pick up sent on the teletype. All Teletypes will be entered in the log on “P” Drive. A copy of each teletype will be placed in the inmate’s file folder.

If the subject is still pending charges with Sutter County advise them of the disposition at the time and advise a follow-up teletype will be sent updating them on the status of the subject. Advise them as well if there are any other holds from other counties on the subject. At the last line of this teletype enter the statement, “Please respond to this teletype with your acknowledgement your agency received and understands this teletype.” If a reply teletype is not received, a call to the agency should be conducted. Place copies of any teletype sent or received in the subject’s jail file folder.

If this is an Order for Removal (OFR) for the subject, update the booking for the individual. Make a copy of the OFR. Fill out and attach a pink detainer form to the front of the OFR copy, then place this in the subject’s file folder. Provide the transportation unit with the original copy of the OFR.

Immediately review and update, if necessary, the subject’s classification and housing unit to ensure they are properly housed based upon the newly received charges, out of county warrant or OFR.

Per Penal Code section 821 - The shift supervisor shall immediately notify the law enforcement agency requesting the arrest in the county in which the warrant was issued that such defendant is in custody, and thereafter such law enforcement agency shall take custody of the defendant within five days, or five court days if the law enforcement agency requesting the arrest is more than 400 miles from the county in which the defendant is held in custody, in the county in which he was arrested.

The 1<sup>st</sup> day for pickup will be established as the current day. The pre-determined final day for pick will have a final release time of 2359 hours. The last day for pick up, once firmly established will be

placed in the File #12 screen as the final outdate.

Any subject booked on an out-of-county felony warrant or “No Bail” felony warrant will be held until the county or agency of origin comes to pick up the inmate, or until the time limit statute by which the inmate is held runs out.

Prior to obtaining any OR Court Date from the agency, the shift supervisor will completely exhaust all attempts in contacting the arresting agency/court for pickup on all felony warrants/abstracts/OFRs. All attempts to work with that agency up to and including assisting with transportation, arranging a meeting place with the agency, or a drop off with another agency closer for them. These attempts will be documented in Central Square’s comments screen for the individual.

When contacting the agency responsible for the warrant for a court date, the shift supervisor will obtain the name and phone number of the person providing the OR Court date and place it in the comments section of Central Square for the subject involved.

#### **J111.40 - PARKING OR TRAFFIC INFRACTION FTA WARRANTS**

Whenever a person is taken into custody on three (3) or less warrants for Failure to Appear for Parking or Traffic Infractions *only*, the person shall be provided the opportunity to immediately post bail. If cash bail cannot be made, the person will be allowed the use of a telephone (no charge for local calls, collect for outside dialing area) for not less than three (3) completed calls to obtain bail.

The person shall be afforded a minimum of three (3) hours in which to arrange for bail. During this time the person shall not be booked, photographed, finger printed nor shall an arrest record be made. If bail cannot be made after this period, the person will be booked and processed according to the procedures previously outlined in this policy. If bail or other release is obtained, notation will be made on the daily inspection report indicating the subject was detained and released per Vehicle Code section 40304.5.

*NOTE: Subjects in this category are still subject to pat down clothing searches and metal detector searches.*

#### **J111.50 - OUT OF STATE WARRANT ARRESTS**

When booking a subject on an Out of State Warrant the booking officer will book the defendant using Penal Code section 1551 (Felony Fugitive) and enter the routine warrant information and comments. The amount of bail will automatically appear as “No Bail” and will remain as such until the subject appears before our Judge for arraignment unless a bail is set by the issuing agency. The booking officer will set arraignment for the next available court day, at the regularly scheduled arraignment time.

Once the defendant is booked, the Jail Sergeant will ensure a teletype is sent to the Out of State agency from which the warrant originated. The teletype will provide the name, address, and phone number of our Court, District Attorney’s Office and the Sutter County Jail. The teletype will confirm the booking and include the assigned arraignment date and time.

After each appearance the defendant has in our court, the shift supervisor will ensure a teletype or fax is sent to the responsible agency advising of any updated information, including future court dates

and the bail amount. After any hearing at which our Judge has set a bail amount, the defendant may bail out. All documents pertaining to communication with the responsible agency (teletypes, faxes, e-mails, etc.) will be placed in the defendant's jail file.

When the defendant signs a waiver of extradition, a copy of the extradition will be faxed to the agency contact and a teletype will be sent advising the agency the subject is ready for pick up. If the defendant does not waive extradition, the District Attorney's Office will be responsible for coordinating a Governors' Warrant with the responsible agency. (For more on the Extradition process, see Jail Policy Manual Section J180.75.)

#### **J111.60 - INTOXICATED MISDEMEANOR ARRESTS**

Many intoxicated arrestees are misdemeanants who are often eligible for release once they are sober. Examples include arrestees booked solely on charges of 647(f) PC or 23152 VC.

It is anticipated that jail staff will experience some difficulty with uncooperative, intoxicated arrestees in terms of compliance to phone call requirements, as well as time limits regarding release options and placement into general population. The following guidelines are issued for such situations:

##### **[1] Phone Call Requirements:**

Careful documentation will be logged into the jail computer to indicate that intoxicated subjects were afforded phone call opportunities as soon as their condition made phone use possible. Calls and/or refusals must be documented, and a diligent effort at obtaining release options attempted as soon as practical.

##### **[2] Three (3) Hour Limit to Attempt Release Options**

Although jail staff members are required to make a diligent effort at obtaining release options as soon as practical, an arrestee's intoxicated state may delay his/her release from the facility, as it is Sheriff's Office policy not to release an intoxicated subject who is in a condition that does not enable them to care for their own safety or the safety of others. Persons in such condition will be detained (usually four to six hours) until, in the opinion of the jail personnel, he/she can care for their own safety.

When release options are determined to be available, the subject should be released as soon as possible in accordance with this policy, providing subject is no longer intoxicated.

##### **[3] Placement into General Population:**

Upon arrival, extremely intoxicated arrestees are placed into the Observation cell, which is separated from the general jail population for safety purposes. Wellpath Medical Services staff must be notified when a person is placed into the Observation Cell.

If it is determined there are no release options available, and all other requirements have been met, the arrestee can be housed, providing he/she is not intoxicated to the point of being unable to care for him/her self or others.

Intoxicated arrestees can be booked at any time during their sobriety period but should not be strip searched until they are housed; and even then, only if strip searching is warranted, pursuant to policy guidelines outlined in Jail Policy Section J110.00.

## **J111.70 - FRESH FELONY CHARGES**

All fresh Felony charges are ineligible for O.R. release. A person booked on a fresh felony charge has the right to post bail, as long as there is a bail amount specified on the Sutter County Court's Bail Schedule.

Persons booked on fresh felony charges listed as "No Bail" are not eligible to bail until after he/she has gone before a judge and a bail amount set.

## **J111.80 - FRESH MISDEMEANOR CHARGES**

Fresh Misdemeanor charges, like misdemeanor warrants, are eligible for O.R. release as long as the total amount of bail is \$10,999 or less. (As with misdemeanor warrants, the O.R. procedure DOES NOT apply when a person has been arraigned by a judge and the bail has been reduced to \$10,999 or less.

Persons booked on fresh misdemeanor charges listed as "No Bail" are not eligible to bail until after he/she has gone before a judge and a bail amount set.

## **J112.00 - CONTRABAND DEFINED**

- [1] Any goods illegally brought into the Jail.
- [2] Goods brought legally into the jail but possessed by inmates without proper authorization.
- [3] Goods rightfully in the possession of inmates, but in excess of authorized limits. (Refer to Inmate Handbook for limits).
- [4] Any item legally possessed which has been altered.
- [5] Any item illegally in the possession of an inmate or in violation of posted rules.
- [6] Anything not sold by inmate commissary or issued or authorized by the Jail is contraband.

## **J112.10 - DISPOSAL OF CONTRABAND**

- [1] The Jail shall regulate the disposal of contraband.
- [2] Broken, damaged, or altered items will be put into contraband receptacles. Drugs and related items shall be disposed of per Sheriff's Office Policy.
- [3] Personal letters, correspondence or photographs over limits or altered will be placed into inmates' property. They may only be returned to the inmate upon their release from the Sutter County Jail.
- [4] Food items or other commissary items over established limits will be destroyed.
- [5] Books, magazines and clothing or laundry items over limits will be returned to the facility library or laundry or destroyed if their condition warrants destruction.

## **J113.00 - GENERAL EMERGENCY PROCEDURES**

An emergency is a significant disruption of normal facility procedure, policies or activities.

## **J113.05 - CRITICAL INCIDENT RESPONSE**

Refer also to the Sheriff's Office Safety and Emergency Procedure Manual.

## **J113.10 - EMERGENCY SUSPENSION OF MINIMUM/MEDIUM JAIL STANDARDS**

The Jail Facility Manager, or in his absence the Jail Lieutenant, may temporarily suspend any standard

or requirement imposed by the Minimum Jail Standards, or any procedure mandated in this Policy Manual, in the event of an emergency which threatens the safety of the facility, any of its inmates or staff, or the public. This temporary suspension shall not exceed three (3) days.

- A. Any emergency suspension of minimum jail standards shall be done in compliance with Section 1012 of the Minimum Jail Standards. The person ordering such suspension shall prepare a full written report to the Sheriff through the chain of command. This report shall set forth all circumstances surrounding the suspension, including the duration and causes thereof.
- B. A chronological log shall be made of all events in the Jail during the suspension of Minimum Standards.

## **J113.20 - FIRE PREVENTION, EVACUATION AND SUPPRESSION**

### **GENERAL**

- A. Methods of exiting the facility are posted on the Fire Evacuation Plans posted in the Control Rooms and outside of all housing areas. Fire exits are marked outside of each cell.
- B. Locations of fire extinguishers are posted on Fire Evacuation Plans.
- C. Installation of fire extinguishers and fire alarm systems has been accomplished as required by local fire ordinances.
- D. The Jail Facility Manager will establish procedures and will ensure the safe storage and handling of all combustible or explosive material and substances.
- E. A reporting system for reporting fires to the Fire Department shall be developed which shall include the telephone number of responding fire units.
- F. Frequent inspections of jail keys and lock mechanisms will be made to assure they will function properly during emergency situations.
- G. Regular fire prevention inspections will be conducted daily by facility staff. Fire inspections will be conducted by the State Fire Marshal as required by law.
- H. Records will be kept of all such inspections in the Jail Facility Manager's Office, with copies in the Main Jail Control Room.
- I. Frequent fire drills and mock fire suppression exercises involving personnel and the local fire department will be conducted at the discretion of the Jail Facility Manager.

## **J113.30 - FACILITY EMERGENCY EVACUATION PLANS**

The primary priority for correctional staff in an emergency situation is the personal safety of visitors, inmates and staff. A secondary but major priority is the security of the jail.

### **EMERGENCY EVACUATION – GENERAL**

Movement of inmates in an emergency situation must be done in an orderly and controlled manner with accurate counts made at each stage of the movement. Due to the facility design of the Sutter County Jail, there are a large number of movement options available to staff. As it is not possible to detail each and every possible variation and situation, the following guidelines are established for inmate movements:

1. Inmates will be moved to safe housing area if one is available before they are moved into a less secure area.
2. Inmates will be temporarily housed in the arraignment room, multipurpose room,

exercise yard or inmate visiting area before they are moved to another area of the jail.

3. Inmates may be moved to the Observation Cells, Holding Cells, and transportation holding cells in the booking area when necessary.
4. Inmates will be evacuated from the building through the exercise yard.
5. Inmates may be released into the booking sally port if the situation requires such evacuation.
6. Only as a last resort will inmates be released into an unsecured area.
7. Operations or other agency assistance will be requested for security should it become necessary to move inmates outside the building.

## **EMERGENCY EVACUATION PLANS**

Purpose: To establish procedures and identify personnel assignments in the event of an emergency.

Scope: This procedure shall apply to employees of the Sutter County Sheriff's Office, Jail Unit, whose work location is 1077 Civic Center Blvd. Yuba City, California.

Application: This plan applies to fire, flood, earthquake, explosion and any other emergency requiring evacuation of the work site.

### Alarm System

The alarm system will be initiated when a condition exists which requires evacuation in order to protect the health and safety of employees and other persons.

The alarm system may include, but is not limited to, an alarm bell, bull horn, air horn, public address system, radio, telephone or verbal notification.

The alarm systems applicable to this location are as follows:

### Fire Alarm, Telephone and/or Verbal Notification

Employees who become aware of an emergency condition that may affect the health and safety of employees or other persons shall immediately notify the senior supervisor present at the work site.

The senior supervisor shall activate the alarm system when the emergency condition warrants evacuation of the work site. The senior supervisor shall ensure that work sites in the building are notified of the emergency.

### Emergency Escape Procedures

Evacuate the building as quickly as possible when the alarm system is activated. Proceed to the nearest clear exit and gather at the designated location. The following assignments are made to assist in the safe and orderly evacuation of employees and other persons.

#### Employees Assignment

Jail Supervisor

1. Check and clear Bathrooms, offices and other areas and mark them "CLEAR" With Post-It Notes

Jail Supervisor	2. Notify all work sites in the building of the emergency.
Operations Supervisor	3. Prohibit entrance into the building until clear.
Wellpath Medical Services	4. Check and clear all parts of the area as “Clear” with Post-it notes.

Jail Nurse Manager's Office and mark each area as “Clear” with post-it notes.

#### Emergency Escape Routes

The following escape routes provide for the quickest means of exit, in the order presented. (Emergency Escape Routes depend on location within the jail at the time of the incident. Refer to Appendices D, E and F for “Fire Evacuation Plans” for Single Cell, Maximum and Minimum/Medium security facilities.)

#### Evacuation Assembly Point

Upon evacuation of the work site, all employees will proceed to the following assembly point: (Assembly point depends on location within the jail at the time of the incident. (See Appendix B, C and D for appropriate “Fire Evacuation Plans”).)

#### Assembly Point Activity

The senior supervisor shall account for all employees at the assembly point and shall assign responsibilities for coordination rescue and medical duties with emergency service personnel. Employees leaving the assembly point to coordinate rescue or medical care shall be tracked by the senior supervisor at all times. Employees shall remain at the assembly point until emergency service personnel have issued an all clear.

#### Training

The employee occupying the following position is responsible for training employees in the provisions of this plan and may be contacted for further information or explanation of duties under the plan:

Training Lieutenant

Training will be provided to each employee:

1. When the plan is initially implemented.
2. Whenever responsibilities or designated actions under the plan changes.
3. Whenever the plan changes.

#### **MAXIMUM SECURITY FACILITY**

In the event that officers of the Maximum Facility detect smoke or fire, or an alarm is activated by the Fire Alarm System, the Control Room Officer will immediately acknowledge the alarm. The officer will do so by radio communications or as indicated on the alarm panel to determine the exact location of the affected area. The Control Room Officer will then begin to immediately fulfill the Control Room Officer Responsibilities as outlined below.

After the Control Room Officer has completed the notifications as outlined in the Control Room Officer Responsibilities, it will further be the required duty to make certain that the Control Room Post is maintained properly. This will allow the Control Room Officer to direct other Security Staff, Fire Department personnel and rescue personnel as needed to the location of the affected area of the Jail.

#### Shift Supervisor Responsibilities

It is the responsibility of the assigned Shift Supervisor, upon notification of an alarm, to immediately respond to the affected area of the facility.

Upon arrival at the affected area, the Supervisor will evaluate the alarm condition and make the determination if evacuation procedures are required. If evacuation procedures are to be implemented, the Supervisor will advise the Control Room Officer of the immediate affected area (i.e., MW-I, MW-4, etc.), and which route of evacuation is to be used. The supervisor will then direct one of the floor officers to open all doors along the evacuation route and to receive those inmates in the receiving areas outside of the facility and away from the affected area.

If the smoke or fire situation is such that it can be controlled with in house fire extinguishers or removal of the smoking debris, then it will be the Supervisor's responsibility to use all methods possible to handle the situation without total evacuation of inmates from the affected area.

If the evacuation of the area is necessary, and once all inmates have been moved from the area, it will be the responsibility of the Supervisor to personally make certain that all inmates are out of the area and to confirm by head count with the officer in the receiving area that all inmates are accounted for and are under constant control and supervision.

After completed duties at the site of the affected area, the Supervisor will return to the Fire Exit door and prepare to receive fire Department Personnel and direct them to the affected area and to assist in opening necessary doors.

#### Control Room Operator Responsibilities

In the event that any officer or fire alarm system detects a fire or smoke situation, the Control Room Officer will immediately complete the following procedures.

1. Observe the fire alarm enunciator panel to determine the exact location of the fire or smoke alert.
2. Notify the Shift Supervisor of the alarm location and the alert indicated or reported.
3. Notify the Sheriff's Office main dispatch (at extension 274 or 275) of the alarm, the exact location of the reported alarm, the type of alarm indicated and if evacuation procedures will be implemented.
4. Stand by to direct emergency personnel and open exit doors as required.
5. Control Room Officers will activate the Jail smoke purge system located on the console.
6. In every case that an alarm is sounded, even if Jail staff handles the situation, the alert will still be called in to the main dispatch. Main Dispatch will notify necessary fire department and emergency personnel of the alarm.

#### Main Dispatch Responsibilities

In the event that a fire or smoke situation is called in to the Main Dispatch, it will be the responsibility of the dispatcher taking the call to complete the following notifications.

1. Alert the Fire Department of the alarm and transmit, verbatim, the information received from the Jail Control Room Operator.
2. Notify Bi-County Ambulance to respond one unit to the Jail and one unit to respond to the Veteran's Hall on standby status.
3. Activate manual fire alarm in Administration section.
4. Notify the Operations Supervisor of the exact nature of the alarm and the locations affected and advise whether evacuation procedures are to be implemented.
5. Notify the Jail Sergeant, Jail Facility Manager, Undersheriff and Sheriff.
6. Hold all incoming calls to the jail.
7. Advise local law enforcement agencies (Yuba City Police Department, Live Oak Substation and the California Highway Patrol) only in the event that inmate evacuation is necessary.

#### Evacuation Procedures

In the event that evacuation procedures become necessary, they will begin only after the Main Dispatch has been notified that evacuation is necessary and has been provided the exit direction of the inmates (Maximum Security West, Maximum West Dorm, Maximum Security Female East, etc.).

#### Evacuation of Male Inmates

If the evacuation of male inmates is required, the evacuation will begin only after the Control Room Officer has been notified, and in turn, the Control Room Officer has notified Main Dispatch. The Shift Supervisor will open the cell doors, and the inmates will be directed to exit the building to the WEST by following the arrows painted on the wall to the nearest exit. It will be the floor officer's responsibility to make certain that the exit doors have been opened and the officer will receive the inmates and direct them to the secured area away from the building where the officer will do a complete head count and maintain custody and control until assistance can be obtained from other law enforcement agencies. It will be most important that all inmates are kept completely away from all emergency equipment so as not to hinder the fire suppression and rescue efforts.

#### Evacuation of female Inmates

If the evacuation of female inmates is required, the evacuation will begin only after the Control Room Officer has been notified, and in turn, the Control Room Officer has notified Main Dispatch. The Shift Supervisor will open the cell doors, and the inmates will be directed to exit the building to the EAST by following the arrows painted on the wall to the nearest exit. It will be the floor officer's responsibility to make certain that the exit doors have been opened, and the officer will receive the inmates and direct them to the secured area away from the building where the officer will do a complete head count and maintain custody and control until assistance can be obtained from other law enforcement agencies. It will be most important that all inmates are kept completely away from all emergency equipment so as not to hinder the fire suppression and rescue efforts.

#### Outside Agency Assistance

When an alarm has been sounded and assistance has been requested of other agencies, and upon their

arrival at the Jail, it will be the Jail Supervisor's responsibility to coordinate all activities of these agencies with regards to inmate movement, security custody and control. The fire suppression effort and medical treatment will be the sole responsibility of the Yuba City Fire Department and the ambulance service personnel.

#### Emergency /Evacuation Transportation

Laidlaw Transit can provide emergency evacuation of the inmate population 24 hours per day. An inmate population would require a minimum of three (3) buses, each transporting at least forty-four (44) adults. Laidlaw Transit is located at 1305 Hassett Avenue, Yuba City. Their contact number is 671-2030.

### **MEDIUM SECURITY FACILITY**

In the event that smoke or fire is detected by the Medium Security staff or an alarm is activated by the SIMPLEX fire alarm system, the Control Room Officer will immediately acknowledge the alarm indicated on the alarm panel and determine the exact location of the trouble area. The Control Room Officer will implement the Control Room Officer's Responsibilities as outlined in the procedure manual located at the alarm panel.

After the Control Room Officer has completed the notification and alert responsibilities, it will further be the required duties to make certain that the Control Room Officer's post is maintained properly in order to be available to direct security staff, Fire Department personnel and other rescue personnel as needed to the location of the trouble area.

#### Inmate Evacuation Procedures

When an alarm is sounded, full evacuation of all assigned inmates is required. The Control Room Officer will use the Public Address System to direct all inmates to leave the building by the most appropriate exit and to have the Inmates report to the Staging Area. The evacuation routes are posted throughout the facility and a copy is located along with the Control Room Procedure Manual.

#### Shift Supervisor Responsibilities

It will be the responsibility of the Shift Supervisor, once notified of an alarm at the Minimum Facility, to immediately respond to the facility and to follow the directions of the Control Room Officer to the location of the trouble area. Once at the alarm location, the Shift Supervisor will make certain that all personnel are evacuated from the building and contained at the Inmate Staging Area.

Once the Shift Supervisor has personally made certain that all inmates are out of the building, the Supervisor will then - if the fire or smoke is of a small nature - attempt to extinguish the fire by using one of the ABC fire extinguishers located at strategic locations throughout the building.

Once the Fire Department arrives at the facility, the Shift Supervisor will then make certain that custody and control is maintained over all inmates in the staging area by conducting a formal count of all inmates and confirming this count with the main jail control room.

If further movement of inmates is required, the Shift Supervisor will direct the inmates to the Veteran's Building located to the northeast of the Minimum/Medium Facility. The Veteran's Building will also be used as a TRIAGE AREA if either inmates or jail staff requires medical treatment.

### Main Dispatch Responsibility

Once the Main Dispatcher is notified of an alarm in the Minimum/Medium Facility, the responsible dispatcher will complete the following:

1. Alert the Fire Department by transmitting, verbatim, the exact information received from the Control Room Officer.
2. Activate one ambulance to respond to the Jail and place one ambulance on standby at the Veteran's Hall TRIAGE AREA.
3. Notify the Operations Sergeant of the alarm and the fact that inmate evacuation is imminent or is underway.
4. Notify the Jail Sergeant, Jail Facility Manager, the Undersheriff and the Sheriff.
5. Hold all incoming calls for the Main Jail and the Minimum/Medium Facility.
6. Notify all local law enforcement agencies to include the Yuba City Police Department, California Highway Patrol and the Live Oak Substation that inmate evacuation is in progress at the particular facility (Main Jail/Minimum/Medium Facility).

### Operations Sergeant/OIC Responsibilities

It will be the responsibility of the Operations Sergeant/OIC to provide necessary traffic control and to assist in the custody and control on inmates within the Inmate Staging Area. The Operations Sergeant/OIC will also assist, at the direction of the Jail Shift Supervisor, with the further movement of inmates to either another staging area or to move inmates to the Veteran's Hall TRIAGE location for medical treatment.

### Other Law Enforcement Agencies

A coordinated effort will be conducted between the Operations Sergeant/OIC and all other responding law enforcement agencies to assist in the security custody and control of the inmates. Other responding agencies will be called upon as required to assist in traffic control and inmate movement when necessary.

### Emergency Evacuation Transportation

Laidlaw Transit can provide emergency evacuation of the inmate population 24 hours per day. An inmate population would require a minimum of three (3) buses, each transporting at least forty-four (44) adults. Laidlaw Transit is located at 1305 Hassett Avenue, Yuba City. Their contact number is 671-2030.

### **SINGLE CELL FACILITY**

The purpose of this disaster plan is to provide a detailed plan of operation and evacuation procedures to be put into place in the event that a total or partial evacuation becomes necessary involving both jail staff and inmates within the single cell unit due to a fire or smoke situation within the unit.

In the event that a smoke or fire is detected by the staff or an alarm system is activated by the automatic fire alarm and smoke detection system, the Control Room Officer will immediately acknowledge the alarm indicated on the control room panel to determine the exact location and the area of the alarm and will implement the responsibilities as outlined here and in the jail operations manual.

After the Control Room Officer has completed the notification and alert responsibilities it will be necessary to make certain that the Control Room post is maintained properly in order to be available to direct Security Staff, Fire Department personnel and other rescue personnel to the location of the trouble

area.

#### Shift Supervisor Responsibilities

Once notified of an alarm at the Single Cell Unit it will be the responsibility of the Shift Sergeant to immediately respond to the facility and to follow the direction of the Control Room Officer to the location of the trouble area.

Once at the alarm location, the Sergeant will evaluate the situation and make a determination whether evacuation of a Pod and/or the entire facility as a whole is required. Once the determination is made, he will direct the Control Room Officer to immediately open all effected cell doors and exit doors to the evacuation route. The Shift Sergeant along with the Unit Floor Officer(s) will make certain that all inmates are removed from the unit and escorted to the designated staging area. After evacuation of inmates, the Sergeant will then make the determination to attempt to suppress the fire by using local extinguishers if possible, the fire hose located on the wall in between A/B/C/D Pods, or to order a complete evacuation of all staff until the arrival of Fire Department Personnel.

Once Fire Department Personnel are on the scene the Shift Sergeant will direct them to the area or the unit that is involved by using the Main Jail Emergency Keys which will override the electric and airlock door systems.

After the Fire Personnel have taken charge of the affected area, the Shift Sergeant will respond to the staging area to perform a formal head count of all inmates and to direct security and control of the inmates until they can be returned to their cells or if necessary moved to another staging area.

The Sergeant will make an assessment of all Security Staff and inmates to determine if medical treatment is required. If EMT Personnel are required, the Sergeant will direct the Main Jail Control Room Officer to notify Main Dispatch who will in turn relay this requirement to EMT Crews and direct them to the staging area once they have arrived at the facility.

#### Main Dispatch Responsibilities

It will be the responsibility of the Main Dispatcher once they have been notified of the Alarm to complete the following requirements:

1. Alert the Fire Department by transmitting verbatim the exact information as received from the Jail Control Room Officer.
2. Direct that one ambulance respond to the Main Jail and to place one ambulance on standby at the Veterans Hall which will be the designated TRIAGE AREA if needed.
3. Notify the Operations Sergeant of the alarm and the fact that the inmate evacuation is imminent and/or underway.
4. Notify the Jail Lieutenant, Facility Manager, Under Sheriff and the Sheriff.
5. Hold all incoming transfer calls for the Main Jail Facility.
6. Notify all local law enforcement agencies to include Yuba City Police, CHP and Live Oak substation that inmate evacuation is in progress at the facility and to request mutual aid as required and determined by the Operations Sergeant.

#### Operations Sergeant Responsibilities

It will be the responsibility of the Operations Sergeant to provide the necessary traffic control and to assist in the custody and control of inmates if the entire jail facility has to be evacuated to Civic Center Blvd. and assist the Jail Sergeant as necessary in the movement of inmates to any other areas or to move injured inmates to the Veterans Hall (Triage).

#### Inmate Evacuation Procedures

Once an alarm is sounded, the evacuation of all effected inmates is required. The Control Room Officer will direct all inmates to leave the Pod by the most appropriate and designed exit to the inmate staging area by using the public address system and cell intercoms. The required evacuation routes are posted throughout the facility and in the Sheriff's Office Safety Manual.

#### Other Law Enforcement Agencies

A coordinated effort will be directed between the Operations Sergeant and all other responding Mutual Aid Law Enforcement to assist in inmate custody and control. Mutual Aid personnel will be used as required to assist in traffic control and directed inmate movement if it becomes necessary.

#### Facility Reclamation

Once the fire/smoke situation has ended and the Fire Department has determined that the building is safe to reenter, all Sutter County Sheriff's Office personnel will assist with escorting inmates from the staging areas back to their respective cells where a formal count will be conducted and the building secured whereby normal operations can resume. It will be the responsibility of the Operations Sergeant to provide the necessary security and escort for all injured inmates either at the Veterans Hall or to Rideout Emergency Room and to maintain control until sufficient Jail Staff can report to relieve them from these duties.

### **J114.00 - ACTIONS TO TAKE IN THE EVENT OF A FIRE**

- [1] Control room officer will notify dispatch to have fire department and ambulance respond.
- [2] Control room officer will notify all jail staff to secure their areas and respond to the fire.
- [3] Staff will respond as soon as possible with available breathing apparatus and fire extinguishers.
- [4] Staff will evacuate all persons from the affected area.
- [5] Control room officer will activate smoke evacuation system for the area involved if the system has not automatically activated.
- [6] Jail staff will move inmates housed in the affected area to an area not affected by the fire.

- A. Special care will be taken not to mix female inmates with male inmates.
- B. Inmates from the affected area may be held in the exercise yard.
- C. Staff will conduct a head count to insure all inmates housed in the affected area are accounted for.

- [7] Staff or inmates suffering injury will be given first aid, moved to a secure area and brought to the attention of ambulance personnel.
- [8] Staff will secure all doors from the main hallway into other areas of the building to limit smoke travel.
- [9] When inmates housed in the affected area have been secured, jail staff and/or fire department personnel will enter the affected area and attempt to suppress the fire with either extinguishers or the control area fire hose.

[10] Control will request dispatch notify the Jail Facility Manager and may request dispatch call in additional staff for assistance or security.

#### **J114.10 - EMERGENCY ACCESS BY FIRE AND E.M.S. PERSONNEL**

As it is not possible to detail each and every possible variation and situation the following guidelines are established for emergency access by fire and E.M.S. personnel.

- A. Fire Department access will vary depending upon the location of the fire. As a general rule access should be by the door or doors closest to the actual fire. Jail security and the location of held inmates may require use of an access route other than the one closest to the fire.
- B. There are seven points of entry through the jail perimeter. Each door is numbered both inside and outside in reflective lettering. The control officer will advise which door the Fire Department is to use when they request a response through dispatch.
- C. The suggested primary access door for fires in each major area of the facility is included in each of the above fire plans.
- D. A detail drawing of the facility, showing access doors and the location of fire equipment is posted in dispatch, booking and control room.
- E. Primary access for E.M.S. personnel responding for an injured inmate will be through the sally port. Staff will meet the ambulance crew at that location and escort them to the appropriate location.
- F. Staff requesting E.M.S. response through dispatch will advise dispatch whenever possible of the circumstances or the injuries requiring E.M.S. so dispatch can advise the responding unit(s).

#### **J114.20 - FIRE PREVENTION AND SAFETY AND EQUIPMENT**

Inspection, training and prevention are the most important portions of any fire and safety plan. If a fire starts, the prevention portion of the plan has failed. Any fire in a custody facility represents a significant threat to the lives of both inmates and staff and a major cost to the facility in replacement and repairs of damaged property. The following procedures are established to limit the probability of a fire occurring in the Sutter County Jail and to safeguard as much as possible the lives of those persons incarcerated in and staffing the facility.

[1] The Sutter County Sheriff's Office will request fire prevention and protection services from the Yuba City Fire Department. These services will include:

- A. Annual inspection of the custody facility and a review of fire plans and procedures
- B. Testing of all firefighting and detection equipment at least every six (6) months
- C. Procedures for ensuring fire department assistance in the event of fire

[2] The Jail Facility Manager will ensure all custody personnel are provided training in all aspects of fire prevention and suppression plans and procedures.

[3] Fire exits and exit routes will be clearly marked, illuminated and free of obstacles so inmates may be moved or evacuated from their housing areas with a minimum of confusion and a minimum risk to lives and safety.

[4] Firefighting and emergency equipment will be readily available throughout the facility (i.e. fire extinguishers). Staff will be trained in the use of such equipment and required to demonstrate their

proficiency on an annual basis by watching a program.

- [5] All materials and furnishings will be of an approved fire-resistant material.
- [6] Facility staff will conduct daily inspections which will include inspections of firefighting and safety equipment and will, in particular, be concerned with available fuel loads in housing and other areas.
- [7] The Jail Safety Officer will conduct at least four (4) fire drills annually to ensure all personnel are capable of carrying out fire plans and procedures in a minimum amount of time. Fire drills are conducted to test the readiness of jail staff and need not include the actual movement of prisoners.
- [8] The Jail Facility Manager will inspect the jail prior to each of the above fire drills to ensure all firefighting and safety equipment are operational and the jail conforms to applicable safety codes.
- [9] The Jail Facility Manager will maintain written records of fire drills and inspections with particular emphasis on any deficiencies noted and their correction.
- [10] The State Fire Marshal will inspect or cause the jail to be inspected annually for fire safety.
- [11] A Jail Safety Officer will be appointed who will, among other duties complete and document monthly inspections of all fire and safety equipment and inspect the exterior perimeter of the jail for safety, security and fire hazards.

#### **J114.25 - EMERGENCY EQUIPMENT**

The Sutter County Jail will be equipped with firefighting and safety equipment as required by the California State Fire Marshal's Office, the Department of Corrections and Rehabilitation and other applicable regulations and codes. This equipment will be inspected on a regular basis and maintained in good working order. Staff will be provided regular training with the equipment provided so as to be able to maintain proficiency and familiarity with each item of equipment.

#### **J114.30 - FIRE EXTINGUISHERS**

- [1] Fire extinguishers will be mounted throughout the facility.
- [2] Fire extinguisher locations will be marked in red, so as to be readily identified.
- [3] Fire extinguishers will be inspected on a monthly basis by the designated Jail Safety Officer.
  - A. All extinguishers will be checked for proper pressures.
  - B. Dry chemical extinguishers will be turned upside down and shaken to assure the powdered chemicals are loose and free.
- [4] All fire extinguishers will be serviced and certified on an annual basis.
- [5] Any fire extinguisher that is used, found to be low on pressure or has an outdated inspection tag will be referred to the On-duty Jail Supervisor for service. The location the extinguisher was removed from will be filled with a replacement extinguisher.
- [6] Halon extinguishers are provided for the dispatch center, control rooms, and the radio equipment room. The following will apply to these extinguishers.
  - A. Halon extinguishers are designed to put out fires around sensitive electronic equipment. They operate by removing oxygen from the air surrounding the fire. They look, work and are serviced like a standard ABC extinguisher.
  - B. Halon extinguishers should not be used on a trash, wood or paper fire.
  - C. In addition to oxygen depletion, Halon can produce toxic by-products when applied to a fire. Immediately evacuate the area after use and ventilate the area.
- [7] The kitchen is equipped with a built in dry chemical fire extinguisher system over the range. This

system can be activated in case of a range fire by following the instructions posted in the kitchen.

#### **J114.40 - FIRE ALARM SYSTEM**

The main fire alarm panel is located in the Single Cell Control Room in the hallway adjacent to the Main Jail Dormitory. This panel monitors the system for the Sheriff's Office, Administrative wings and the main jail housing units. Trouble codes, zone alarms and all alarm functions can be controlled and reset from this panel. The annunciation panel in the main control room will also indicate when a fire alarm system is activated in the single cell unit.

A secondary panel is located in the Main Control Room. Trouble codes, zone alarms and system information can be read from this sub-panel, however clearing or resetting alarms from this panel can only be done with a key.

The alarm system is divided into five zones and described below:

Zone 1 -	Dayroom areas
Zone 2 -	Individual cell areas
Zone 3 -	Multipurpose room, exercise yard, visiting, medical, booking/release.
Zone 4 -	Indicates sprinkler system water flow somewhere in building
Zone 5 -	Indicates the automatic sprinkler system has been tampered with (water shut off, booster pump shut off, etc.)
Zone 6 -	SINGLE CELL UNIT EAST

The primary control panels for the fire alarm systems, fire sprinklers and smoke evacuation systems are located in the control rooms for Minimum/Medium and Single Cell areas. The respective control room officer will be familiar with each of these systems. In the event of an alarm activation or trouble alarm involving one of these systems or in the event of a fire, the respective control room officer will immediately locate the source of the alarm and direct the response of staff.

In the event of a major fire or other disaster, the control room officer will be expected to remain at the control room until the evacuation of the building is complete or until all doors operated by control are open.

An additional fire panel is located in the equipment room next to the Dorm.

#### **J114.50 - FIRE ALARM SYSTEM ACTIVATION**

A fire alarm may be sounded in any of the following ways:

1. A fire alarm may be sounded by activating one of the manual pull boxes located throughout the facility.
2. A fire alarm may be sounded when one of the smoke detectors located in the air return ducts is tripped. These detectors will automatically reset when the smoke has cleared.
3. A fire alarm may be sounded when one of the fixed rates of rise temperature detectors located on the ceilings throughout the facility is tripped. These detectors will trip when a rapid temperature change occurs and will automatically reset when the temperature stabilizes. They will also trip when the temperature climbs above 135 degrees Fahrenheit and remain tripped.

In this case the plastic cap covering the detector pops off and the detector head will need to be replaced.

4. A fire alarm will be sounded when there is any water flow through the automatic sprinkler system.
5. A fire alarm may be sounded from one of the alarm control panels.

WHEN A FIRE ALARM SOUNDS, THE CONTROL ROOM OFFICER WILL IMMEDIATELY DETERMINE THE ZONE IN WHICH THE ALARM WAS TRIPPED, INFORM STAFF OF THE LOCATION OF THE FIRE OR ALARM AND BEGIN THOSE STEPS LISTED IN THE FIRE PLAN FOR THAT AREA.

#### **J114.55 - FIRE ALARM TROUBLE CODES**

The fire alarm panel in control will show trouble by a yellow L.E.D. and by emitting a tone. Trouble lights will indicate problems with the system, with power, with a faulty ground circuit or with the city water system.

When a trouble alarm is sounded, the control room officer will immediately determine the source and type of trouble indicated inform staff of the trouble and see the trouble is corrected.

Trouble with the system which interferes with system operation and the safety of the jail will be considered an emergency for repairs or repair call out.

#### **J114.60 - FIRE SPRINKLER SYSTEM**

The facility is equipped with automatic sprinkler heads which will activate in the presence of fire. Areas within the jail perimeter are equipped with security type tamper resistant heads. In the event of a fire, once the fire is out, water to the sprinkler system must be shut off and all sprinkler heads which have opened must be replaced.

The water main is the automatic sprinkler system for the main jail is located at the Southwest corner of the facility, outside the Southwest fire exit (perimeter door 6). There is a standpipe at that location for fire department hookup to the sprinkler system.

There is a second and third water main standpipe for the automatic sprinkler systems for the single cell unit and the Minimum/Medium security facility located at the southeast corner of the single cell unit. All three of these supply points are equipped with a tamper switch which will activate alarms in any of those buildings should the water flow be cut off going through the switch to the respective units.

The water shut off for the fire sprinkler system for the main jail and administrative wings is in the plumbing chase-way at the end of the north hallway. Mounted on the wall in the electric room is a red box which contains replacement heads for the sprinkler system as well as tools for replacing sprinkler heads.

Next to the main water shut off is a system drain valve for use when maintenance is required on the system. Prior to working on the system, the main water shut off should be closed and this drain valve opened.

## **J114.70 - SMOKE EVACUATION SYSTEM**

The custody housing area is equipped with an automatic smoke evacuation system. In the event of a fire, smoke detectors located within the return air ducts will not only activate the fire alarm system but will also activate the smoke evacuation system. Smoke will be evacuated from the building and exhausted outside.

The manual controls for this system are located on the main control room panel board.

## **J114.75 - FIRST AID KITS**

First aid kits are available throughout the facility. First aid kits will be stored in areas which are not accessible to inmates.

First aid kits will be restocked as items are used. It is up to the person using an item from a first aid kit to notify a supervisor of the need for replacement items. First aid kits will be stocked according to the County's first aid kit policy.

First aid kits will be inspected monthly by the Jail Safety Officer. All outdated and unsealed items will be removed at the time of each inspection and missing, or outdated items replaced.

Jail staff are trained and certified in First Aid practices. Staff may render first aid to inmates in accordance with such training. Any first aid treatment must be documented on a Sutter County Jail Medical Incident Report.

## **J114.80 - AUTOMATED EXTERNAL DEFIBRILLATOR (AED)**

Automated External Defibrillators (AEDs) are available at the Main Jail Control Room and the Minimum/Medium Jail Control Room.

The AED devices are to be used only by those staff having proper training in their use in providing first aid.

They are to be used if a patient is down and unresponsive, as outlined in standard CPR training. Turn the device on, bare the subject's chest and apply electrode pads in accordance with the AED device's instructions. Follow the prompts from the device. The device will not produce a shock if the patient does not have a specific, life-threatening heart rhythm.

Any discrepancies with the device should be noted and the device taken out of service until repaired. Notify Jail Administration of any need for repairs or replacement parts.

Any first aid treatment provided with the AED must be documented on a Sutter County Jail Medical Incident Report.

## **J114.81 – USE OF NALOXONE (NARCAN)**

It is the policy of the Suter County Sheriff's Office, that all / Deputies/ Officers are required to be trained in the use of naloxone (Narcan) to treat and reduce the injury and fatality from opiate overdoses whether it be to an employee or a member of the public.

Naloxone is a drug that antagonizes morphine and other opiates. Naloxone is a pure opiate antagonist and prevents or reverses the effects of opioids, including respiratory depression, sedation and hypotension.

All sworn Deputy Sheriff's and Correctional Officers will receive initial training that will include an overview of 2014's Senate Bill 1438 that permits law enforcement's use of Naloxone, patient assessment (e.g., signs/symptoms of overdose), universal precautions, rescue breathing, seeking medical attention, and the use of intra-nasal Naloxone, as detailed in the standing order. Upon completion of training, officers will have their training recorded with the Sutter County Sheriff's Office Training Manager.

The Training Supervisor shall ensure initial and refresher training is provided to sworn Deputy Sheriff's and Correction Officers authorized to administer opioid overdose medication. Training shall be coordinated with the contracted nursing provider for the Sutter County Jail and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code Section 1714.22).

**Administration of Opioid Overdose Medication (naloxone):**

Sworn Deputy Sheriff's and Correctional Officers may administer opioid overdose medication in accordance with protocol specified by the licensed health care provider who prescribed the overdose medication for use by the Sworn Deputy Sheriff's and the Correction Officers per (Civil Code Section 1714.22. 22 CCR 100019):

- a. When trained and tested to demonstrate competence following initial instruction.
- b. In accordance with California Peace Officer Standards and Training (POST) standards.

**User Responsibilities:**

Sworn deputy sheriffs and correctional officers, who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Sworn deputies and correctional officers shall 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 shall be removed from service and given to the shift supervisor.

Any sworn deputy sheriff or correctional officer who administers an opioid overdose medication shall contact the communications center (SCSO Dispatch) as soon as possible and request response by EMS.

**Reporting:**

Upon completing the medical assist with the deployment of an opioid overdose medication, the officer will submit an incident report detailing the nature of the incident, the care the patient received and the fact that Naloxone was deployed. The incident report shall be forwarded to the on-duty supervisor. The supervisor will ensure that the incident report form provides enough information to meet applicable state reporting requirements. The shift supervisor will forward the report to the California Department of Public Health (CDPH) Liaison deputy for later reporting as required by their "Naloxone Standing Order."

## **J114.90 - TESTING OF EMERGENCY EQUIPMENT**

Once every month, an inspection of the entire facility will be conducted by the Jail Safety Officer. A Safety and Security Checklist will be completed, and the results forwarded to Jail Administration. Emergency flashlights and emergency lighting units throughout all jail facilities are also checked during this monthly inspection. The results of this monthly inspection will be documented and forwarded to Jail Administration.

The Jail Safety Officer is also responsible for regular, ongoing inspections of emergency equipment within in the facility. Equipment inspections shall be conducted once during a tour of duty (series of days on).

Inspections shall include checking the fire extinguishers, fire hoses and flashlights to ensure that they are working properly. Equipment in need of repair shall be taken out of service and a request for repair or replacement shall be made through the Dayshift Sergeant or Jail Administration.

Although the Jail Safety Officer is tasked with conducting ongoing inspections, all staff are obligated to report broken or inoperable equipment as soon as the need for repair is discovered.

Fire sprinklers will be tested annually by SIMPLEX-GRINNEL.

The emergency generator will be load tested monthly by Sutter County Facilities Management.

Repair of major facility system locking mechanisms will be completed by Sutter County Facilities Management in a timely manner.

AED equipment checks are to be conducted monthly by the Jail Safety Officer using the AED checklist. Outdated AED pads must be replaced.

## **J115.00 - NATURAL DISASTER PLAN**

In the event of a natural disaster, staff will take measures to ensure the security of the facility and the safety of visitors, staff and inmates. Natural disasters include earthquakes, floods, and tornados. Supervisors may alter response to fit the incident or circumstances. Staff will attempt to return the facility to full operations as promptly as possible.

### **GENERAL**

Emergency incidents (i.e., escape, explosion, fire, and riot) may occur in unison or subsequent to a natural disaster. Staff should be familiar with and ready to implement Critical Incident Response to Fire Suppression, Bomb Threats, Explosions, and be prepared with Evacuation Plans.

The facility may suffer isolation from all forms of relief, support, or communications for an extended period, depending on the form, severity and time of the disaster.

## **J115.10 - NATURAL DISASTER RESPONSE**

- A. Cancel all inmate activities, implement emergency lockdown procedures and secure inmates in a safe confinement area.

1. Correctional Officers may need to escort staff and/or visitors through to a safe area or stairwell depending on the situation.
2. At the discretion of the Jail Sergeant, Supervisor, or their designee, visitors may be ordered to a designated safe area.

B. Officers should conduct a prompt assessment of any injuries and damages to their area  
Render first aid as necessary.

1. Check utility lines, plumbing, machinery, and appliances for damage.
2. In the event of a gas leak in the Kitchen or Laundry Area, electrical switches should remain in their current position, whether on or off. Open flames, telephones and electric doors should not be used.
3. Make a complete and accurate report to Main Jail Control of injuries and damages. Use of written assessments carried by runners may be necessary.
4. Upon stabilizing their assigned area, available officers will respond to the Control Room for further assignments
5. Ensure chemical spills, broken glass or fallen objects are cleaned up.
6. Recall off duty jail personnel as directed by the Jail Sergeant.

C. If the water system becomes inoperable, the following procedures will be implemented:

1. An outside vendor will be contacted to transport drinking water to the jail. Bottled water companies:

Alhambra & Sierra Springs  
800-492-8377

Culligan Drinking Water  
800-273-9050
2. If water cannot be brought to the facility, Inmate Workers can collect and store as much sanitary water as possible. If necessary, potable water may be found in emergency water tanks, the ice machines, and in canned vegetables.
3. Water not obtained from a sealed container, or which may be impure, can be disinfected by staff, with assistance from medical staff if necessary.

D. If necessary due to broken water or sewer lines, the Jail Sergeant will designate an area of each housing unit for use as a restroom.

E. If facility staff members are unable to leave the facility, the Incident Command Post will designate an area in the facility for emergency staff housing.

F. Only essential clothing exchanges will be made during a crisis.

G. Kitchen service will function as normally as possible. Menus will be planned to obtain maximum use of inventory. Perishable food items will be used first. Cooked food may be brought in from the Sheriff's Office Training Center or the Veterans Hall may be used as necessary.

## J115.20 - EARTHQUAKE

A. Earthquakes may create electromagnetic fields which eliminate radio communication as well as other communication devices. Supervisors should be aware of this and plan to use staff as message runners if necessary.

B. Aftershocks may cause vital damage to a facility weakened by initial earthquake.

C. The primary priority for staff in an earthquake is the personal safety of visitors, inmates and staff. A secondary but major priority is the security of the jail.

D. During an earthquake, staff and inmates should remain calm and move or turn away from all glass panes. Officers should instruct inmates to remain calm and:

- **DROP** to the ground (before the earthquake drops you)
- Take **COVER** by getting under a sturdy desk or table, and
- **HOLD ON** to it until the shaking stops

If there isn't a table or desk near you, drop to the ground in an inside corner of the building and cover your head and neck with your hands and arms. Do not try to run to another room just to get under a table.

E. After an earthquake, stairwells should be evaluated for safety prior to their usage.

F. Immediately following an earthquake staff should conduct an inspection of the jail for injured inmates and/or staff and for security.

1. If injuries are discovered, staff will immediately notify dispatch to request an ambulance. Dispatch should be notified of the nature and severity of the injury as E.M.S. personnel may be required to prioritize their responses by nature of injury.
2. Staff or inmates suffering injury will be given first aid, moved to a secure area and directed to the attention of ambulance personnel. Special attention should be paid to first aid efforts as there may be some delay in E.M.S. response.
3. If E.M.S. is unable to respond or their response will be delayed for an inordinate length of time, staff should attempt to contact the Wellpath Medical Services staff for evaluation and treatment of the injury.
4. Staff should not move or transport a severely injured person unless directed to do so by medical staff.

G. A primary danger after an earthquake is fire. The gas service should be turned off at the tank as soon as possible. It may be necessary to shut off the electricity to one or more areas of the building.

1. Unsafe areas or conditions should be noted immediately, and inmates moved into safe and secure areas.
2. Breaches in the security perimeter should be noted and inmates moved away from these areas.
3. Additional staff should be requested to respond to the jail as needed for security.

### **J115.30 - FLOOD/FLOOD EVACUATION PLAN**

In case of slow rise flood, refer to the Procedures located in the expanded outline of the Jail Slow Rise Flood Plan and Checklist.

- A. Outside telephone service may be interrupted. Inside telephone service will discontinue if electricity shuts off.
- B. Contaminated water may be evidenced by air, rust, or debris in the water, or excessive water pressure. Maintenance should be directed to shut off water under these circumstances.
- C. Travel to and from the facility may be hindered or impossible. On-duty personnel may be unable to leave.
- D. The entire facility may need to be evacuated. If this case, implement procedures outline in the Sutter County Jail Slow-Rise Flood Plan.
- E. Personnel outside the facility should be watchful of domestic or wild animals which may be seen seeking shelter or higher ground. Fearful or injured animals may be dangerous and should not be approached.

### **J115.40 - TORNADO**

Tornado winds (estimated at up to 300 mph) may cause excessive damage, but greater facility damage may result from sudden reductions in air pressure. A structure incapable of equalizing the rapid pressure change may explode.

### **J115.50 - OTHER DISASTERS OR EMERGENCIES**

Other disasters or emergencies must be dealt with as they occur. Again, it is impossible to foresee every variation or to plan for every emergency. Each event may involve fire, injury and/or structural damage to the facility.

Staff will need to be familiar with the various aspects of the above procedures, so they are able to determine the proper course of action in every case.

## **J116.00 - MAJOR JAIL DISTURBANCES**

### **J116.05 - UTILITY LOSS**

In the event of a power failure, emergency power is provided by an emergency generator to continue critical facility operations for the main jail and single cell unit. The Minimum/Medium security building lacks an emergency generator, but does have many windows to provide natural sunlight, as well as battery operated emergency lighting.

### **DEFINITIONS**

**U.P.S. (Uninterrupted Power Supply):** A battery supply used until the emergency power generator activates.

**Emergency Generator:** A diesel operated mechanical device used to supply electrical power when the primary power supply has failed.

**Blackout:** Total darkness as a result of a complete power failure.

## GENERAL INFORMATION

The emergency generator is located behind the Main Jail on the south access road. The generator is maintained by Sutter County Facilities Management. It is load tested regularly by Facilities Management on a monthly basis.

In the event of a power shortage or failure, the Uninterrupted Power Supply automatically takes over for a few seconds until the emergency generator activates. Once activated, the generator allows the main jail and single cell unit to function in a normal manner. Under generator power, the kitchen remains partially functional.

The emergency generator holds 2,000 gallons of diesel fuel, which will provide approximately 2 1/2 days' supply of power to the facility.

## WHILE ON EMERGENCY GENERATOR POWER

The emergency generator is tested by Facilities Management on a monthly basis. This testing is always scheduled in advanced (as to protect computer equipment and be as least disruptive as possible), and it is very short in duration. Jail activities continue as normal during scheduled switches to generator power.

Any time there is an unscheduled switch to generator power, the Jail Sergeant or OIC will take the following steps to determine the cause, and to ensure the safety and security of the jail facility:

- A. The Jail Sergeant will advise the Jail Lieutenant.
- B. Ask dispatch to contact Facilities Management for an immediate response of the On-Call Facilities Management employee to address the problem.
- C. Advise all correctional staff to check their assigned areas for any obvious problems, conduct a complete physical headcount, and relay the results to the Jail Sergeant or OIC immediately.
- D. Conduct jail activities in a normal manner as long as the environment is safe to do so.
- E. Lockdown of the facility during an extended power failure will be at the discretion of the Jail Sergeant.

## DURING A “BLACKOUT” OR TOTAL POWER FAILURE

Anytime there is a complete and total loss of all power (generator power included), and “Blackout” conditions exist due to total darkness, the Jail Sergeant or OIC will take the following steps to ensure the safety and security of the jail facility:

- A. The Jail Sergeant shall proceed to the Main Jail Control Room to coordinate activities.
- B. Notify the Jail Lieutenant and Jail Facility Manager.
- C. Ask dispatch to contact Facilities Management for an immediate response of the On-Call Facilities Management employee to address the problem.
- D. Order Floor/Control Room officers to lockdown all housing units and cease inmate movement.
- E. Advise all officers to check their assigned areas for any obvious problems, conduct a complete physical headcount, and relay the results to you immediately.
- F. Officers shall continue to perform and log hourly counts, while operating with a heightened

sense of caution and security, given the circumstances.

- G. Available officers will escort inmates from the booking area to locked holding cells.
- H. Kitchen staff will assemble inmate workers in the area adjacent to the kitchen hallway exit door. Available officers will escort inmate kitchen workers to Max W6 until resumption of power.
- I. Contact dispatch to request a radio broadcast and teletypes be sent to area law enforcement agencies advising them of the emergency jail lockdown, and requesting new arrests be held until the facility lockdown ends.
- J. A lockdown that results in the emergency suspension of minimum jail standards shall be done in accordance with Jail Policy Manual Section J114.05 (Emergency Suspension of Minimum Jail Standards) and Minimum Jail Standards, Title 15 Section 1012 (Emergency Suspension of Standards or Requirements).

#### **J116.10 - CIVIL DISTURBANCE PLAN**

The following policy is the written guideline for the Sutter County Jail Unit when dealing with civil disturbances.

Civil Disturbance may occur outside the Custody Facility. It may consist of only one or two people, or in a worst-case scenario, several hundred people. Regardless of the size of area or number of participants, action will be taken to ensure a quick resolution of the disturbance. Civil Disturbance may include a protest or picketing in the Jail Lobby.

#### **PROCEDURES**

- A. When Civil Disturbance is discovered the Jail Sergeant or OIC will be immediately notified and respond to the area of the incident.
- B. Primary responding officers will also respond to the incident. The Jail Sergeant will be the only officer to give orders to the suspects causing the disturbance.
- C. If the Civil Disturbance occurs in the Jail Lobby the Jail Sergeant will lower and close the Front Lobby window until the disturbance is concluded. Entry and exit through the lobby door will be discontinued until the incident is finished. As soon as the security of the jail is met, the Jail Sergeant will contact the Communication Center (Dispatch) and advise them of the situation and the need for deputies to respond and assist in quelling the disturbance.
- D. The Jail Sergeant will advise the Main Jail Control Room if more personnel are needed. If more personnel are required, then the Communications Center (Dispatch) will be notified to request further assistance from the Operations Sergeant. Secondary responding officers shall respond to the area for deployment by the Jail or Operations Sergeant as necessary for the situation.
- E. The Jail Sergeant will make a determination as to how to stop the disturbance. This may come in the form of ordering the crowd to leave the facility grounds, up to and including making arrests.
- F. A Sutter County Jail Incident Report documenting the incident shall be written and forwarded to Jail Administration.

## J116.15 - STORAGE AND USE OF HAZARDOUS MATERIALS

### J116.20 - CHEMICAL SPILL

#### SAFETY AND EMERGENCY PROCEDURES

The following plans and procedures deal specifically with safe storage and handling of hazardous materials and are designed to provide the staff of the Sutter County Jail with a uniform set of guidelines for the safe operation of the jail and the handling of emergency situations in the event of a chemical spill.

- A. Any caustic, toxic or flammable material shall be considered a hazardous material for the purposes of this section. Safety of staff and inmates will be ensured by adequate controls on the procurement, storage, inventory and use of hazardous materials.
- B. As used in this section, the following definitions shall apply:
  1. Caustic: A material able to destroy and burn or eat away flesh or objects by chemical action.
  2. Toxic: A poisonous material that through chemical action can kill, injure or impair an organism.
  3. Flammable Material: Any product which will ignite when contacted with a flame or spark, at or below 100 degrees Fahrenheit.
- C. Whenever possible, hazardous materials shall be replaced with materials that are either safer or less likely to be abused or misused in a jail setting. Special care shall be exercised by all employees involved in the use of the following materials:
  1. Gasoline
  2. Insecticides
  3. Lye
  4. Anti-freeze
  5. Caustic Acids
  6. Yeast
  7. Explosives
  8. Cleaning fluids
  9. Pharmaceuticals
  10. Paint thinners
  11. Materials with a flash point below 100 degrees
  12. Poisonous substances

Employees are reminded that suppliers of hazardous materials are required by law to provide material specification and safety information. If there is any question regarding the potential hazard of any substance routinely used at the jail, contact a supervisor to obtain a material safety data sheet (MSDS) if one is not available where the hazardous substances are stored.

#### STORAGE OF HAZARDOUS MATERIALS

All staff members are responsible for the control and use of any hazardous material used in their work

areas. All staff will comply with all of the provisions of this section in dealing with hazardous materials.

- A. Bulk storage of all hazardous materials shall be in a locked area outside the jail perimeter.
- B. Small amounts of hazardous materials may be stored under lock and key outside the jail.
- C. Inmates shall not have unsupervised access to, or make unsupervised use of, hazardous materials.
- D. No hazardous material shall be stored in the janitor or storage room in any housing area. Any hazardous material needed for cleaning, painting or clearing drains will be issued in a limited amount to a specific inmate for supervised use.
- E. Gasoline and other flammable liquids shall be stored in a locked storage cabinet outside of the building perimeter. Gasoline and other flammable liquids shall be stored in approved storage containers.
- F. The State Fire Marshal shall inspect, or cause to be inspected, all storage areas and inventories for flammable materials or hazardous materials on an annual basis. Any deficiencies noted shall be reported to the Jail Facility Manager.

#### USE OF HAZARDOUS MATERIALS

Hazardous materials represent an extreme safety risk to staff. Not only does the improper use of a hazardous material create a dangerous situation, hazardous materials may provide the ingredients for a number of dangerous weapons.

- A. Inmates shall not be allowed unsupervised use of any hazardous material. Materials will be issued on a per use basis and the inmate using the material will be supervised until the material is used up, disposed of or returned.
- B. No flammable paint, solvent or material will be used in any building without providing adequate ventilation. This will preclude the use of these materials within the jail itself without special precautions and arrangements.
- C. Under no circumstances shall gasoline be used for cleaning.
- D. Only small amounts of hazardous materials (only the amount sufficient for current use) will be brought into the jail perimeter from the outside storage area.
- E. Staff will be held responsible for the security of materials they bring into the jail perimeter.

#### PROCEDURES

In the case of a chemical spill or accidental mix of chemicals, the reporting officer or staff worker will notify the Main Jail Control Room of the incident and what type chemical(s) may be involved. The Jail Sergeant will be notified and respond to the location of the incident, approaching with appropriate caution.

- A. Staff will take measures to evacuate the immediate area of the spill or incident. The area will be sealed off.
- B. The Main Jail Control Room will contact the Communications Center (Dispatch) and request the Fire Department personnel respond to the Chemical Hazard spill.

#### POST EMERGENCY PROCEDURES

- A. Correctional staff will continue to isolate the area until it is cleaned and declared safe. First aid will be applied to any inmates or staff injured in the incident.

B. Correctional staff will complete and submit incident reports to the Jail Sergeant or Supervisor, including logs and other written documents relating to the incident.

#### J116.25 - HUNGER STRIKE

In the event of a hunger strike by an inmate(s):

- A. The reporting officer shall notify the Jail Sergeant or supervisor of the situation and how many inmates are involved.
- B. The Jail Sergeant shall attempt to resolve the strike by communicating with the inmate(s) to determine the problem and develop a possible solution.
- C. If the Jail Sergeant is unable to resolve the problem, the Jail Lieutenant will be notified and shall attempt to resolve the strike.
- D. If the hunger strike is longer than twenty-four (24) hours, medical staff will be advised of the situation and will respond according to Wellpath medical procedures.
- E. After twenty-four (24) hours, if an inmate on hunger strike is determined by Wellpath staff to be at risk to their health based on medical criteria, the inmate(s) shall be moved to the Medical Cell, if possible, for continued observation by medical staff.
- F. The health status of each inmate on hunger strike will be monitored on a scheduled basis, based on their medical status, and if an immediate probable threat to the inmate's health is determined, the inmate will be transferred to Rideout Regional Medical Center's Emergency Department or Colusa County Emergency Room for further assessment and healthcare.

#### J116.30 - RESISTANT INMATE MANAGEMENT/CELL EXTRACTION

This policy provides for the effective management of resistant, uncooperative or hostile inmates while maintaining orderly and efficient operation of the facility.

- A. Correctional Officers shall use only that force which is reasonable and necessary, given the facts and circumstances known at the time of the event, to effectively bring uncooperative or resistive inmates under control. Correctional Officers who must remove a verbally and/or resistive inmate (one who is creating an unsafe situation by significantly disrupting jail operations) from a cell or holding area shall be in compliance with the requirements and techniques on Use of Force in the Sutter County Sheriff's Office Manual.
- B. Using intermediate force to remove an inmate who is verbally and/or physically resistive, or who is actively disruptive, from a cell or holding area should only be initiated after exhausting lesser levels of force, absent exigent circumstances. When force is needed to accomplish the movement of an inmate, immediate documentation of the incident via chain of command to the Jail Facility Manager is required. Cell extractions will not be used for punishment, discipline or on a passive inmate or an inmate who is in restraints. Cell extractions are not designed or authorized to be used in a large room.
- C. It is the policy of the Sutter County Sheriff's Office that forced cell extraction procedures shall only be utilized when there is a legitimate penological interest in the expeditious movement or transfer of an inmate and the inmate refuses to voluntarily move or transfer. Extraction procedures will only be initiated when all other means in gaining the inmate's

cooperation have failed. Prior to the use of a cell extraction team to move an inmate, authorization must first be obtained from the Jail Sergeant or supervisor.

- D. Only those personnel trained and who have attended the two (2) hour instructional course specific to cell extraction techniques shall participate in a cell extraction.

#### RESISTANT INMATE MANAGEMENT:

- A. Staff shall attempt to identify the reason(s) the inmate is uncooperative, or resistive to movement. Staff will utilize verbal techniques to encourage and attempt to obtain voluntary compliance. In the absence of exigent circumstances, staff shall utilize time to de-escalate the situation. Passive or low- level resistance does not constitute an exigent circumstance.
- B. In the event an inmate refuses to leave his assigned cell after being ordered to do so, the floor officer will notify the Jail Sergeant advising of all situations. The Jail Sergeant will determine if the situation warrants forming a cell extraction team or if the situation can be handled by the staff on duty.
- C. The Jail Sergeant or supervisor shall be notified when it is apparent that intermediate level force is needed to gain compliance. A planned use of chemical agents or impact weapons is considered intermediate force for purposes of this order. Any inmate who repeatedly refuses to comply with a lawful order to vacate a cell, and who exhibits actively aggressive resistance or who has a history of assaultive or combative behavior shall warrant this notification.
- D. The Jail Sergeant or supervisor shall contact the medical and/or mental health staff. The information learned may assist in gaining the inmate's cooperation. In the event exigent circumstances dictate immediate action, medical and mental health staff will conduct an appraisal of the inmate following the incident. If level force is used during the incident, the inmate will be sent to Rideout Regional Medical Center for evaluation.
- E. The Jail Sergeant or supervisor shall personally speak to the inmate in attempt to gain voluntary compliance.
- F. The Jail Sergeant or supervisor shall confirm that the previous steps have occurred prior to authorizing inmate relocation.
- G. Upon receiving direction from the Jail Sergeant or supervisor to relocate the inmate, the sergeant shall inform staff of the situation and the threat level that the inmate is presently in. In instances in which the inmate is at the "Active Resistance or Assaultive Behavior" level, the intermediate force level will likely be required, and the sergeant shall arrange for a minimum of four officers and required equipment to assist in the relocation. When necessary, the below listed positions will be assigned.

#### TACTICAL OPERATION

While the team normally consists of six (6) personnel, only four (4) are involved in the actual cell entry, physical take down, restraint and egress. The Jail Sergeant or supervisor shall have discretion in determining the number of officers used for the cell extraction team. The strategic placement of staff is as follows:

Each staff participant will be assigned to perform a specific assignment during the tactical operation. The strategic placement of staff is as follows:

#### **TEAM LEADER/SUPERVISOR**

The tactical commander is responsible for the operation. The team leader/supervisor shall give the signal for the extraction unit to enter the cell once every reasonable attempt has been made to allow the inmate to exit the cell on their own. It is their responsibility to signal the start of the extraction, to deploy any devices, and if necessary, to help create diversionary tactics immediately upon opening the cell door.

#### **DOOR CONTROLLER OFFICER**

Upon command, shall be responsible for keying, opening, and holding the cell door open during the cell extraction.

#### **SHIELD OFFICER**

The shield officer shall be the first to enter the cell and make initial physical contact with the inmate. Upon a signal from the team leader, the shield officer shall enter the cell with the shield handles held at chest level. During the initial entry they shall make contact with the inmate in the upper chest area with the top portion of the front of the shield and simultaneously push the inmate to the wall helping to immobilize the inmate. The shield officer should attempt to avoid striking the inmate with the edge of the shield.

#### **HANDCUFF AND LEG RESTRAINT OFFICERS**

As the inmate is pinned against the wall by the shield officer, the officer carrying the handcuffs will immediately and forcibly pin the inmate at the shoulder area while the officer carrying leg restraints will grasp and pull out on the inmate's lower legs. The shield officer will then follow through by assisting in pushing the inmate down with the protective shield. This is all done in one rapid and coordinated action.

The handcuff and leg restraint officers will then place their respective restraints on the inmate. The inmate will be handcuffed with their hands behind their back.

#### **VIDEO CAMERA OFFICER**

- A. Responsible for deploying the video camera and videotaping the incident.
- B. During the tactical operation, only one person will give instructions to the inmate to "stop resisting" "obey orders" etc. There shall be no talking amongst the extraction team members once the signal to enter the cell is given by the supervisor, with the following exceptions:

1. The handcuff officer shall announce to the team, "HANDS SECURE" when the handcuff restraints are securely placed on the inmate.

2. The leg restraint officer shall announce to the team, "LEGS SECURE" as soon as the leg restraints are securely placed on the inmate.

- C. Once restrained, the inmate should not be carried out of the cell by team members. Rather, the inmate should be placed into a Sheriff's Office-approved control hold and escorted from the area.

D. Additional tactics or methods may be used at the discretion of the Jail Sergeant or supervisor. Some factors that may influence the decision to use additional tactics or methods may include:

1. Number of inmates involved
2. Location of the incident
3. If weapons are involved
4. If the inmate is under the influence of a controlled substance
5. Medical and/or mental health conditions of the inmate

#### FOLLOW-UP

- A. Medical examination by Wellpath shall be provided to every inmate involved in a forced extraction even though there are no obvious or apparent injuries. Wellpath will determine if transportation to a medical facility or hospital is necessary.
- B. Injuries to staff shall be reported to the team supervisor immediately. Medical treatment will be administered as necessary and the appropriate reports and forms completed.
- C. It shall be the responsibility of the extraction team supervisor to ensure that all the equipment used during the extraction is accounted for after the incident and that any damages to the equipment are reported for replacement or repair.

#### DEBRIEFING AND REPORTING:

- A. Immediately following the incident, the Jail Sergeant or supervisor shall ascertain the welfare of the inmate(s) and staff, ensuring medical treatment for injuries is provided. Whenever force is used, inmates must immediately be examined and treated by a nurse.
- B. Anytime a cell extraction is performed, the Jail Sergeant or supervisor will ensure that a Jail Incident Report summarizing the incident is completed and forwarded to the Jail Lieutenant prior to going off duty.
  1. Incident Reports from all involved officers
  2. Sergeant's Review
  3. Disciplinary Report
- C. Photographs of any injuries should be taken and attached to the Use of Force Evaluation Report.
- D. A detailed Jail Incident Report of the cell extraction shall be completed by a designated team member. The report shall include the following information:
  1. The efforts and personnel utilized to attempt to remove the inmate from the area prior to the implementation of the cell extraction procedures.
  2. Circumstances surrounding the need for the extraction
  3. Use of diversionary devices, if applicable
  4. Notation of injuries and medical treatment provided
  5. Personnel involved and their assignment
  6. Date and time of incident

7. Location of incident
8. Name of subject
9. Video Transfer ID
10. The type of less-lethal munitions or device used
11. The estimated distance between the officer firing a less-lethal weapon and the inmate target when the weapon was fired.
12. The location of the projectile impact
13. The apparent effects on the inmate
14. Medical attention provided and assessment of the inmate after evaluation by medical staff or the Emergency Department with specific attention given to the impact location.

E. The Jail Sergeant or supervisor shall review all reports to ensure compliance with agency and facility rules and regulations. The Jail Sergeant or supervisor will review the incident with involved staff.

#### **J116.40 - STORAGE, ISSUE, AND USE OF SPECIAL WEAPONS, AMMUNITION, CHEMICAL AGENTS, AND RELATED SECURITY DEVICES GENERAL INFORMATION**

A. The following Special Weapons are in the Sutter County Jail inventory:

- Penn 40mm Multi-Launcher and Single Launcher
- 40mm Sponge Rounds
- Pepper ball System
- Chemical Agents
- Handcuffs and leg shackles
- Stinger balls

B. It is the policy of the Sutter County Sheriff's Office to provide a guideline establishing the use of weapons and chemical ammunition within the Jail Facility. Security Personnel shall be instructed in familiarization of special weapons in order to facilitate a safe and effective response to situations which may jeopardize the lives and safety of the staff, general public, inmates, and/or the security of the facility and its operation.

C. It is the policy of the Sutter County Sheriff's Office to provide a guideline establishing the use of weapons and chemical ammunition within the Jail Facility. Security Personnel shall be instructed in familiarization of special weapons in order to facilitate a safe and effective response to situations which may jeopardize the lives and safety of the staff, general public, inmates, and/or the security of the facility and its operation.

D. The deployment and use of Special Weapons are aggressive and decisive actions that can help achieve the goals of protection of life and safety and the restoration of order and security in the Jail facility.

E. Strict control shall be maintained with the ultimate responsibility for the use of these weapons resting with the Jail Facility Manager. Within this responsibility, the Jail Facility Manager shall ensure that all Jail Sergeants are knowledgeable in all Sheriff's Office Policies and Procedures pertaining to their use.

F. Authorization for the use of Special Weapons can only be given by the Jail Sergeant, duty supervisor, or higher authority in the Chain of Command.

G. Security staff, when encountering a situation demanding deployment of Special Weapons,

will immediately notify the Sergeant of the circumstances and reasons for deployment of Special Weapons. The Sergeant shall review the situation without delay and provide further direction based upon their assessment. The Sergeant will be present while Special Weapons are deployed and used.

- H. When any weapon or item is used, a Sutter County Jail Incident Report shall be generated detailing what item was removed, the serial number of the item, and why or what the item or weapon was used for, and the level of authorization. If the weapon deployed is a grenade type weapon, the pin and spoon shall be attached to the report to be kept for auditing purposes.
- I. Special Weapons maintained at each facility shall be stored in the respective Control Room and will not be issued for purposes of routine nature. Cleaning of Special Weapons is to be accomplished in accordance with the guidelines established in this manual. Security staff will not normally be required to break down or "field strip" weapons, except as required for cleaning purposes.
- J. Nothing shall preclude the introduction of future weapons/weapons systems from use within the Jail Facility. Any future weapons/weapons systems shall be subjected to testing and an evaluation process prior to being introduced into the inventory of the Sutter County Jail. Testing will be conducted by the Sheriff's Office certified Range master for the weapon. The results of the testing will be submitted to the Jail Facility Manager for review and approval prior to the use in any custody facility.

#### CELL EXTRACTION EQUIPMENT

- A. Cell Extraction Equipment is located in the basement.
- B. Cell extraction teams shall utilize basic equipment, based upon the circumstances of the cell extraction. Basic equipment includes:

Poly-captor Shields  
Protective vest  
Protective riot gloves  
Riot Control Helmet with face shield (Gas Mask)  
Elbow, forearm and knee pads  
Penn 40mm Multi-Launcher  
Pepper ball System  
Chemical Agents  
Handcuffs and leg shackles

#### ISSUE/USE OF LESS-LETHAL WEAPONS AND MUNITIONS

- A. Less-lethal weapons or munitions and other authorized cell extraction equipment may only be issued or used with the prior approval of the Jail Sergeant or supervisor.
- B. Only those persons, who have successfully completed a Sheriff's Office-approved training course in the proper use and deployment of the authorized cell extraction equipment including deployment of less-lethal weapons and OC/CS gas delivery equipment, may be authorized to deploy the devices.
- C. Less-lethal weapons and munitions shall only be utilized on an inmate who has a history of violence or who gives an indication that they intend to violently resist the move and/or the cell extraction team.
- D. When used as per this policy, less-lethal weapons and munitions may be utilized in

conjunction with a fully equipped cell extraction team. After the less-lethal munitions have been fired at the inmate, the cell extraction team will immediately use cell extraction procedures to restrain and remove the inmate from the area.

- E. Expended rounds and miscellaneous round parts shall be retrieved by the Jail Sergeant and forwarded with the Use of Force report to the Jail Facility Manager.
- F. An inmate who has been the target of a fired round shall receive immediate medical attention for injuries as soon as possible after restraint.

#### STORAGE OF LESS-LETHAL WEAPONS AND MUNITIONS

- A. All less-lethal weapons will be stored in the Control Rooms and ammunition shall be stored in the Main Jail CERT Equipment Room. This equipment shall only be removed and utilized in conjunction with this procedure. A periodic check and inventory of equipment shall be made by a designated Correctional Officer.
- B. Additional low-impact rounds will be stored in the CERT equipment lockers for issue and use when appropriate.

#### CLEANING AND INVENTORY OF CELL EXTRACTION EQUIPMENT

- A. The tactical equipment used in the cell extraction procedure shall be maintained and cleaned on a regular basis as determined by the Jail Sergeant.
- B. The Jail Lieutenant shall designate staff to conduct a monthly inventory of all equipment. This information will be forwarded to the Jail Facility Manager and will be included as part of the Jail Unit's Monthly Operational Readiness Report.

#### J116.50 - FIGHT IN JAIL

It is the policy of the Sutter County Sheriff's Office to provide a written guideline in the event a major fight transpires involving staff and/or inmates, and results in serious injury. If an officer calls for assistance, or the Main Jail Control Room receives a man-down alarm, the Main Jail Control Room Officer shall use the radio to notify all personnel. All non-emergency radio traffic will cease until the emergency is cleared.

Correctional staff shall use only that force which is reasonable and necessary, given the facts and circumstances known at the time of the event, to effectively overcome and control combative inmate(s).

#### PROCEDURES

- A. When an Officer calls for assistance, the Officer shall advise the Main Jail Control Room of their location and provide as much information as possible. It is recognized that the information provided may be limited due to the incident.
- B. The Main Jail Control Room shall advise all personnel of the situation and the location where Officers are needed.
- C. If a fight occurs, all Primary Responding Officers assigned to the area shall respond to assist in controlling and containing the incident. The Jail Sergeant shall respond to the incident as soon as possible.
- D. The first responding Officer shall become the Incident Commander and advise the Main Jail Control Room if additional help is necessary. If additional staff is required, then primary Responding Officers facility wide shall respond. If more help is still required, then facility

wide Secondary Responding Officers shall respond. The Jail Sergeant will contact the Main Jail Control Room if Operations or S.E.D. is requested.

- E. Once the incident has been stabilized, the Jail Sergeant shall advise the Main Jail Control Room the situation is under control (Code-4). The Main Jail Control Room shall advise all staff that the incident is under control (Code-4) and that normal radio traffic may resume. The Main Jail Control Room will advise the Communications Center (Dispatch).
- F. If injuries have occurred, the nursing staff shall be notified and respond. Other medical attention will be requested as necessary.
- G. If the injury has occurred to a correctional staff member, the nursing staff shall respond to the medical emergency to protect life and limb. Standard County policies and procedures for an employee injury shall be followed and the County's Company Nurse is to be contacted for direction, if needed. The employee shall be advised of medical options, as directed by the Company Nurse, by his/her supervisor, and given the opportunity to choose. If the employee is unable to respond, call 9-1-1 for an ambulance. The Jail Sergeant shall use the information provided by the staff member on the Personnel Emergency Notification Form located in the Employee's Unit file. The Jail Sergeant shall notify the Jail Lieutenant, who will notify the Jail Facility Manager.
- H. The Jail Sergeant will ensure that a Sutter County Jail Incident Report and supplemental reports are filed by each individual participating in the incident, regardless of action.
- I. The Jail Sergeant shall contact the Operations Sergeant if a Crime Report is to be filed.

#### **J116.60 - RIOT IN THE JAIL**

In the event of a riot or other serious inmate confrontation, the Sutter County Sheriff's Office shall control and suppress the disorder. As in other emergencies, life safety is the first priority, with security and property damage being important, but secondary goals. Force shall only be used if the involved inmate cannot be persuaded to discontinue the confrontation. When it becomes necessary to use force, it shall be used in a controlled but effective manner only until the disturbance is brought under control.

- A. In a riot situation time works against the facility, making swift action critical in combating any incident before it escalates.
- B. All personnel should watch for the following changes in inmate behavior patterns, as they may be indicators that a problem is looming:
  - 1. Significant changes in an inmate's eating or recreation pattern.
  - 2. A sharp increase in inmate disciplinary actions.
  - 3. A sudden reduction in the inmate's visits.
  - 4. Challenging of staff's authority.
- C. While any of the above inmate behaviors can be considered signs of problems other than a planned disturbance, they could also be signs of institutional unrest and must be watched and analyzed.
- D. Riots will generally fall into one of two categories: spontaneous or planned confrontation.
- E. Special considerations shall include the use of a video camera. A video camera permits later identification of participating inmates and can be used at a later date for prosecution.
- F. The following are the duties assigned to particular positions in the facility when a riot or major disturbance occurs:

General Staff Responsibilities:

1. Immediately notify the Main Jail Control Room at the first sign of a riot or major disturbance.
2. Announce a “lockdown” for all uninvolved inmates.
3. Evacuate or secure all civilians who are in the housing unit.
4. Remove power to the housing unit.
5. Be an observer, wait for assistance to arrive, or if possible, leave and secure the housing unit.

**Main Jail Control Room Responsibilities:**

1. Immediately notify the Jail Sergeant of the disturbance.
2. At the direction of the Jail Sergeant, Main Jail Control will broadcast a facility-wide lockdown.
3. Coordinate response for the S.E.D. Team.
4. Initiate an “incident log” to document events involved in the incident.

**Jail Sergeant or Supervisor Responsibilities:**

1. Contact the Operations Sergeant via the Communications Center (Dispatch) and establish the Sheriff’s Conference Room as the Incident Command Post.
2. Contact the Hostage Negotiator Team as needed and have them respond.
3. Act as the on-scene commander and apprise the Incident Command Post of any changes.
4. Make the proper notifications through the chain of command.
5. Evaluate the situation and activate the S.E.D Unit. Have them staged and awaiting further instructions from the Incident Commander.
6. At the direction of the Operations Sergeant request assistance from on duty Operations and on-call Detectives, if necessary.
7. The Hostage Negotiator will report to the Incident Command Post.
8. Upon arrival, the S.E.D leader shall meet with the Incident Commander for briefing information on the situation.
9. The Incident Commander shall coordinate activities and responsibilities
10. At the direction of the Operations Sergeant or Incident Commander, request Criminal Technicians to respond to the Incident Command post with video equipment to record the incident.
11. Request that Emergency Services personnel put plans in place to dispatch an expanded medical response to the facility in the event that such action becomes necessary.
12. Notify the Yuba City Fire Department of the incident and request that they are prepared to respond to the facility to assist with firefighting, smoke evacuation, and with triage as necessary.

**Special Enforcement Detail (S.E.D.) Responsibilities:**

1. Upon notification of a disturbance/riot, the S.E.D. will immediately respond for staging and await instructions from the Incident Commander.

**Communications Center (Dispatch) Responsibilities:**

1. At the direction of the Incident Commander, notify all Sutter County law enforcement agencies, via teletype, that the Sutter County Jail Facility is not accepting bookings during the facility lockdown.

**G. Post Incident Actions:**

1. All injured inmates will be escorted to Wellpath Medical Services clinic for medical triage

and treatment as indicated.

2. The affected area should be treated as a crime scene and staff shall protect, safeguard and isolate any physical evidence to prevent its contamination.
3. The Incident Commander shall ensure that all tactical equipment used or damaged during the incident is replaced or repaired immediately.
4. Based on the extent of the damage, the Jail Facility Manager shall determine whether or not the affected area is safe to occupy.
5. The Incident Commander shall debrief all staff participants and ensure that all appropriate reports are completed.

## J116.70 - HOSTAGE POLICY

Employees and visitors entering the Jail doors do so with the understanding a No Hostage Policy is in effect. Should an employee or visitor be taken hostage, the Sutter County Sheriff's Office will not allow an inmate to escape, provide any weapon to an inmate, provide alcohol or any drug to an inmate or allow additional persons to be placed at risk in order to secure the release of a hostage. The Sutter County Sheriff's Office will do everything possible within the above guidelines to protect and secure the release of a hostage. Personnel should keep their personal safety in mind while in the jail.

## PROCEDURES

A. Any staff member discovering a hostage situation will immediately contact Main Jail Control Room via the most expedient means and relay the following information, if applicable:

1. Location of situation and hostages
2. Number of hostages
3. Identity of hostages
4. Number of abductors
5. Identity of abductors (if known)
6. Demands of abductors (if known)
7. Any weapons involved

B. Correctional staff at the hostage scene will lock down all non-involved inmates, cut power to the control panels and attempt to isolate the abductors to prevent movement and/or the abduction of additional hostages.

C. At the direction of the Jail Sergeant or supervisor, the rovers will escort all visitors out of the facility, checking ID cards to ensure they are registered visitors.

D. Once a situation is determined to be a hostage situation, the following personnel will handle the duties delegated to that post.

1. Main Jail Control Room Staff - Once notified of a hostage situation, Control Room staff will immediately advise the Jail Sergeant.
  - a. At the direction of the Jail Sergeant or supervisor, Control Room staff members will broadcast a facility-wide emergency lockdown.
  - b. Control Room staff will override and control all security entrances and exits.
  - c. Control Room will keep the incident logged.
2. Once notified of a hostage situation, the Jail Sergeant or supervisor will notify

Communications Center (Dispatch) and request S.E.D./Hostage Negotiator Call-Out.

- a. The Jail Sergeant or supervisor will then respond to the Main Jail Control Room. The Sheriff's Conference Room will initially be established as the Incident Command Post.
- b. The Control Room staff will gather all available information on the abductors, such as:
  1. A copy of the inmate's booking jacket
  2. Current photographs of the involved inmates
  3. Information on the physical/mental status of the hostage taker(s).
- c. The Jail Sergeant or supervisor will make proper notification through the chain of command.
- d. The Jail Sergeant or supervisor will activate the S.E.D. Team and have them stage for instructions from the Incident Commander.
- e. The Sheriff's Office Hostage Negotiator will report to the Incident Command Post and begin gathering pertinent information regarding the abductors and hostages and begin the negotiation process.
- f. The Sheriff's S.E.D. Team will stage in the Sheriff's Squad room.
- g. The Jail Sergeant will notify Communications Center (Dispatch) of the situation and request on-call detectives to respond to the Incident Command Post.

### 3. Booking Area

- a. Lock down all inmates in the Intake/Booking area of the facility.
- b. Request Communications Center (Dispatch) to send out a teletype to all Sutter County local law enforcement agencies informing them of a facility lockdown, once directed to do so by the Incident Commander.

## POST EMERGENCY PROCEDURES

- A. Correctional staff will separate and isolate all hostage takers, including any other inmates who are involved in the incident.
- B. Correctional staff will complete and submit incident reports to the Shift Supervisor, including logs and other written documents relating to the incident.
- C. Correctional staff will not attempt to question or interview the inmates involved in the incident.
- D. Detectives will conduct any and all primary investigations.
- E. Wellpath Medical Services staff will administer emergency treatment to all injured parties, according to Wellpath policy and procedure.

## J116.80 - ESCAPE PLAN/MASS ESCAPE

### GENERAL ESCAPE

It is the policy of the Sutter County Sheriff's Office Jail Unit to investigate and document all escapes and escape attempts from custody facilities, inmate work sites, and the Transportation Unit.

- A. The Jail Sergeant shall be immediately notified of any information indicating an unresolved count, possible escape attempt or when a completed escape has occurred. The Sergeant will initiate an emergency count procedure and cause an investigation to be conducted. A systematic search shall then be made of the entire interior of the jail to determine if there has been an escape.
- B. Operations will be notified of the escape and all pertinent information given to the

dispatcher so that an all-points bulletin on the escaped inmate can be issued. An Operations Deputy will be dispatched to the facility where the escape occurred. The Sergeant will reassign the officer discovering the escape to complete an incident report and give information to the Operations Deputy.

- C. All of the escapee's personal cell property will be bagged for evidence or for a later claim when the inmate is back in custody. A thorough search of the escapee's property could possibly uncover clues as to where the escapee might be located. This information will help in the Operations Deputy's investigation. Escaped inmate property is stored in the inmate's personal property locker in the property room.
- D. The officer generating the incident report will document that the escapee will receive in-house discipline for the escape when he is brought back into custody.
- E. The Sergeant shall be immediately notified if a breach of security is found during emergency count procedure. The Sergeant will dispatch additional security staff to the area. The area or point of escape shall be secured for Crime Scene Investigation and remain secured until repaired.
- F. The entire Jail shall go to a total lockdown. NO PERSON shall be allowed to enter or exit the jail. This includes deputies, incoming bookings, etc. The main jail control officer will ensure perimeter doors are closed.
- G. If it has been determined an escape has occurred the inmate will be placed in Interrupted Sentence in the Jail Computer.
- H. After completing the interior search, if the inmate is not located and the escape was successful, the Communications Center (Dispatch) will again be notified and the following information furnished:

Name of missing Inmate  
Sex/D.O.B./age/ Physical description  
Direction of flight/Mode of Travel  
Possible clothing inmate may be wearing  
Possible vehicle description (if available)  
Number of missing inmates  
Inmate charges  
Time frame /Last accounted for/location  
Time of discovery  
Last Known Address

The Jail Facility Manager shall be notified of the escape who, in turn, will notify the Sheriff through the Chain of Command.

The Shift Inspection Report and a Jail Incident Report/Escape Report will be completed. Other notification will be made as directed by the Jail Facility Manager or appropriate authority i.e., written report to District Attorney.

The Exterior Jail entrance/exit doors may not be used until the Jail Facility Manager releases the facility from lockdown status.

RELEASE IN ERROR

- A. All releases in error are to be considered as an escape from the facility. The reporting officer shall notify the Jail Sergeant of the error. The Jail Sergeant will dispatch Operations officers to the inmate's last known location. Custody officers will conduct a search of the facility grounds for the escaped inmate and attempt to return the inmate into custody.
- B. Escapees who are re-captured by custody staff, within sight of the facility, will be disciplined in-house. If an escapee is apprehended before the release is complete, the initial responding officer will complete a disciplinary rules violation. A criminal investigation will not be required.
- C. If officers are unable to locate the inmate, the Jail Sergeant will notify the Communication Center (Dispatch) and request an Operations Deputy be dispatched to complete a criminal escape investigation.
- D. In all cases when an escape or attempted escape occurs, the Jail Sergeant will have the reporting officer conduct an investigation, which will include the following:

Complete a thorough search of the assigned housing unit and facility.  
Contact all off compound work sites for the missing inmate.  
Search the missing inmate's room and/or locker.  
Interview inmates in the escapee's housing unit.  
Determine possible time of escape.  
Establish the last time the inmate was accounted for.  
Documentation

- E. The Jail Sergeant will have the reporting officer complete the following documentation prior to the arrival of an Operations Deputy:

1. Sutter County Jail Incident Report
2. Any supplemental reports
3. A copy of the Jail Incident Report is to be provided to the Operations Deputy.

All reports will be forwarded to the Jail Sergeant, who will send the completed package to the Jail Facility Manager.

#### DAY PASS ESCAPE

- A. When an inmate has been identified as being late returning from a day pass, or if information has been received that the inmate did not arrive at the destination for which the day pass was issued, the reporting officer shall immediately notify the Jail Sergeant of the missing inmate. The Jail Sergeant will verify whether the inmate did or did not arrive at the destination of the day pass. The Jail Sergeant will then verify the inmate's release conditions, destination and return/report back times.
- B. the Jail Sergeant will initiate an emergency count at Minimum/Medium Jail. If the emergency count indicates that the inmate is missing and has escaped from a day pass, the Jail Sergeant will notify the Communication Center (Dispatch) and request an Operations Deputy be dispatched to the last known location of the inmate's day pass to conduct a search or criminal investigation.

- C. Escapees who return late will be disciplined in-house for jail disciplinary rules violation. If an escapee is apprehended before they return, or they are in the wrong location, the apprehending officer will complete a criminal escape report.

#### OFF SITE WORK CREW ESCAPE

If it has been determined that an inmate worker is missing from an off-site work crew, the Inmate Work Crew Supervisor shall notify the Jail Sergeant. An Operations Unit will be dispatched to the location to conduct an escape investigation.

#### ESCAPE FILE

- A. The Jail Facility Manager keeps a file on all escapes affected from the facility. This file includes, but is not limited to:

Name of escapee(s)  
Number  
Time of escape  
Exact location from which the inmate escaped  
Means of escape  
Tools used in the escape  
Apparent reason

- B. Reporting Responsibility for Escape:

The Jail Sergeant is responsible for forwarding to the Jail Lieutenant a copy of all reports relative to escapes or attempted escapes at this facility.

Upon discovery of escape plans, the Sergeant shall prepare a detailed Incident Report containing as much information as is available and forward it to the Jail Lieutenant.

#### MASS ESCAPE

A mass escape shall be considered such when 2 or more inmates act in concert to escape.

- A. There are two types of escapes, those discovered during the escape and those discovered after they have occurred.
- B. Upon the discovery of an escape, the Jail Sergeant shall be immediately notified. The facility shall be locked down for an emergency count. The reporting officer shall attempt to pinpoint the time of escape, who escaped, and by what method. All information will be forwarded to the Jail Sergeant.
- C. In the event the escape was found after the occurrence, the Jail Sergeant shall:
  1. Ensure a package containing the escapee's personal information and photo are provided to the Operations Unit.
  2. Operations Unit will be notified as soon as possible upon the request of the Jail Sergeant in order to file a report and search for the escapee(s).
- D. In the event the escape is found during the occurrence, the reporting officer shall notify the Main Jail Control Room, who shall immediately notify the Communications Center

(Dispatch) to notify Operations Unit of the impending escape.

- E. Operations Unit officers shall respond to the area, in order to search the area or stop the escaping inmates.
- F. If any or all escapee(s) are found, they shall be moved to Administrative Segregation pending classification and disciplinary review.
- G. An Operations Deputy will be requested by the Jail Sergeant to file an escape report and conduct further investigation.
- H. Detective Unit may assist as necessary to photograph the point of escape (attempted escape), if appropriate.

#### REBOOKING OF ESCAPEES

Inmate(s) shall be re-booked any time they escape from the Jail and are apprehended.

#### POST ESCAPE PROCEDURES

- A. Procedures provide specific instructions for inmate escape. Staff will be trained in these procedures and will read and follow the guidelines provided.
- B. Procedures shall be used, both as a training tool and an operations guideline, in order to provide consistency in job performance. However, procedures cannot anticipate every incident or situation. Employees must be prudent, use sound judgment, tact, and pay strict attention to detail in performing their duties, whether or not the duties are addressed in policies and procedures.
- C. All officers are completely responsible for the security of their assigned posts during their shift and should be vigilant and alert to any potential security weaknesses they may observe throughout the Jail complex.

#### J116.90 - BOMB THREAT

It is the policy of the Sutter County Sheriff's Office to provide an established guideline to be used by custody staff when a suspected bomb has been discovered or when a bomb threat has been received. This policy should be followed unless unusual circumstances exist, and good judgment dictates otherwise. Bomb threats and/or explosions will be handled in a professional and expedient manner to ensure that information is disseminated and to prevent damage and injury to staff, the general public, and inmates.

Most bomb threats are telephoned in, announcing a bomb has been placed within the jail or its surrounding areas. Mailing a letter or note is another typical way bomb threats are conveyed. Though most bomb threats are just that, every bomb threat must be taken seriously.

If any staff member receives a bomb threat call, it is important to obtain as much information as necessary from the caller. The employee receiving the call shall fill out a Bomb Threat Checklist as soon as possible and return it to the Jail Sergeant or supervisor.

If any staff member receives a bomb threat by note, they will immediately advise the Jail Sergeant or supervisor, and will not give the note to anyone, to ensure that as few people as possible handle the note so it can be preserved as physical evidence.

#### SUSPECTED BOMB

A. If a suspected bomb is found, the object SHOULD NOT be moved or touched in any way. The employee who discovers the object should immediately notify the Jail Sergeant who will advise the Communications Center (Dispatch).

B. If a suspicious article is found it shall not be disturbed. The Operations Unit sergeant will be notified, and the area will be evacuated, if not already evacuated.

## BOMB THREATS

A. The only two reasonable explanations for a call reporting that a bomb is to go off in a particular facility are:

1. The caller has definite knowledge or believes that a bomb has been or will be placed and wants to minimize personal injury or property damage. The caller may be the person who placed the device or someone else who has become aware of such information.
2. The caller wants to create an atmosphere of anxiety and panic which will, in turn, possibly result in a disruption of the normal activities at the facility where the device is purportedly located.

B. Keep a caller on the line as long as possible. Ask the caller to repeat the message. Record every word spoken by the person making the call. Record the time the call was received and terminated. Listen for any strange or peculiar background noises, which might give a clue as to the place from which the call is being made. Determine if the voice is male or female. Listen for accents, regional expressions, speech impediments, or any other speech or voice characteristic, which might help law enforcement identify the caller.

C. Immediately after the caller hangs up the officer receiving the call should report the threat to the Jail Sergeant and complete the "Bomb Threat Report".

D. If the location of the bomb is identified and confirmed, the procedures outlined under "Suspected Bomb" above will be followed.

E. If the location of the bomb is not obtained from the caller, a search of the facility shall be conducted under the supervision of the Jail Sergeant and responding Operations deputies, who shall assume the direction and control of the bomb incident situation. The Jail Sergeant shall ensure that all areas associated with the jail are searched, preferably in the following order:

1. Outside building, including the roof.
2. Public access areas in the building.
3. Limited access areas in the building.
4. Utility areas, storage areas, machinery rooms, etc.

If a time of detonation has been given, NO employee will be required to assist in a search during the 30 minutes before and the 30 minutes after the stated detonation time. If there is no known detonation time, the search should continue until Operations Deputies or the Jail Sergeant concludes that the search should be stopped. If a bomb is located during a search, procedures outlined under "Suspected Bomb" above will be followed.

## PROCEDURES

- A. The employee receiving the threat will immediately:
  1. Notify the Main Jail Control Room by telephone that a bomb threat has been received.
  2. Notify the Jail Sergeant by telephone a bomb threat has been received. The Jail Sergeant will make the decision to search or evacuate the area.
- B. Main Jail Control Room will telephone all posts to announce to all officers that radio traffic is temporarily prohibited, and to order the use the telephone or officers as message runners for all communications until further notice.
- C. All inmate movement, visits or activity will be immediately stopped, and a total lockdown of all jail facilities will occur.
- D. Primary responding officers shall assemble at the facility where the bomb is supposed to be located and conduct a simple systematic and thorough search. The area to be searched may be large, requiring additional staff, but generally, staff assigned to the area will conduct the search.
- E. The Jail Facility Manager and the Jail Lieutenant will be notified of the incident and what action is being taken.
- F. If no device is located, the Jail Sergeant will make every effort to restore normal operations within the Jail.
- G. A Sutter County Jail Incident Report will be generated, and all additional reports and forms shall be completed in a timely manner and forwarded to Jail Administration.

## J116.95 - REQUESTS FOR MUTUAL AID

The need for Mutual Aid from an outside agency can arise at any time, and for any number of reasons. Examples include bomb threats, hostage situations, fire evacuations, natural disasters and riots within the jail. All requests for Mutual Aid will be coordinated through the Communications Center (Dispatch), the Operations Sergeant and the on-duty Jail Sergeant or supervisor.

## J117.00 - CASH ACCOUNTING PROCEDURES

The following procedures are established to ensure compliance with money handling as directed by the County Auditor's Office and to ensure accountability of cash monies received by jail personnel. Cash money will be handled by the fewest number of personnel possible, with accountability checks during each stage of the procedure. Cash money will be deposited in a bank in a timely manner. Cash money will always be secured in a locked location until deposited in a bank.

## J117.05 - STAFF RESPONSIBILITY

Personnel receiving cash or other forms of payment as a part of their duties are responsible to properly document the receipt of such funds. In every case a receipt will be prepared showing the date, the correct amount, the person from whom the funds were received, the reason for the payment and the name of the employee receiving the payment. Types of receipts may include a Sutter County receipt (for cash bail), an Inmate Trust Account receipt (for money placed on an inmate's account), or the Property Sheet portion of the booking sheet (for inmate money on hand at the time of booking). Additional entries or documentation may be required as explained below.

*Note: Failure to follow established procedures in handling money may result in disciplinary action.*

## **J117.10 - SUPERVISOR RESPONSIBILITY**

The shift supervisor is responsible for ensuring proper procedures have been followed regarding the accuracy of booking sheets and money receipts as well as property sheets. Any exception to the following policy must be approved by the shift supervisor.

## **J117.15 - COMMISSARY OFFICER RESPONSIBILITY**

The Commissary Officer will maintain adequate business records of the Sutter County Inmate Welfare Fund as well as maintain the balance of the account by bank statement, worksheets and cancelled check reconciliation. The Commissary Officer will maintain the Sutter County Inmate Welfare Fund checking balance only.

The Commissary Officer will not issue checks from the Inmate Welfare Fund for any reason. Only Jail Sergeants, Jail Administration or designated Correctional Officers are authorized to issue checks in the day to day operations of the Sutter County Inmate Welfare Fund. Such operations include issuing checks to inmates when they are released from the facility. The Commissary Officer shall review check stubs and receipts to ensure proper procedures are followed by jail personnel.

An administrative designee will clear the locked Inmate Account Cash Boxes in a timely manner and make deposits to the Sutter County Inmate Welfare Fund Checking Account. There are locked Inmate Account Cash Boxes located within the Main Jail Control Room and the Minimum/Medium Security Jail Control Room.

All bank statements, worksheets and canceled checks from the Inmate Welfare Fund will be forwarded to the Sutter County Auditor's Office for review and maintenance upon request.

In addition to bookkeeping, the Commissary Officer shall:

1. Be responsible for the overall operation of the inmate commissary program. This includes, but is not limited to, entering inmate orders into the computer, coordinating receipt of goods from suppliers, delivering goods to inmates, and handling refunds, exchanges, complaints, etc. The Commissary Officer also oversees the needs of indigent inmates.
2. Assist and advise the Inmate Welfare Committee with the administration of this fund, as it is spent solely for the benefit and welfare of all inmates.

## **J117.20 - INMATE WELFARE COMMITTEE RESPONSIBILITY**

The Inmate Welfare Committee will consist of the Jail Facility Manager, a Sergeant, the designated Commissary Officer and any other persons appointed by the Jail Facility Manager. The Inmate Welfare Committee will oversee and approve the expenditure of any Inmate Welfare Account funds other than those used in the day to day operations of the Sutter Inmate Store. Such funds may be expended solely for the benefit, education and welfare of the inmates confined within the jail per California Penal Code Section 4025.

## **J117.25 - JAIL FACILITY MANAGER RESPONSIBILITY**

The Jail Facility Manager is ultimately responsible for all monies received at the jail. The Facility Manager will ensure cash receipts, bail monies and other funds received are handled correctly, accounted

for and deposited or transferred in a timely manner.

Any discrepancies in monies received will be investigated immediately by the Jail Facility Manager. The Jail Facility Manager shall notify the Undersheriff of any discrepancies.

### **J117.30 - INMATE CASH AT BOOKING**

- [1] The booking officer will first separate the inmate's cash from the rest of their property.
- [2] If the amount is in excess of \$25.00, the booking officer will deposit all cash and coins into the Keefe intake kiosk for deposit to the inmate's trust account. The kiosk will generate a receipt for the inmate.
- [3] If the inmate is leaving the facility (bailed or OR'd, etc.) and the inmate's cash is \$25.00 or less, two officers will count the money in the presence of the inmate (when practical), and place the money into an envelope labeled with the inmate's name, date of birth and the dollar amount. The envelope will be placed inside the inmate's small property bag and the bag then placed on the shelf under the color printer in the main jail control room. This will be given to the inmate upon release.

### **J117.35 - DEPOSITS TO INMATE ACCOUNTS**

- [1] The Sutter County Jail will accept deposits to an inmate's account by mail in the form of money orders or cashier's checks only. Although not encouraged, cash received by mail will be deposited into the Keefe intake kiosk for the inmate's trust account.
- [2] Cashier's checks and money orders are accepted for an inmate's account 24 hours per day, in person at the jail lobby window. Cash is not accepted by correctional staff at the jail window; however, staff should redirect depositors to the Keefe lobby kiosk for all cash deposits for inmate trust and bail accounts.
- [3] The receipt of government checks is subject to Jail Sergeants' discretion before acceptance.
- [4] Non authorized checks received by mail will be returned to the sender or placed into inmate property un-cashed.
- [5] Upon receipt of a money order/cashier's check, or should the Keefe intake kiosk be unavailable for cash/coin deposits, the officer will label a money envelope with the inmate's name, date, amount of the money being deposited, Sutter County ID number and the money order/cashier's check number or money denominations. The deposit amount will be manually entered into the Keefe computer terminal and the inmate will be given a copy of the computer-generated banking receipt. The receipt number will be noted on the envelope, and the officer will seal the money order/cashier's check or cash/coin inside the envelope and drop it into the locked cash drawer located within the main jail control room.

*NOTE - Deposits to an inmate account received by the jail after commissary slips have been picked up by the commissary officer will not be available to the inmate for commissary purposes until the following commissary issue.*

### **J117.40 - RELEASE OF INMATE MONEY TO THIRD PARTIES**

- [1] Only under exigent circumstances, and upon the approval of a Jail Sergeant, may an inmate release money from their commissary account (via check) to a friend or family member.
- [2] Inmates requesting a release of funds must submit an inmate request form and have approval prior to the transaction taking place.
- [3] Inmates must have enough money on their account to cover the amount of the check they have requested.

- [4] A Jail Sergeant shall initiate a deduction from the inmate's trust account on the Keefe computer terminal and issue the check. A copy of the check shall be made and the copy provided to the Commissary Officer for proper entry into the Keefe banking system.
- [5] The check will be released only to the friend or family member designated on the approved inmate request form. The designated person must present jail staff with photo ID and sign the inmate request form, acknowledging receipt of the check.

#### **J117.45 - INMATE FUNDS AT RELEASE**

- [1] If there is an account balance at the time an inmate is released from custody, the releasing officer will process a "Release" on the Keefe computer terminal in order to issue a debit card to the inmate for their remaining funds.
- [2] Should an inmate be released for transport to another correctional agency, such as another County jail or CDC facility, the release officer will process a "Release" on the Keefe computer terminal in order to issue a check for the inmate's remaining funds. The inmate will then sign a computer-generated receipt indicating they have received all monies due.
- [3] If, due to some exigent circumstance, a check is not available at the time of release, the reason should be noted on the Property Release form and the inmate should sign in acknowledgment. If a check is to be mailed later, no release entry is made for the balance. The inmate should give the releasing officer a current address where they wish a check to be mailed.
- [4] The designated Correctional Officer will issue debit cards and checks as needed and complete the release in the Keefe computer terminal.
- [5] Inmates with unused funds through GTL must contact GTL directly to settle their accounts.

#### **J117.50 - UNCASHED CHECKS AND OPEN INMATE ACCOUNTS**

- [1] All checks issued by the Sutter County Inmate Welfare Fund become void 180 days after the issue date.
- [2] Un-cashed checks from released inmates will be held on account for 180 days and then transferred to the Inmate Welfare Fund.

#### **J117.55 - RECEIVING PERSONAL CHECKS FOR BAIL**

- [1] All warrants and charges will be bailed by means of cash, cashier's check or bail bond as provided by law. No personal checks will be accepted!

#### **J117.60 - RECEIPT OF CASH/CASHIER'S CHECKS FOR BAIL**

- [1] The person taking cash/cashier's check for bail shall complete a Sutter County Receipt.
- [2] The receipt should include the charges, defendant's name and SC number, warrant/case number, address of the court, their next court date and appearance time, name and address of the person presenting cash/cashier check for bail, identification number of presenter, check number and bank from which the check was drawn, and the officer's name that accepts cash/cashier's check.
- [3] The pink copy of receipt shall be given to the person paying the bail.
- [4] The bail and white copy of the receipt shall be sealed into a coin envelope with the defendant's name, SC number, the amount, the charges, and court written on the outside of the envelope, and shall have a Supervisor's signature.
- [5] The envelope will be placed into the locked "Cash" drawer for retrieval and processing by office personnel.

[6] In the event that sufficient bail money is deposited into the Keefe cash kiosks and is available for use, the booking/release officer may verify such funds and issue a bail check payable to the Sutter Superior Courts out of the Keefe computer terminal before releasing the inmate from the system and the facility. A copy of the check should be made for the Commissary Officer. The aforementioned processes of writing receipts and placing bail money into the locked drawer still apply.

## J117.65 - BAIL BONDS

Bail bonds will be processed the same as cash bail under the preceding section, except they shall be checked to ensure:

- [1] The amount of the bond does not exceed the limit printed on its face,
- [2] The bond has not expired, and
- [3] The court and jurisdiction are correct.

The right of bail licensees to arrest a defendant who has been released on bail is covered by long-standing case law and statute. Procedures and paperwork should ensure that the surrender of a defendant is done in compliance with State law. In California, this is covered in Penal Code sections 1299, 1300, 1301 and 1305.

### BAIL SURRENDERS:

Defendants will be surrendered for one of these reasons:

- [1] Defendant has failed to appear, and bail has been forfeited by the court; or
- [2] Defendant is surrendered for a violation of the terms and conditions of the bail contract. (Note: a bench warrant will not be issued based solely on a violation for the bail contract that exists between the bail licensee and the defendant.)

### WHO MAY ARREST AND SURRENDER DEFENDANTS OUT ON BAIL:

Penal Code section 1300(a) – At any time before the forfeiture of their undertaking, or deposit by a third person, the bail licensee or depositor may surrender the defendant in their exoneration, or he may surrender himself to the officer to whose custody he was committed at the time of giving bail, in the following manner:

A certified copy of the undertaking of bail, OR a certified copy of the certificate of deposit where a deposit is made, OR (*this is what we most commonly see*) an affidavit given by the bail licensee or surety company listing all that specific information that would be included on a certified copy of an undertaking of bail, must be delivered to the officer who must detain the defendant in his custody thereon as upon a commitment, AND a certificate in writing acknowledging the surrender.

Penal Code section 1300(3) – The officer to whom the defendant is surrendered shall, within 48 hours of the surrender, bring the defendant before the court in which the defendant is next to appear on the case for which he has been surrendered. (*Bail surrenders to us on a case out of a local county should appear before that County Judge within 48 hours not our Judge. The bondsman should be instructed to turn in the subject at that County jail.*)

Upon completion of the surrender, the defendant's bail is set at the original amount before the posting of the undertaking of bail. (Note: in cases where a failure to appear has occurred, a new bail amount

will be reflected on the bench warrant.)

#### **ARREST BY BAIL LICENSEE OR DEPOSITOR FOR PURPOSE OF SURRENDER:**

Penal Code section 1301 – For the purpose of surrendering the defendant, the bail licensee or any person who has deposited money or bonds to secure the release of the defendant, at any time before such bail or other person is finally discharged, and at any place within the state, may himself arrest defendant, or by written authority endorsed on a certified copy of the undertaking or a certified copy of the certificate of deposit, may empower any person of suitable age to do so.

Any bail licensee or other person who arrests a defendant in this state shall, without unnecessary delay, and within 48 hours of the arrest, deliver the defendant to the court or magistrate before whom the defendant is required to appear or to the custody of the sheriff or police for detainment in the county or city in which defendant is required to appear. Note: In cases where a bench warrant has been issued the defendant may be surrendered to any law enforcement authority for service of the warrant.

#### **SPECIFIC REQUIREMENTS FOR AUTHORIZATION TO DETAIN OR ARREST A BAIL FUGITIVE:**

Penal Code section 1299.02 (a) – No person, other than a certified law enforcement officer, shall be authorized to apprehend, detain, or arrest a bail fugitive unless that person meets one of the following conditions:

- [1] The person is a bail licensee as defined in subdivision (b) of Penal Code section 1299.01 or a depositor of bail as defined in subdivision (c) of section 1299.01.
- [2] The person is a bail fugitive recovery person as defined in subdivision (d) of Penal Code section 1299.01.
- [3] The person holds a bail license issued by a state other than California or is authorized by another state to transact and post bail and is in compliance with the provisions of Penal Code section 847.5 with respect to the arrest of a bail fugitive.

#### **J118.00 – PLAN FOR INMATE DISCIPLINE**

Discipline is achieved by a process of orientation, training, guidance and punitive sanction intended to bring order and personal responsibility.

A jail facility, even more than other institutions, cannot be operated efficiently and safely unless its occupants conform to standards of orderly behavior. These standards serve to protect all concerned parties including staff, inmates and visitors.

Discipline results in an orderly and organized way of life which will encourage and develop self-reliance, self-control and self-respect.

#### **J118.02 - NATURE OF DISCIPLINE**

Discipline should include realistic, acceptable and understandable routines which will develop and maintain orderly behavior. Counseling and advising an inmate of expected conduct is encouraged for a first violation of a minor nature.

Prevention of rule violations is preferable to correction after the fact; nonetheless, there must be a clear and consistent disciplinary process ready to be initiated if and when a rule is violated.

The disciplinary process must conform to constitutional standards of due process and equal protection, and there must be no cruel or unusual punishment.

#### **J118.04 - FAIRNESS OF DISCIPLINE**

The disciplinary process must both be fair and be perceived as fair. All officers shall consistently administer discipline in a fair and impartial manner. Inmates shall have the right to appeal or grieve any disciplinary action in accordance with established procedures and shall not suffer any discipline, intimidation or harassment for exercising this right.

#### **J118.05 - RESPONSIBILITY FOR DISCIPLINARY ACTION**

Responsibility for taking disciplinary action against any inmate is delegated to supervisory officers. All disciplinary action shall be reviewed by the Jail Facility Manager to see they are administered fairly and impartially.

Personnel will not unjustly subject or threaten any inmate with disciplinary action. This is not meant to prevent officers from advising inmates of possible consequences of violations. Personnel have a positive duty to take proper action at the time of the violation or infraction, advise inmates of possible consequences, and report such violation of jail rules and regulations to the Jail Sergeant or OIC for consideration of disciplinary action

#### **J118.10 - BASIC DISCIPLINARY GUIDELINES**

Facility rules and disciplinary penalties must be clear, consistent and uniformly applied.

The disciplinary process is an administrative, not judicial process. Therefore, there is no double jeopardy in disciplining an inmate for a violation of facility rules and, at the same time, referring the case to the district attorney for prosecution.

If the disciplinary process escalates to Section C, the inmate may have the option of reading the disciplinary report and/or a separate written notice of the violation(s). The inmate may be informed in writing of the offense or infraction for which they are being disciplined, as well as the maximum discipline they can expect to receive (from the Inmate Discipline Penalty Schedule). The offender must know what they did wrong.

The types of behavior that will result in disciplinary action must be made known to inmates. This shall be done by posting the rules conspicuously, providing the rules to inmates as part of the booking process, or separately reading to those who are unable to read and translating for those who are unable to read or understand English.

Pursuant to Section 1081 (b)(2) of the Minimum Jail Standards, unless declined by the inmate, a hearing shall be provided no sooner than 24 hours after the report has been submitted to the disciplinary officer and the inmate has been informed of the charges in writing. The hearing may be postponed or continued for a reasonable time through a written waiver by the inmate, or for good

cause.

The inmate shall be permitted to appear on his/her own behalf at the time of hearing and present witnesses and documentary evidence. The inmate shall have access to staff or inmate assistance when the inmate is illiterate, or the issues are complex.

The inmate shall have the opportunity to explain and present a defense (Wolf v. McDonnell 1974) and shall be afforded not less than twenty-four (24) hours to prepare. The inmate may waive the twenty-four (24) hour limitation.

A charge(s) shall be acted on no later than 72 hours after an inmate has been informed of the charge(s) in writing, unless waived by the inmate or for good cause.

A Disciplinary Review Board, appointed by the Jail Facility Manager and not personally involved in the original violation or infraction of the rules, shall determine if the charges are valid, and shall recommend the penalty.

Subsequent to final disposition of disciplinary charges by the disciplinary officer, the charges and the action taken shall be reviewed by the facility manager or designee.

The Disciplinary Review Board, in determining the validity of the charges, may conduct further investigation into the incident. The inmate shall be advised in a written statement by the fact-finders about the evidence relied on and the reasons for the disciplinary action. A copy of the record shall be kept pursuant to Penal Code Section 4019.5. Records of the procedures followed in each case shall be maintained and shall include a statement as to the evidence relied upon and reasons for any disciplinary action.

There shall be a policy of review and appeal to a supervisor on all disciplinary action.

Nothing precludes a facility administrator or designated staff supervisor from administratively segregating any inmate from the general population or program for pending the outcome of either the disciplinary process or prosecution for reasons of personal, mental, or physical health, or under any circumstance in which the safety of the inmates, staff, program, or community is endangered, pending disciplinary action or a review as required by Section 1053 of these regulations. Pre-discipline housing is an administrative option intended to ensure the safety and security of inmates, staff and/or the facility.

#### **J118.15 - MINOR INCIDENTS DEFINED**

A minor incident is one wherein the action taken against the inmate does not result in the loss of good time or work time earned, and the action imposed is one or more of the following:

**NOTE: Three (3) or more minor violations within a 90-day period will be handled as a major violation.**

**(Refer to Inmate Handbook)**

[1] Perform Extra Work Detail

[2] Removal from Work Assignment/No loss of Work Time Credit

- [3] Loss of Visitation privileges
- [4] Loss of Television privileges
- [5] Loss of Telephone privileges (except legal)
- [6] Loss of Commissary privileges (does not include indigent Welfare Packs)
- [7] Reclassification / Re-housing
- [8] Short Term Lock-down for less than 24 hours
- [9] Forfeiture of “good time” credits earned under Penal Code Section 4019
- [10] Forfeiture of “work time” credits earned under Penal Code Section 4019
- [11] Disciplinary separation

**FAST TRAC DISCIPLINE:** Fast Trac Disciplines are disciplines for “Not wearing Armband”, “Bed Not made”, “Out of Bounds”, and “Extra Clothing.”. For the first two violations under this program a Jail Incident Report is not necessary. Officers fill out and use the face sheet only for these reports. The third instance of fast trac discipline within 90 days becomes a major discipline and requires a Jail Incident Report completed. Follow-up hearings on these minor disciplines can be resolved at the Supervisors level. The completed discipline will be forwarded to the Jail Lieutenant.

#### **J118.20 - MAJOR INCIDENTS DEFINED**

A major incident is one in which one or more of the following penalties are imposed, and is proportionate to the severity of wrongdoing or other circumstances surrounding the incident: (Refer to the Inmate Handbook)

- [1] Loss of privileges as with Minor Violations
- [2] Loss of Good Time / Work Time Credits
- [3] Reclassification / Re-housing
- [4] Placement in Disciplinary Isolation

#### **J118.25 - FORMS OF DISCIPLINE**

As noted in the preceding sections, the degree of punitive action taken by the Sergeant, Disciplinary Officer or Disciplinary Review Board shall be directly related to the severity of the rule infraction. They shall refer to the Inmate Discipline Penalty Schedule when imposing punishment.

Depending on the mitigating factors or other circumstances, the penalties listed in the above guidelines for minor incidents or any other appropriate lesser penalty may be imposed for a given offense.

#### **J118.30 - LIMITATIONS ON DISCIPLINARY ACTIONS**

The Penal Code and the State Constitution expressly prohibit all cruel or unusual punishment. Additionally, there shall be the following limitations:

- (a) If an inmate is on disciplinary separation status for 30 consecutive days there shall be a review by the facility manager before the disciplinary separation status is continued. This review shall include a consultation with health care staff. Such reviews shall continue at least every fifteen days thereafter until the disciplinary status has ended. This review shall be documented.

- (b) The disciplinary separation cells or cell shall have the minimum furnishings and space specified in Title 24, Part 2, 1231.2.6 and 2.7. Occupants shall be issued clothing and bedding as specified in Articles 13 and 14 of these regulations and shall not be deprived of them through any portion of the day except that those inmates who engage in the destruction of bedding or clothing may be deprived of such articles. The decision to deprive inmates of such articles of clothing and bedding shall be reviewed by the facility manager or designee during each 24-hour period.
- (c) Penal Code Section 4019.5 expressly prohibits the delegation of authority to any inmate or group of inmates to exercise the right of punishment over any other inmate or group of inmates.
- (d) In no case shall a safety cell, as specified in Title 24, Part 2, 1231.2.5, or any restraint device be used for disciplinary purposes.
- (e) No inmate may be deprived of the implements necessary to maintain an acceptable level of personal hygiene as specified in Section 1265 of these regulations.
- (f) Food shall not be withheld as a disciplinary measure.
- (g) The disciplinary separation diet described in section 1247 of these regulations shall only be utilized for major violations of institutional rules.
  - (1) In addition to the provisions of Section 1247, the facility manager shall approve the initial placement on the disciplinary separation diet and ensure that medical staff is notified.
  - (2) In consultation with medical care staff, the facility manager shall approve any continuation on that diet every 72 hours after the initial placement.
- (h) Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours, without the review and approval of the facility manager.
- (i) In no case shall access to courts and legal counsel be suspended as a disciplinary measure.

#### **J118.35 - MINOR ACTS OF NON-CONFORMANCE**

Minor acts of non-conformance or minor violations of facility rules may be handled informally by any staff member by counseling or advising the inmate of the expected conduct, or by submitting a minor incident report.

#### **J118.40 - LIMITATION OF DISCIPLINARY SEGREGATION**

In the event an inmate assigned to disciplinary isolation has a finding of a new charge of violation of facility rules and regulations, the following shall apply in addition to limitations on disciplinary action:

- [1] Whenever an inmate is confined to disciplinary isolation for more than ten (10) consecutive days, the Jail Sergeant shall review the incident report and approve the additional segregation if it is warranted.

[2] If twenty (20) consecutive days of isolation have been imposed and the inmate continues to violate facility rules and regulations, then acceptable alternative methods shall be considered. This shall not prohibit additional days of segregation.

#### **J118.45 - LOSS OF PREVIOUSLY EARNED GOOD TIME OR WORK CREDITS**

The loss of previously earned good-time or work credits is to be considered a serious sanction pursuant to Penal Code Section 4019. It shall be imposed only for extreme acts of misconduct and should be considered only as a last resort to promote an orderly and organized way of life by the inmate.

#### **J118.50 - DISCIPLINARY REVIEW PROCESS**

Inmates involved in any disciplinary action, other than counseling shall have the right to an administrative process which adheres to the constitutional principles of due process and equal protection.

#### **J118.55 - FACILITY DISCIPLINARY REVIEW PROCESS**

The jail has established and implemented a disciplinary review process which shall function to review all disciplinary cases to assure a fair and impartial evaluation relating to the offense, and the type and length of punishment.

The Jail Facility Manager shall have the authority, in conformance with policy and procedures, to take any of the following actions that are appropriate to the circumstances:

- [1] Conduct a further investigation into the incident, including the interviewing of inmates and staff who may have pertinent information on the incident, when the facts indicate such investigation is appropriate.
- [2] Assess discipline
- [3] Change the disciplinary location
- [4] Withhold good time or work time awarded
- [5] Terminate the discipline and/or expunge the inmate's disciplinary record

Personnel involved in the review process shall not participate in a disciplinary review of an incident in which they are involved in the charges.

#### **J118.60 - REVIEW OF MINOR DISCIPLINE SANCTIONS**

A Sergeant or OIC may act as a discipline review officer in all minor incidents.

The Discipline Review Officer shall provide the inmate with an opportunity to present a defense and shall conduct or direct further inquiry as the circumstances may warrant.

The Review Officer will implement, amend or disapprove the recommended action, or forward the report to the Jail Discipline Officer for further appeal if requested by the inmate.

#### **J118.65 - IMPOSITION OF MAJOR DISCIPLINE SANCTIONS**

Incidents involving major discipline sanctions require a more complex review process than does the imposition of minor sanctions.

Personnel observing an inmate commit a major infraction (incident) of the rules shall immediately advise the inmate of the violation orally and shall complete an Inmate Incident Report, specifying the circumstances surrounding the violation. All witnesses to the incident shall be identified in the report and relevant statements included.

The Jail Discipline Officer shall provide the inmate with an opportunity to present a defense and shall conduct or direct further inquiry as the circumstances may warrant but no sooner than twenty-four (24) hours after the report has been submitted to the disciplinary officer and the inmate has been informed of the charge(s) in writing. A violation shall be acted on no later than seventy-two (72) hours after the inmate has been informed of the charge(s) in writing.

If the Inmate requests a further hearing, the Jail Facility Manager or Lieutenant will assign a Disciplinary Review Board. The board will consist of a Jail Supervisor and at least two other jail staff members who will convene as directed by the Jail Facility Manager or Lieutenant.

The Disciplinary Review Board will review the report, conduct a hearing and make findings and recommendations.

The affected inmate will be permitted to appear on their behalf and shall once again be informed of the charge(s) made against them.

Administrative segregation prior to the imposition of discipline may be used where the security and welfare of the facility's staff or inmates may be compromised by allowing the inmate to remain in regular housing areas.

#### **J118.70 - REVIEW OF MAJOR DISCIPLINE**

Major violations or repetitive minor acts of non-conformance shall be reported in writing (Jail Incident Report) by the staff member observing the act. A notation shall be made on the Daily Inspection Report.

The steps listed above (Imposition of Major Discipline Sanctions) shall be followed.

The Disciplinary Review Board will forward its findings and recommendations to the Jail Facility Manager who will review the report and the board's recommendations. They may then interview members, inmates and conduct further investigation if the circumstances warrant. The Facility Manager will then record his findings on the Disciplinary/Incident Report and advise the inmate of the findings. The recommended action will then be implemented, amended or disapproved.

The Jail Sergeant will advise the originating officer of the findings and action. The resulting reports and findings will then be placed in the inmate's file pursuant to Penal Code Section 4019.5 (e).

The inmate may appeal in writing to the Jail Facility Manager, then the Undersheriff, with a final appeal to the Sheriff. Disciplinary Appeals will be resolved at the lowest possible level of appeal.

This procedure will not be used when the offense constitutes a criminal violation. Such crimes will be handled by arrest and/or reports forwarded to the District Attorney for prosecution.

No other inmate, regardless of status or assignment will be part of this procedure, in terms of assuming any authority or passing judgment, or inflicting punishment.

#### **J118.75 - REVIEW LOSS OF PREVIOUSLY EARNED GOOD TIME/WORK TIME CREDITS**

Unless the inmate agrees with the penalty, all or any portion of previously earned good time or work time credits shall only be revoked by the Disciplinary Review Board with the approval of the Jail Facility Manager. The inmate shall be given notice of the revocation of previously earned good time or work time credits by the Disciplinary Review Board.

Upon the actual revocation by the Jail Facility Manager, the inmate will be advised of his right to appeal and to call witnesses and confront their accuser. If the inmate desires to appeal, the Jail Facility Manager will set up an Appeal Board within seven days. The Appeal Board will consist of the Jail Facility Manager and two supervisors. The officer filing the report shall be present in the case against the inmate.

#### **J118.80 - DISCIPLINARY RECORDS**

Penal Code Section 4019.5(e) requires the keeping of a record of all disciplinary infractions and punishments administered. This requirement shall be satisfied by retaining copies of rule violation reports and the report of the disposition of each.

#### **J118.85 - NOTICES TO INMATES**

Section 1081 (c) of the Minimum Jail Standards requires the inmate shall be informed of the charge(s) made against them in writing. This is done by furnishing them with a copy of the written report submitted by the officer reporting the incident.

Section 1081 (c)(4) of the Minimum Jail Standards requires an inmate be advised of the action taken by the disciplinary officer by furnishing them with a copy of the record required to be kept by Penal Code Section 4019.5(e).

#### **J118.90 - INMATE RECORDS**

Inmate Incident Reports and Discipline Reports shall be maintained in the inmate's file. Copies of the Incident Reports shall be retained in the Jail Facility Manager's file for one (1) year.

#### **J118.95 - RIGHTS OF INMATES ON DISCIPLINARY STATUS**

The placement of an inmate on disciplinary status shall not restrict any of the inmate's right to work on his own defense, send or receive legal mail, or communicate through approved channels with persons pertinent to his own defense.

All documents prepared by such inmates in the furtherance of their defense shall be processed and sent out immediately.

All inmates on disciplinary status shall be accorded legal rights and opportunities that are neither greater nor less than those inmates not on disciplinary status.

## **J119.00 - INMATE GRIEVANCES**

This policy establishes consistent and formal procedure for inmates to have their grievances relating to conditions of confinement heard and resolved in a lawful and impartial manner. Grievances may be filed in all matters except the following:

- [1] Decisions handed down by the courts

All grievances shall be resolved within ten (10) business days from the day the complaint was received by the initial officer.

If the grievance is the result of an action by an allied agency (i.e., arresting agency, Wellpath Medical Services or Beale Air Force Base entity), the Jail Facility Manager shall refer the grievance to the allied agency and notify the inmate of such referral. Any grievance submitted by Beale Air Force Base inmates regarding military standards, as they apply to confinement, shall be forwarded to the 9<sup>th</sup> Security Forces Squadron Confinement Officer for processing. The Jail Facility Manager shall forward a copy of all grievances turned in by Beale Air Force Base inmates to the 9<sup>th</sup> Security Forces Squadron Confinement Officer.

The allied agency shall have ten (10) business days from the date of referral to resolve the grievance.

## **J119.10 - INMATE GRIEVANCE PROCEDURE**

Any inmate confined in the jail may file a grievance against any condition of confinement. A grievance may be either an individual grievance or a group grievance, but it must be signed by the person(s) making the grievance. Impersonal titles such as "Dorm" or "Max 1" are not acceptable.

No inmate will be disciplined, punished or lose any privilege because they have submitted a grievance.

No inmate may have more than two (2) grievances in writing or via tablet, either initial or on appeal, pending at any one time. The Jail Facility Manager may order a limit to the number of grievances by an individual inmate should it appear the grievances are excessive in number or frivolous in nature. When abuse is determined, the inmate will be limited to two (2) grievances per month.

Upon hearing of a grievance from an inmate, personnel should first attempt to verbally resolve the problem informally, in a legal, efficient and impartial manner. If this fails, the inmate may submit the grievance via tablet or in writing on a grievance form. Grievance forms will be made available to any inmate within twenty-four (24) hours of his/her request if a tablet is unavailable or at the sergeant's discretion. If necessary, instruction should also be provided in preparing the grievance form.

Tablet grievances are submitted by inmates and reviewed by on-duty sergeants within ten (10) days of submission. The Sergeant will mark the grievance as founded, unfounded, or rejected on the online GTL Command Portal, as well as type up a resolution on the grievance for the inmate to review. The inmate may appeal the sergeant's decision and request another appeal through the tablet for the Jail Lieutenant's review.

Paper grievance forms are important documents that are assigned individual report numbers and carefully tracked on a grievance log to assure proper handling. The paper forms are in triplicate. The

white original ultimately goes into the inmate file, the yellow copy goes to the Jail Lieutenant and the pink copy is provided to the inmate at the time the grievance is submitted. Any officer receiving a completed grievance form from an inmate shall sign and date the form, then provide the pink copy to the inmate as proof of submission.

Once submitted by the inmate, the paper grievance form is given to the Sergeant on duty, who then meets with the inmate to attempt to resolve the issue. If ever the Sergeant on duty has a conflict of interest regarding the matter, the grievance may be handed over to the oncoming shift Sergeant.

If resolved, the grievance form is signed by the inmate and Sergeant, and then sent to the Jail Lieutenant for review. The grievance will show as “Resolved” on the grievance log.

If the Sergeant is unable to resolve the issue, the inmate shall be referred to the Jail Lieutenant for a hearing (Step 2 on the Inmate Grievance Form – **See Appendix E**). If resolved, the grievance form is signed by the inmate and Lieutenant, filed appropriately, and the grievance shown as “Resolved” on the grievance log.

#### **J119.20 - GRIEVANCE APPEAL PROCEDURE**

If the inmate, after meeting with the Lieutenant, disagrees with the Lieutenant’s proposed solution, the decision may be appealed to the Jail Facility Manager (Step 3 on the Inmate Grievance Form). If resolved, the grievance form is signed by the inmate and Jail Facility Manager, filed appropriately, and the grievance shown as “Resolved” on the grievance log.

If the matter is still unresolved, it may be appealed to the next level in the Chain of Command, up to the Undersheriff and finally to the Sheriff. Each level in the appeal process will endeavor to resolve the grievance, if possible, at their level of the process. Each appeal level will provide their written findings, dispositions, and/or solutions to the Jail Facility Manager. The Jail Facility Manager will forward this information to the inmate and concerned jail staff.

#### **J119.30 - JAIL FACILITY MANAGER RESPONSIBILITIES**

All grievances and written responses will be reviewed by the Jail Facility Manager, or his designee, to assure proper handling and reasonable resolution, as well as ensure all written grievances are documented on the computer’s grievance log for later retrieval, statistical and tracking purposes.

The Jail Facility Manager, or his designee, is responsible for notifying the concerned inmate and/or jail staff member on each phase of the grievance procedure. The Jail Facility Manager will monitor the progress of each grievance to ensure the process is completed within the reasonable time limits set.

#### **J120.00 - FIREARMS POLICY - JAIL**

All personnel shall comply with the provisions of the Sheriff’s Office Operations Manual regarding firearms policy. In addition to these sections, the following shall apply to both jail personnel and any persons entering the jail perimeter.

#### **J120.10 - WEAPONS SECURITY**

No weapons of any kind are allowed within the jail perimeter. This includes firearms, ammunition, and knives. All firearms and other weapons will be secured in available jail gun lockers, in locked employee

lockers in the administrative wing, or locked in the employee's unit or vehicle.

Weapons will never be taken beyond the gun locker areas into the jail interior except when at the direction of the Jail Facility Manager such weapons are required for riot suppression within the jail or for dealing with other emergencies.

Officers storing personal weapons in gun lockers or employee lockers are responsible for adequate key security while in the jail interior. Weapons are not to be stored in the gun lockers to keep from taking them home.

*NOTE: All officers are reminded weapons security is critical in the jail. Every precaution shall be observed and there can be NO justification for an inmate obtaining a firearm.*

#### **J120.20 - ARMED ASSIGNMENTS**

Assignments requiring firearms will usually be limited to transporting prisoners, acting as bailiff, guarding hospitalized prisoners, or suppressing jail riots, lynching, escapes or rescues in or about the jail facility. Any other assignments will be at the direction of the Sheriff's Office.

#### **J120.30 - CORRECTIONAL OFFICERS**

Correctional Officers are authorized to carry or possess firearms only at the direction of the Sheriff pursuant to California Penal Code section 830.1(C). Correctional Officers will comply with all Sheriff's Office policy and procedure pertaining to the proper handling, use and restriction, and training of personnel carrying firearms. In accordance with House of Representatives HR Bill 218, Penal Code section 830.1C and section 12027.1, Correctional Officers have the authority to carry off duty weapons as long they qualify regularly with the Sheriff's Office and carry a weapon as a part of their duties.

#### **J120.40 - ADDITIONAL ARMING POLICY**

As stated in the Sheriff's Office Operations Manual, all weapons must be approved and registered with the Sheriff's Office. All ammunition must be approved by the Sheriff's Office. All personnel carrying firearms are required to meet minimum qualification requirements. Any discharge of a firearm, except in the course of training, practice or sport shall be reported to a supervisor immediately with a timely written report.

#### **J121.00 - JAIL CLASSIFICATION SYSTEM**

The classification system in place at the Sutter County Jail is designed to utilize to the fullest advantage the physical design of the custody facility while fulfilling requirements pursuant to Minimum/Medium Jail Standards sections 1050, 1051, 1052, 1053 and 1082, as well as California Penal Code sections 4001 and 4021.

#### **J121.10 - CLASSIFICATION STAFF**

The classification system will be managed by the Jail Facility Manager and implemented and monitored by the Jail Lieutenant, Sergeants, OIC and/or designated classification officers.

- [1] The classification Committee will consist of the Jail Lieutenant, Sergeants and designated classification officers. This committee will meet as needed and will be responsible for the overall evaluation of the system and the review of inmate classification appeals.

- [2] Each member of the Classification Committee will be responsible for coordinating and monitoring the system on each watch, assuring all special housings are reviewed daily and reviewing the housing assignments of each person booked and held in the Sutter County Jail as soon as possible after booking.
- [3] The Jail Lieutenant will be responsible for reviewing housing assignments in order to maintain the requirements of the stated guidelines. Further, the Jail Lieutenant will be responsible for assuring all prisoners in special housing areas are individually evaluated within every ten (10) day period.

## **J121.15 – CLASSIFICATION AND HOUSING ASSIGNMENTS**

This classification system designates the policy and procedures to be used with a goal to assign housing to all inmates in such a way as to maximize individual compatibility and unit stability for both inmate and staff safety and security at the Sutter County Jail.

The Classification Screening and Rating form on Central Square will be used as the Initial Custody Assessment tool. It will be filled out, reviewed by the supervisor conducting the housing assignment, signed and attached to the classification cover sheet. Completed forms will be maintained in the inmate file folder.

The Sutter County Jail has four distinct housing units as follows:

### **1. MAIN JAIL FACILITY**

The Sutter County Main Jail is a combination of linear type and direct supervision and is divided into specific and separate housing units. Safety Cells, Observation Cells and Holding Cells are separate from the housing units. The Sutter County Jail may house prisoners from the initial booking through completion of sentence when the sentence is one year or more due to AB 109. Additionally, prisoners may be held pending transport to state prison or to another jurisdiction.

The **Main Jail Dormitory** is an open dayroom area with bedrooms located off the dayroom area. There is a constantly manned Control Room within the dormitory. It is classified for unsentenced felony inmates. It can also be used to house non-violent or non-problematic CDC Parolees. Inmates who are problematic, or who have disciplinary actions from other facilities, and who are sentenced misdemeanants should not be placed in the Dormitory.

The access door to the Dormitory Control Room and exercise yard shall only be opened long enough to pass through and then will be locked and secured. They shall never be left opened for convenience.

**Max W1, W2, W3, W4, W5, and W6** are "special housing" units

**MI-Block** serves as an extension cell when overcrowding occurs in other units in the jail. For instance, it may be an overflow cell for main jail females, special housing units, the dormitory or the Pods. It also houses the Safety Cell#1 for inmates requiring increased visual supervision.

**FE1, FE2, FE3 and FE4** are classified female cells. FE1 is used for sentenced felony inmates and can be used to house inmate hall workers. FE2 is used to house unsentenced felony inmates. FE3 is used to house inmates with misdemeanor charges/warrants pending and subjects with felony charges. It can also be used for sentenced inmates who are not violent or problematic, but who don't qualify for Medium

security based on current guidelines. FE4 is a "special housing" unit for those females who cannot get along with others. It may also be used as overflow for male inmates or a substitute medical cell.

The **Medical Cell** is used to house inmates who are sick or have health conditions which requires housing in accordance with Wellpath's Medical Services policy and procedures. Medical Cell beds in this area should not be used for both purposes at the same time (i.e. one medical isolation bed and one administrative segregation), without prior clearance from the medical staff, in cases of contagious illness. Inmates should not be moved in or out of the Medical Cell without consultation with Wellpath staff.

## **2. SINGLE CELL UNIT**

The Single Cell Unit is designed to provide separate and secure housing to protect the welfare of both security staff and inmates, while not depriving inmates of their basic rights as outlined in the Minimum Jail Standards. It is a 94-bed unit consisting of four (4) pods identified as A, B, C, and D Pods. Pods A, B, and C consist of 26 cells, each in a two-story setting. Each lower level has 6 single and 2 double occupancy cells. Each upper level has 8 double occupancy cells. D Pod consists of a ten (10) bed dorm with two (2) adjoining cells, D1 and D2 each having two (2) beds, one cell is ADA compliant. The Control Room in the Single Cell Unit is staffed 24 hours a day.

Classification of an inmate into the single cell facility will be made by the Jail Sergeant or a supervisor. The classification of each inmate will have been completed prior to their arrival at the Single Cell Unit. All inmates with non-compatible classifications and sub classifications will be separated, detained and monitored in different cells/pods within the facility.

These units are designed for the physical separation of different classifications of inmates in accordance with Minimum Jail Standards, Title 15. Segregation provides a higher level of security and control for the protection of both security staff and inmates.

**A & B Pod** are designed to house those inmates classified as repeat disciplinary inmates, violent offenders or those inmates on administrative segregation for disciplinary action or for disciplinary separation. A Pod is normally reserved for those inmates with mental illnesses. It also houses those inmates who are prone to be assaulted by other inmates. The B Pod unit has one handicapped single cell.

Persons detained pursuant to Penal Code Section 4001 as *witnesses* or held under *civil process*, or under an order imposing punishment for *contempt* may be housed in an A or B Pod cell. A person with comparable commitments may share the room, program and visit together, but these detainees will be isolated from criminal inmates in the Pod. These detainees may also be housed together in a Main Jail housing unit but may not be mixed with any other classifications.

**C Pod** is designed to house those inmates classified as high security risk inmates and those inmates who need administrative segregation for any number of reasons. The unit houses violent inmates. The unit also houses those inmates sentenced to or returning to State Prison or awaiting transportation to the Federal Prison system.

Access to and exit from the unit is closely monitored by the Single Cell control room officer via camera and intercom. The Single Cell control room officer controls all electronically locked doors within the unit from control panels located inside the Single Cell control room. All alarms,

intercoms and door indicators annunciate and terminate on the control panels.

D Pod is designed to house general population females and segregation of female inmate classifications (D1 & D-2).

D Pod added to the Single Cell facility is classified as a general population female housing unit. This unit has two single cells for the segregation of female inmate classifications one of which is ADA compliant.

Inmates are housed in the single cell facility based on many factors, including their ability to interact with other inmates in a safe manner during inmate visiting, recreation time, day room activities, etc. Other factors taken into consideration are:

- (1) Inmates with comparable charges
- (2) Medical/Mental Handicaps
- (3) In-custody behavior
- (4) Administrative Protective Requirements
- (5) High Security Risks

Floor Officers will familiarize themselves with the inmate cell assignment sheet and be able to easily determine which inmate belongs in which section of the pods. Inmates from A Pod will always be separate from B Pod inmates. Inmates considered HIGH RISK by the Jail Classification Supervisor will be housed in the bottom tier of the single cell and remain in lock down status except for their mandated recreational periods. All recreation time and/or refusals will be documented on the Dayroom/Yard schedule in the control room.

Inmates placed into segregation due to treatment for minor medical or psychiatric reasons will be reviewed daily by both medical and security personnel to determine the need for continued segregation. The removal of segregation will be documented in the computerized events file.

- [A] If an inmate requests to be placed on Administrative Segregation, such request must be submitted in writing, signed and dated by the inmate. The signed request will be delivered to the Shift Sergeant or the Jail Classification Supervisor, who will take any action deemed necessary.
- [B] The thirty (30) day Administrative Segregation Policy will apply in accordance with Minimum Jail Standards, Title 15.
- [C] Inmate reclassification for security lockdown inmates will be determined based on a ten (10) day review period by the Classification Supervisor for possible placement back into general population.
- [D] Single cell inmates who no longer need to be segregated will be reclassified by the Jail Classification Supervisor, which may include removal to a general population housing unit.

**3. NEGATIVE AIR FLOW CELL** – The Negative Air Flow cell is used to house inmates who have an airborne or other communicable disease. Inmates may be housed in this cell when it is of a medical necessity in accordance with Wellpath Medical services. The medical necessity always takes precedence. The cell, when not being used medically, may also house any other inmate.

**4. SAFETY CELL #1** is used for or inmates requiring increased visual supervision. Refer to J121.70 and J121.75.

**SAFETY CELL #2** is used for inmates requiring increased visual supervision. Refer to J121.70 and J121.75.

**5. MEDIUM SECURITY UNIT (EAST DORMITORY)**

The Medium Security Unit or East Dormitory will be used to house in-custody prisoners who are sentenced. The Medium Security Unit East Dormitory may also be used to house in custody prisoners sentenced on misdemeanor charges. The charges may include a Violation of Probation where the original or base charge is a crime against person(s), or the inmate is sentenced to a felony charge(s) or is unsentenced on felony charges with a bail amount of \$50,000 or less. Felony inmates with “No Bail” are not allowed to be housed in the Medium Security Unit. Inmates with violent felony charges will not be housed in this unit.

Inmates assigned to this facility are not allowed to perform duties on work details outside this facility for any reason, or without prior approval of Jail Administration or the kitchen detail only. Movement between this facility and the main jail will require the inmates to be belly-chained and shackled. Gang chains are allowed for three or more inmates, i.e. kitchen workers.

Recreation exercise activities for Medium custody inmates in the East side will be kept separate from West side custody inmates.

**The following is a compilation of charges that qualify inmates for the Medium Security Unit:**

Inmates sentenced under 1170(h) PC and have less than a year of actual time to serve in county jail. Inmates held on “No Bail” PRCS or awaiting Flash Incarcerations if they are not based upon violent charges.

Parolees under Morrissey sentencing

Unsentenced felons with crimes against property

The inmate is ***sentenced*** to a Violation of Probation (1203.2(a) PC) where the original or base charge is a nonviolent crime against a person(s).

The inmate is ***unsentenced*** on a felony charge(s) of crimes against property only.

To determine if an inmate qualifies for this unit, a classification process will be used for review before housing each inmate:

The inmate’s charges may not be of a sexual nature or contain the use of a firearm. The inmate must not have a past criminal history of violence toward another and has not been a major disciplinary problem within the jail during their current or past 3 years’ incarceration. The inmate must be interviewed by the Sergeant or Shift Supervisor who will determine whether the Probation Violation was of a violent nature. If the current Violation of Probation was not of a violent nature, the inmate may be re-housed in the Medium Security Unit.

**6. MEDIUM SECURITY UNIT (WEST DORMITORY)**

The Medium Security Unit West Dormitory will be used to house in custody prisoners sentenced on

misdemeanor charges. This unit can also house inmates who require Special Housing or inmates who need protection from other inmates. It can be used to house overflow from the Main Jail Facility Special Housing (PC) tanks and those prisoners pending sentencing on misdemeanor charges.

**The following is a compilation of charges that do not qualify for the Medium Jail:**

Any registerable sex offender

An inmate sentenced under 1170(h) PC who has more than a year remaining on their sentence.

Any inmate sentenced on 243(E) or 273(A) or 273.5 or 422 PC who have more than 90 days remaining on their sentence.

187 PC Murder

207 PC Kidnapping

211 PC Robbery

215 PC Carjacking

236 PC False Imprisonment

245(A)(1) or (2) PC Assault with a Deadly Weapon W GBI (Reduce to 242 is okay)

450 PC Arson

646.9 PC Stalking

29800 or 29805 PC Felony Firearms Possession (Current Conviction)

(If Associated with Violent Behavior)

**7. MEDIUM FEMALE UNIT (SOUTH DORMITORY)**

The Medium Female Unit will be used to house in custody female prisoners who are determined to be eligible for classification of inmates as identified above. The exception being, only Minimum type sentenced female inmates may be used for work details outside the facility (car wash/laundry, etc.).

**8. MEDIUM FACILITY MANNING REQUIREMENTS**

The Control Room for this facility will be manned by an assigned Control Room Officer continually. Access doors to the Control Room shall only be opened long enough to pass through and then will be locked and secured; they shall never be left opened for convenience.

A floor officer, when assigned to the facility, will focus their attention on intermittent checks of the rear fenced in area of the facility, conducting required head counts, hourly fire and health safety checks of inmates, monitoring inmate activities and will be proactive at averting escapes, damages, thefts and assaults in the facility. The floor officer will also be responsible for feeding, and dressing inmates in and out of the facility. They will also be responsible for escorting visitors into and out of the visiting room of the facility to the facility sally port area.

**J121.16 – SECURITY SEGREGATION/LOCKDOWN PARAMETERS**

The procedures for a special Security Segregation/Lockdown may be initiated only by a jail supervisor or Jail Administration when an inmate(s) have indicated a propensity to be a danger or a threat to staff, have been combative with staff, or displayed unpredictable/unstable behavior.

Each will remain on a security lockdown as indicated until further notice from jail management. The supervisor will inform the status of the inmate to all other supervisors in the jail. The decision to remove an inmate from a Security Lockdown will be discussed and coordinated with the Jail Sergeants and Jail

Administration at least every two weeks or sooner if necessary. The placement and removal actions will be documented in the Events Screen for the inmate(s) involved.

Jail officers will continue to observe closely and document in reports any further violations the inmate commits and report any further behavioral problems with the inmate(s).

To improve flow of information and safety of staff, the following are the parameters for inmates placed on a Security Lockdown in our Single Cell Unit or elsewhere in the jail facility:

- **MOVEMENT:** Two officers will escort the inmate anytime movement is made within the jail facility and when an inmate is out of their assigned cell.
- **DAYROOM:** The inmate(s) will remain in their cells on 24-hour lockdown, this means no dayroom time.
- **VISITS:** The inmate(s) are allowed visits. The visits will be on the inmates visiting day except isolated from other inmates, escorted to visiting room and back by two officers.
- **RECREATION:** The inmate will be placed on the recreation yard at least 3 hours per week and must be escorted by two officers to and from the yard.
- **SHOWERS:** Showers will be given at least every 48-hour period. The inmate will be allowed unescorted entry into the dayroom shower stall for the shower and then return immediately to the lockdown cell. If the inmate refuses to return, two officers will be present to enforce the lockdown. The main jail shower room may be used for this procedure escorted by two officers.
- **PHONE USE:** The inmate will be not be allowed any telephone access. He may be escorted by 2 officers at the supervisor's discretion, to the Booking Area for attorney phone call only. This call will be made once per week day as requested on the dayshift only.
- **OTHER:** All other hygiene items, commissary, writing implements, and mail or correspondence is permitted in accordance with jail rules.
- **SHAKEDOWNS:** Shakedowns will be conducted frequently of the security violators and are encouraged.

\*Recreation, special phone calls, shakedowns and showers given to the inmate will be documented in the events screen for this inmate.

\*These rules for security purposes do not remain hard and fast and may be adjusted by a jail supervisor or administration at any time to meet our particular needs and depending on the circumstances involved in each case.

\*Inmates may request a reclassification hearing in 30 days per Title 15. However, it is so ordered, if this security lockdown is removed, inmates may continue to program separately and only allowed 1 hour of dayroom time by themselves for the remainder of their incarceration.

## J121.20 - CLASSIFICATION/SEGREGATION OF INMATES

The classification system considers a limited but significant list of variables which describes and identifies the

kinds of basic problems inmates may present to custody operations.

The system objectives are to specify the critical variables utilized in making housing decisions and to structure the decision-making process to reduce disparity in treatment of inmates. Specific objectives are as follows:

- [1] Provide the legally mandated segregation of prisoners, i.e. male from female, civil from criminal, mentally disturbed, physically dangerous or physically diseased from general population.
- [2] Reduce the number of assaults on both inmates and staff.
- [3] Provide for segregation of vulnerable prisoners from assault by aggressive prisoners, and both groups from the general population.
- [4] Provide for segregation by degree of security risk and criminal sophistication.
- [5] Provide no prisoner be held in a more secure status than their potential risk dictates.
- [6] Provide a system consistent with individual dignity and basic concepts of fairness.
- [7] Provide individual prisoners participation in decisions regarding their placement/designation.

#### J121.25 - CLASSIFICATION CRITERIA

Each incoming prisoner will be evaluated on a six-point scale in each of the following areas during booking. Additionally, the prisoner will be asked if there is anything staff should know before making a housing decision. Based on the evaluated areas the booking officer will issue the prisoner a wristband with the inmates' picture and housing location.

The classification and housing assignment will be recorded in the prisoner's classification package on the form provided, and also in the Central Square information/activity screen. The classification and housing assignment will be reviewed by a member of the Classification Committee.

Prisoners will be evaluated in each of the following areas:

- [1] Current charges - Lightweight misdemeanor to major violent felony charges
- [2] Criminal history - No record to multiple major felonies
- [3] Physical appearance - Small/mild to large/prison gang tattoos
- [4] Attitude at booking - Cooperative/pleasant to violent/combative
- [5] Medical issues - No medical problems to life threatening or suicidal
- [6] Gang Participation – dropout to active member

Each shift supervisor should fully evaluate the past and present charges and convictions on a prisoner to determine if that subject has any charge which they would consider a violent charge, a noteworthy charge, or if the inmate simply has a violent history. If the evaluation determines that subject falls into any of these categories, the prisoner will not be housed at Minimum or in the Medium Security Facilities.

If the shift supervisor is unsure about determining the prisoner's classification for Minimum or Medium Security Facility, the subject will be housed in the Main Jail Facility temporarily. The classification sheet will be marked "***needs further classification evaluation***", and it will be forwarded to the Jail Classification Sergeant or Jail Lieutenant for further determination.

Individual cell re-designations may be made by the shift supervisor to accommodate the housing of inmates as overcrowding may dictate (i.e., re-designating FE4 from female to male, or Max W6 is used

as Max W1 overflow, and MI Block from Male to Female tank). These situations are approved on a case by case basis. When a cell designation is changed a memorandum will be completed and forwarded to the Jail Classification Sergeant and the Jail Lieutenant immediately. A copy of the re-designation memo will be placed on the read file and a copy to each Sergeant and active OIC.

### J121.30 - ADDITIONAL CLASSIFICATION DETERMINANTS

Each of the following may contain sufficient cause on which to base a classification decision.

- [1] Escape history - Requires a documented source.
- [2] Gay/Homosexual - Either aggressive, wherein the inmate may make sexual advances or commit sexual assaults, or submissive, in which cases the inmate may become a victim. Mere sexual preference alone is not a factor that will justify a protective custody status.
- [3] Infamous/Notorious - When the inmate's criminal behavior received major news coverage or would cause immediate animosity from other inmates due to the nature of the charges.
- [4] Old/elderly - Physically frail or unable to resist if assaulted.
- [5] Psychiatric - Developmentally disabled, disoriented, incoherent, severely depressed or other symptoms. Notify Mental Health at once.
- [6] Suicidal - Indicated by statements or actions or by circumstances of arrest (i.e. homicide of loved one). House under direct observation and notify mental health at once.
- [7] Vulnerable - Physical characteristics or attitude render inmate susceptible to assault, or inmate has been victim of assault while in custody.
- [8] Medical - Contagious illness, active TB disease or possessing a disability evoking vulnerability to assault.

*NOTE: HIV positive is not a valid reason for segregation of an inmate.*

### J121.35 – CLASSIFICATION PROCEDURES FOR TRANSGENDER AND INTERSEX INMATES

Jail classification protocols have historically defined inmates according to gender standards that assign individuals to “male” or “female” classes. The objectivity of these classes can be perceived as discriminatory by transsexual or intersexed people. This policy will act to provide guidance in more effectively managing transgendered individuals.

#### **Definitions**

As used in this document, the following definition(s) shall apply:

**Gender Identity Disorder (GID):** A rare psychiatric disorder in which a person feels persistently uncomfortable about his or her anatomical sex and who typically seeks medical treatment, including hormonal therapy and surgery to bring about a permanent sex change.

**Transgender:** A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person’s assigned sex at birth.

**Hermaphrodite:** A person who has the sex organs and many of the secondary sex characteristics of both male and female.

**Transsexual:** A person predisposed to become a member of the opposite gender or a person who has been surgically or chemically altered to become the opposite gender.

**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 sex development.

#### **PROCEDURE A: Intake**

1. When an individual indicates they are transgendered or intersex at any time while in custody, or an inmate's gender identity, appearance, overt expression or behavior differs from their birth sex or genitalia, jail staff shall question the individual regarding sexual identity, gender identity or gender expression. Inmates shall not be disciplined for refusing to answer, or for not disclosing complete information in response to these questions.
2. **Booking Name:** When booking a transgender arrestee, the Sutter County Jail will use the arrestee's adopted name (i.e., non-birth name that the inmate uses in self reference) in the booking, either as the primary name or as the "also known as" ("a.k.a."). The transgender inmate will be booked under the name appearing on the inmate's official identification (e.g., driver's license), as well as under an "a.k.a." name if applicable. If no I.D. is available, then the Sheriff's Office will use the adopted name for booking purposes, either as the primary or the "a.k.a." name. Intake staff will follow their current protocol for determining identification.
3. All questions shall be asked in a respectful, manner and confidentially. It will be at this time that Statement of Preference form shall be completed.
4. A transgender inmate with a female gender identity, for example, should be issued and permitted to receive and possess the same undergarments issued to other female inmates.
5. Upon intake, when an inmate's gender-related expression, identity, appearance or behavior differs from their sex, staff shall place those inmates in one of the side cells in the intake area during intake, their status will be protective custody. If the inmate has been housed previously at this facility, prior housing assignment will be considered.

#### **PROCEDURE B: Housing Assignment**

1. After the completion of intake and the inmate has been identified as transgender or intersex, they shall be housed in one of the intake side cells on protective custody status consistent with the inmate's gender declaration for no more than 72 hours, excluding weekends and holidays until the Transgender Review Committee can arrange for their housing needs.
2. All transgender and intersex inmates shall be classified on a case-by-case basis based on security and health and safety needs, housing availability and gender identity.
3. The Transgender Review Committee shall determine if the inmate is to be housed in general population or in protective custody. The review committee will be comprised of the Jail Administrator or designee, a management member of the Medical Unit, a Classification Technician and a member of the security staff: The Transgender Review Committee will meet to decide appropriate housing within 72 hours of arrest not including weekends or holidays. The Transgender Review Committee will consider the following including but not limited to:
  - A. Institutional history (discipline, predator or prey behavior);
  - B. Charges;
  - C. Length of stay;
  - D. Inmate's identity preference;
  - E. Medical input/plan

- F. Inmate has marked or severe symptoms of a mental or physical illness that may require special housing.
- 4. The Transgender Review Committee shall avoid blanket housing policies, such as automatically putting all transgender inmates in segregation or automatically housing transgender inmates in the general population by gender identity.
- 5. While housed at the Sutter County Jail transgender, intersex and transsexual inmates shall not be discriminated against and shall not be subject to verbal or physical harassment or a hostile environment.
- 6. Inmates shall have the right to submit in writing to the Jail Lieutenant or Jail Commander when in disagreement with assigned housing.
- 7. Housing assignments shall be reassessed at least twice per year to review any threats to safety experienced by the inmate.
- 8. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.

#### **PROCEDURE C: Medical Treatment**

- 1. Transgender inmates are recognized to have a serious medical condition, decisions as to whether to treat and what form of treatment is required are medically based.
- 2. Transgender, transsexual, gender variant and intersex inmates shall have access to Medical and Mental Health Care.
- 3. Security issues in housing the inmate remain paramount. However, the decision to treat an inmate and the type of treatment provided a transgender inmate must be based on the severity of the diagnosis.
- 4. The intake nurse will notify the Health Services Administrator or designee that a Transgender inmate has been identified. During the health screening process, if possible, it will be determined whether the inmate has been a victim or has a history of predation. This critical information will be forwarded to the Jail Sergeant.
- 5. The Jail Lieutenant or Jail Commander the Wellpath Nurse Manager and the Wellpath Medical Provider or other provider designee will meet for consultation strategies for managing the transgender inmate medically.

Transgender patients who received hormone therapy with or without a prescription prior to incarceration shall have that therapy continued without interruption pending evaluation by a specialist, absent urgent medical reasons to the contrary. When determined to be medically necessary for a particular patient, hormone therapy should be initiated, and regular laboratory monitoring should be conducted according to community medical standards.

- 6. Transgender inmates should be permitted to dress, groom, and use names and pronouns that are consistent with their gender identity.

#### **J121.40 - ADMINISTRATIVE SEGREGATION**

In accordance with Title 15, Section 1053, the Jail provides for the administrative segregation of inmates who

are deemed prone to escape, assaultive towards staff or other inmates, disruptive to jail operations, or if segregation is determined necessary for the welfare of the inmates and/or staff.

Administrative segregation shall consist of separate and secure housing but shall not involve any other deprivation of privileges other than is necessary to obtain the objective of protecting inmates and staff. Administrative segregation is not, and must not, be confused with punishment or discipline.

#### **J121.45 - CLASSIFICATION OF HOMOSEXUALS**

When jail staff become aware of an inmate who is displaying conspicuous and blatant homosexual behavior the circumstances shall be documented in a memorandum forwarded to the Jail Lieutenant.

Although inmates are not segregated based merely on sexual preference, the Jail Sergeant shall make the decision to segregate and relocate the inmate based on the need to provide for the inmate's safety and the safety of others.

#### **J121.50 - CLASSIFICATION/COMMUNICABLE DISEASE**

In accordance with Title 15, Section 1052, the Jail requires segregation of all inmates with suspected communicable diseases until a medical evaluation is completed. Intake officers must readily identify inmates unacceptable for booking or who pose a potential Communicable Disease. Booking officers must be alert and ready to respond to key observations and information with appropriate precautions. All Jail Staff are trained to recognize Communicable Diseases during First Aid and CPR Training. Staff are to report to a supervisor or Wellpath anytime an inmate is exhibiting signs or symptoms of a communicable disease.

The decision to segregate an inmate will be made immediately after custody staff has reason to suspect that an inmate may have a communicable disease. This is a short-term decision intended to keep the inmate from having further contact with the general population until medical staff have had an opportunity to complete an evaluation. Temporary isolated housing may include a Holding Cell, Observation Cell, Negative Airflow Room, or Medical Cell.

To determine if such segregation shall be made in the absence of medically trained personnel at the time of intake into the facility, an inquiry shall be made of the person being booked as to whether or not he/she has or has had any communicable diseases or has observable symptoms of communicable diseases, including but not limited to, tuberculosis, other airborne diseases, or other special medical problems identified by the health authority. The response shall be noted during the medical screening.

Wellpath Medical Services staff will immediately contact jail staff with a medical assessment.

The on-duty Shift Supervisor or Sergeant will make the decision to transfer, house or segregate the inmate. This decision can be made in coordination with the Jail Lieutenant or Jail Facility Manager. Where there is a time lag between the intake and medical evaluation, the on-duty Shift Supervisor or Sergeant must be clear about what to do with, and where to house people who have or may have communicable diseases.

The facility is able to separate an inmate who has, or may have, a potentially serious contagious illness from other inmates. The on-duty Shift Supervisor or Sergeant shall:

- [1] Not accept the person into the jail, and have the arresting officer medically clear the arrestee prior to acceptance; or

- [2] Arrange to transport the subject to Rideout Emergency Room for further evaluation; or
- [3] Place inmate in the Negative Airflow Isolation Room.

In the case of airborne diseases, consult with the Wellpath Medical Services Medical Director or Jail Nurse Manager as to what provisions must be made for the specific airborne disease to prevent spread of the disease throughout the facility and what precautions are recommended for the situation (i.e. appropriate masking). Sutter County Jail is not equipped with any capacity for negative pressure respiratory isolation.

#### **J121.60 - CLASSIFICATION/MENTALLY DISORDERED INMATES**

In accordance with Title 15, Section 1052, the Jail will identify, evaluate and provide for the segregation of all mentally disordered inmates. If an evaluation from medical or mental health staff is not readily available, an inmate shall be considered mentally disordered if he or she appears to be a danger to him/her self or others or if he/she appears gravely disabled. An evaluation from medical or mental health staff shall be secured within 24 hours of identification or at the next daily sick call, whichever is earliest.

Inmates with suspected mental disorders, who are a potential danger to themselves or others or appear to be gravely disabled shall be promptly evaluated and, if clinically indicated, transferred to an appropriate psychiatric treatment facility. Although mental disorders are often evident at the time of initial booking, inmates may become symptomatic at any stage of incarceration. Regardless of the time of presentation, significantly disordered behavior should be evaluated promptly, within twenty-four hours at the latest.

The Jail Lieutenant or Jail Facility Manager will be contacted and will make every effort to transfer mentally disordered inmates to appropriate treatment facilities. All attempts and efforts to implement the transfer of such inmates, whether successful or not shall be documented.

The segregation of mentally disordered inmates should be based on behavioral factors, not solely on the existence of a psychiatric diagnosis. Not all inmates suffering from a mental disability need to be in special, protected housing. Inmates with mental disorders vary greatly in their capacity to protect themselves. However, those who lack the ability to protect themselves are subject to becoming victims and need to be in special housing that provides a sheltered living environment.

Not all mentally disordered inmates are a danger to themselves or others. The on-duty Shift Supervisor or Sergeant shall discriminate between those who appear violent and those who appear to be gravely disabled; the latter being people who lack the ability to provide clothing, food and shelter for themselves and, in the jail context, may be unable to take advantage of those items as provided.

When there are no alternative options and the inmate stays in custody, the on-duty Shift Supervisor or Sergeant shall identify them and protect them from abuse in the general population or from injuring themselves or others.

It is not always necessary to transfer a mentally disordered inmate for evaluation or treatment. If properly trained mental health staff come to the jail to evaluate an inmate and can establish an effective outpatient treatment plan that does not require admission to a psychiatric facility, the inmate can then appropriately remain in the custody setting.

## **J121.65 - USE OF OBSERVATION CELL**

The Male and Female Observation Cells shall be used for observing a person who needs to be monitored for a specific reason. For instance, an inmate who needs to be watched for a particular medical reason, one who is experiencing or exhibiting the effects of stimulants, behavior which prohibits the inmate from being in their housing unit or one who is stepping down from the Safety Cell. The reason will be indicated on the current Observation Sheet. The Observation Sheet will be used as previous editions. Watches in the Observation Cell may be conducted at 30 or 15 minutes depending on circumstances.

**MONITORING INTOXICATED INMATES:** The Observation Cell shall be used for the holding of inmates who are a threat to their own safety or the safety of others due to their state of intoxication. Such inmates shall be removed from the Observation cell as they are able to continue in the booking process. In no case shall an inmate remain in a Observation cell over six (6) hours without evaluation by medical staff, or an evaluation by custody staff, to determine whether the prisoner has an urgent medical problem. Intermittent direct visual observation of inmates held in the Observation cell shall be conducted no less than every half hour. Well Path Medical Services staff must be notified promptly when a person is placed in the Observation Cell. At 12 hours from the time of placement, an evaluation by health care staff is needed.

At intake jail staff must distinguish between several levels of intoxication to make appropriate decisions related to the intake and housing of inebriated inmates. In order to be allowed intake into the jail, the inmate must be able to respond verbally to stimulation and walk into the jail without assistance. Some inmates may be intoxicated to some level but are not a threat to their own safety or the safety of others due to their state of intoxication. These inmates may not need to be placed in an Observation cell. They may be placed in a holding cell. However, they should be observed for a sufficient length of time to validate the decision that they do not require time in an Observation cell. When in doubt, consult Well Path Medical Services staff.

Other inmates will be intoxicated enough to require they be placed in the Observation cell until they sober up sufficiently to be moved through the booking process and on to general housing. Those inmates who show signs of, or there is evidence of, extreme intoxication or the ingestion of large quantities of alcohol require immediate emergency medical treatment at the hospital Emergency Department prior to handling them at the jail. Finally, some inmates will need long-term detoxification under supervision Well Path Medical Services or in the hospital. These inmates will require a referral to an appropriate alcohol/drug program after they are sober and have been processed into housing.

To be held in an Observation cell the inmate must be conscious, respond to simple commands, have no difficulty breathing and not appear to be acutely ill or have apparent injuries. In order to be initially placed in the Observation cell inmates must be able to respond verbally to stimulation and walk to the cell with minimal assistance.

Initial observations at the time of booking and continued observations while the inmate is in the Observation cell include looking for signs of deterioration of the arrestee's condition, such as:

Tremors/shakes  
Excessive Sweating  
Difficulty walking

Disorientation

Hallucinating (Talking to walls, self, etc.)

Severe agitation/violent behavior

Failure to respond to pain stimuli

Seizures

Difficulty breathing

Pale or blue (cyanotic) skin color

Excessive or projectile vomiting

Unusual odor to breath; may be fruity or acetone like odor, which can be a symptom of diabetes

Exhibiting signs of excited delirium

The above are symptoms of serious and possibly life-threatening reactions to substance abuse, which can occur during detoxification. If any of these signs/symptoms appear, contact medical staff immediately. If medical staff is not available, summon emergency medical personnel.

When in doubt about an inmate's suitability for acceptance into the jail or placement in the Observation cell, obtain a medical assessment by Well Path Medical Services or send the arrestee to Rideout Emergency Room for assessment prior to accepting the subject from the arresting officer or placing the subject into the Observation cell.

“Detoxification” has a different meaning for medical professionals and for most lay people. Detoxification is the medical process for extended treatment beyond the initial period of “Observation up” or “drying out,” both of which occur in jails. The Observation cell functions only as a closely monitored Observation station. It is not a place where inmates should be held if they have life threatening withdrawal symptoms, nor is it the place for long-term detoxification, which must occur in medical or general housing areas, under proper medical attention and monitoring.

Often the arresting officer will have performed an initial assessment to determine whether to bring an offender to the jail or to take him or her to a detoxification or other medical facility; however, alcohol toxicity may mask other medical conditions. The receiving floor officer and booking officer must be extremely careful when assessing the condition of the person prior to accepting him or her, and also during the booking and screening process. When in doubt staff should bring the situation to the attention of the Jail Sergeant and immediately ask Well Path Medical Services for a medical assessment as soon as questions or concerns arise.

Staff who receive and/or book inmates must be observant to their condition and look beyond the charges for which individuals are brought into the jail. Not all inebriated people need the protection of the Observation cell. Also, not all those who should be placed in the cell are immediately identifiable as inebriated. In some instances, the ingestion may have been so recent that the impact of alcohol or other drugs may not be immediately evident. Staff should visually screen each arrestee to ensure the person is not ill or injured in some way; the inmate may, or may not, be able to cooperate with the Medical Receiving/Screening, so it will fall to staff to make an initial determination of suitability for placement in the Observation cell based on visual observation, rather than entirely by the information received from the inmate. If the inmate is admitted to the facility, but the medical receiving screening and Classification Procedures cannot go forward due to the inmate's apparent inebriation, the inmate must be closely monitored in the Observation cell and removed to continue with the processing as soon as it is possible to

do so. Notify Well Path Medical Services as soon as possible when someone is placed in the Observation Cell and they will initiate their procedures for medical monitoring for the Observation Cell.

Incompatible people cannot be housed together in the Observation cell; however, when the booking process cannot be completed due to the state of intoxication, staff may not be aware that they are incompatible. This is another reason for careful and frequent monitoring of inmates in the Observation cell. Sober inmates should be removed from the Observation cell as soon as possible, to reduce the likelihood of fights occurring in the cell.

Direct visual observation for inmates in Observation cells will be conducted at least every half hour or more frequently if necessary. The observing staff member is looking to promptly identify signs of deteriorating medical conditions (i.e., the inmate is less easily aroused, a decreasing ability to follow simple commands, the inmate has difficulty breathing, or appears acutely ill). Because some drug and alcohol related illnesses are potentially life threatening, monitoring inmates in the Observation cell is especially important. Staff must be ready to recognize mild to moderate intoxication, more serious intoxication, withdrawal and deteriorating conditions. Jail staff should be alert for inmates who may have ingested large quantities of alcohol just prior to arrest. During operating hours, notify Well Path Medical Services immediately if the inmate's condition appears to be deteriorating.

Each half hour observation should include:

- a. Observation of the inmate's breathing to determine that breathing is regular. Breathing should not be erratic nor indicate that the person is having difficulty breathing. Loud, heavy snoring sound in respiration is an indication of difficulty in breathing.
- b. Observation of the inmate to ensure that there has been no vomiting while sleeping. Ensuring that intoxicated persons remain on their side rather than on their back will prevent aspiration of stomach contents.
- c. An arousal attempt to ensure that the person will respond to verbal or pressure stimulation. This is the most important monitoring procedure for jail staff in non-medical settings. If unable to obtain verbal response to stimulation, the officer must go in and attempt to arouse the person to assess consciousness.

Observation by closed circuit television (CCTV) can be used to supplement, but not replace, the required direct visual observation by staff.

A documented medical evaluation is required if an inmate is to remain in the Observation cell more than six hours. This evaluation can be done by medical staff or by custody staff. If Well Path Medical Services staff is on duty, they will conduct this evaluation. The intent of this check is to determine if the inmate's condition is improving and/or if there may be an underlying condition that may require medical attention. If the inmate does not show signs of improvement (not just "sleeping it off") within six hours, there may be other medical considerations which need to be addressed and recorded by the person doing the check, along with any pertinent observations of the inmate's behavior. The Observation Cell will have a Cell Activity Log and a separate Observation Log will be maintained for each individual. Any actions taken should also be noted in the Observation Log. The logs will be monitored by the Jail Facility Manager or

Jail Lieutenant to assure entries are consistently and accurately recorded.

**SAFETY CELL STEP-DOWN:** To establish guidelines for placement of an inmate into a cell that is less restrictive than a safety cell, but still offers the ability for the inmate to be monitored when the inmate is not suitable for housing due to a mental or behavioral disorder. This policy outlines when the Observation Cell can be used as a “Step-Down Cell”, the duration of any placement into the cell and what accommodations, if any, are required.

**Definitions:**

- a. Acutely suicidal (active) inmates – those who engage in self-injurious behavior or threaten suicide with a specific plan.
- b. Non-acutely suicidal inmates – those who express passive current suicidal ideation (e.g., expressing a wish to die without a specific threat or plan) and/or have a recent prior history of self-destructive behavior.
- c. The Step-Down Cell will be synonymous with Male and Female Observation Cells, as modifications have been made to this cell to accommodate those inmates identified as non-acutely suicidal inmates. However, based on availability the shift supervisor may authorize an inmate to be placed in a Holding Cell until such time the Step-Down Cell becomes available or the inmate is cleared for other suitable housing.

**Suicide Precautions:**

Acutely suicidal (actively suicidal) inmates should be placed under observation, generally in the Safety Cell or equivalent. The Sutter County Jail Operations Manual, section J121.70 – Use of Safety Cell - outlines appropriate procedures.

**Requirements:**

- a. All reasonable efforts should be made to reduce the time an inmate spends in a Safety Cell or Step-Down Cell.
- b. When an inmate is determined by a Qualified Mental Health Professional (Well Path) to be Non-acutely suicidal, the inmate shall be placed in the Step-Down Cell.
- c. There is no requirement that an inmate must first be placed in a Safety Cell prior to being placed in the Step-Down Cell. Placement is based on whether the inmate is determined to be Non-acutely suicidal.
- d. Staff will complete visual observations at least twice every 30 minutes; the checks must occur at irregular and unpredictable intervals. All safety checks with observations are recorded on the Inmate Step-Down Cell Check Sheet.
- e. The Step-Down Cell is not used for punitive purposes.
- f. A jail incident report will be taken at the time of placement in the Observation Cell on Step-Down.

If the inmate is being placed in the Step-Down Cell directly from a Safety Cell, then the original report can be supplemented to document the change in location.

#### **Time Lines:**

The following timelines will be adhered to:

- a. All reasonable attempts should be made to remove the inmate from the Step-Down Cell as soon as possible. If the inmate has been housed in the Step-Down Cell and Safety Cell for a combination of (120) consecutive hours, and cannot be returned to less restrictive housing, he/she shall be immediately transferred to an impatient mental health facility or hospital emergency room for assessment and care.
- b. All inmates placed in a Step-Down Cell shall be evaluated once every (6) hours by medical staff, and at least once every (12) hours by a Qualified Mental Health Professional (Well Path).
- c. Inmates may be housed in a Step-Down Cell for more than (24) consecutive hours so long as every (24) hours a Qualified Mental Health Professional (Well Path), after consulting with a Psychiatrist, agrees to the continued placement.
- d. The Contracted Medical Provider (Well Path) will conduct additional checks on those housed in the Step-Down Cell in compliance with their own policies and procedures.

#### **Accommodations:**

Inmates placed in the Step-Down Cell will be provided with a suicide resistant gown, or other suicide resistant clothing if available at the sergeant's discretion.

Inmates placed in the Step-Down Cell shall be provided with a plastic shuttle bed, mattress, and suicide resistant blanket between the hours of 2300 and 0600 unless it is deemed unsafe to do so by the shift supervisor. Any reason(s) for not providing any of these accommodations shall be documented on the Observation Cell Check Sheet by the shift supervisor.

#### **Audits:**

The Jail Lieutenant, or their designee, will conduct a weekly audit of all Step-Down Cell placements to ensure compliance with policy. Any issues will be brought to the attention of the Division Commander or Jail Lieutenant for corrective action.

#### **Training:**

The Jail Lieutenant will be responsible for ensuring any issues noted during weekly audits are addressed through proper training. Additionally, a review of this policy will be required by all correctional staff on an annual basis.

#### **J121.70 - USE OF SAFETY CELL**

The Safety Cell is to be used to hold only those inmates who display behavior which results in the destruction of property or reveals intent to cause physical harm to themselves or others. Only one inmate can be held in a safety cell at a time.

Such an inmate shall be placed in a safety cell only with the approval of the duty Sergeant, responsible health

care staff member or a physician. The safety cell will not be used for discipline, nor is it intended to be a long-term housing option. Wellpath Medical Services, must be notified promptly when an inmate is placed into the Safety Cell. The light will remain on while an inmate is housed in the safety cell.

There are five (5) important checks required for safety cell use:

- [1] Direct visual observation shall be provided and logged at least twice every thirty (30) minutes.
- [2] Continued retention in such a cell shall be reviewed by a supervisor a minimum of every four (4) hours thereafter.
- [3] A medical assessment upon placement shall be secured as soon as possible from Wellpath Medical Services staff and in all cases within twelve (12) hours. This assessment will help determine whether the inmate has a serious medical condition that is being masked by the aggressive behavior.
- [4] The inmate shall be medically cleared for continued retention every twenty-four (24) hours after the initial assessment.
- [5] A Mental Health evaluation must occur within twelve (12) hours of placement in the safety cell to determine the inmate's need for mental health services.

In all cases where a subject is placed in the safety cell, a Nursing Assessment will be done by the RN Supervisor or the Nurse Practitioner as soon as can be reasonably arranged but **within a maximum of 12 hours of placement** of an inmate patient in the Cell or during the **next daily RN Supervisor's shift** whichever is earliest. This assessment shall be repeated at a minimum frequency, **every 24 hours thereafter**. This assessment will be to look at the subject's condition and submit an opinion for the subject's continued retention in such room or the subject's removal. An inmate who is placed in the Safety Cell due to suicidal risk may not be removed from the Safety cell except by release by a Mental Health staff member.

The Safety Cell will have a Cell Activity Log and a separate Observation Log will be maintained. All checks must be documented with the PIPE/Wallet or with actual time recorded by the person doing the check, along with any pertinent observations of the inmate's behavior on the log sheet. Staff's initials and I.D. number on the Safety Cell Observation Log verify that the inmate/arrestee held in the Safety Cell was breathing normally and responsive at the time of the 15-minute check. Any actions taken should also be noted in the Observation Log or with the PIPE. The logs will be monitored by the Jail Facility Manager or Jail Lieutenant to assure entries are consistently and accurately recorded.

Whenever an inmate/arrestee is placed in the Safety Cell a Sutter County Jail Incident Report will be generated describing the reason for placement in the Safety Cell, whether the clothes were removed, a safety smock and/or was blanket issued, who was notified on the medical staff, along with any other circumstance(s) pertinent to the placement in the Safety Cell.

Custody Staff will notify Medical Staff when a subject is placed into the Safety Cell for observation. If it is determined the subject can be moved to the Holding Cell, Custody Staff will again notify Medical Staff if the inmate is still under the influence of alcohol or drugs or has a medical condition, so continued assessments can be made of the subject.

The decision to remove clothing should be based on a clear justification that retention of clothing represents a risk to the safety of the individual or to facility security. Such a decision should be individual to each incident. The reasoning for such a decision is to be documented in writing on the cell log, observation sheet and incident

reports. If clothing is removed the inmate shall be given a safety smock and/or safety blanket to wear. There are two (2) safety blankets for use when needed in cases where inmates are in smocks.

Inmates housed in safety cells shall be provided toilet tissue upon their request.

Inmates confined in safety cells shall be served food representative of that being served to the general population inmates, meeting the nutritional level for the recommended daily allowance established by the Food and Nutrition Board. For the safety of the inmate, food should be served on a Styrofoam or paper plate. At no time shall food be withheld, or the standards vary as a disciplinary sanction for any inmate placed within a safety cell.

Because there is no access to water inside the cell, officers will encourage inmates to drink fluids each time a direct visual observation is logged. The fluids shall be placed in a Styrofoam or paper cup.

#### **J121.75 - USE OF PHYSICAL RESTRAINTS WITHIN THE SAFETY CELL**

*Note: The provisions of this section apply to the use of restraints within the safety cell and do not apply to the routine use of handcuffs, shackles or other restraint devices when used to restrain inmates for security reasons.*

Physical restraints may only be used within the safety cell to hold inmates who display behavior that results in the destruction of property or reveals intent to cause harm to self or others, and when it appears less restrictive alternatives would be ineffective in controlling the disordered behavior.

Physical restraints are devices that immobilize an inmate's extremities and/or limit physical mobility. Mechanical restraints (i.e. belly chains, leg irons, etc.) should be avoided in favor of devices designed for safer use over more prolonged periods of time.

The decision to place an inmate in restraints shall be made by the Jail Facility Manager, Lieutenant, on-duty Sergeant, or designated county medical personnel.

Restraints are not to be used as discipline or as a substitute for treatment. All requirements under J121.70 for safety cells shall apply.

Restrained inmates must be protected from potential abuse by other inmates; therefore, restrained inmates shall be housed alone within the safety cell. Care will be taken to ensure the inmate is as comfortable as conditions permit. Inmates in restraints will receive proper hydration, nutrition and exercising of their extremities. Their sanitation needs will also be met. Cardiopulmonary resuscitation equipment is available for use in the case of an emergency (refer to J114.80 Automated External Defibrillator - AED).

There are four (4) important checks that must be performed when an inmate is held in restraints. These checks will help identify signs and symptoms that should result in an immediate medical/mental health referral:

- [1] Direct visual observation shall be provided and logged at least twice every thirty (30) minutes.
- [2] There must be a documented review for continued retention in restraints at least every hour (1) after initial placement in restraints. **These ONE-hour time frames are decision-making points.** The decision to continue an inmate in restraints is up to the Jail Facility Manager, Lieutenant, on-duty Sergeant or designated county medical personnel.
- [3] A medical opinion shall be secured as soon as possible, but no later than one (1) hour after placement in

restraints. This opinion will help determine whether the inmate has a serious medical condition that is being masked by aggressive behavior.

- [4] A medical assessment will be conducted within four (4) hours after the initial medical opinion to determine the appropriateness of continuing restraints.
- [5] A mental health evaluation must occur after eight (8) hours of placement in restraints to assess whether or not the inmate needs immediate and/or long-term mental health treatment.

Exigent circumstances such as fire, cessation of breathing or heart attack may dictate immediate removal of restraints. Any exigent circumstance resulting in the emergency removal of physical restraints shall be documented and forwarded to the Jail Facility Manager.

No part of this policy will be construed as to contradict standing directives regarding the reporting of the use of force.

## J121.80 - DISABILITY ACCOMMODATIONS

Title: ***Disability - Accommodations*** - Detention Division Version: 9/5/2019

## POLICY STATEMENT

The Sutter County Sheriff's Office will not discriminate against a qualified individual based on disability in providing access to its detention facilities, programs, services and activities.

## DEFINITIONS:

ADA Americans with Disabilities Act

ADA COORDINATOR	<p>An employee of the office (Disciplinary Grievance Officer) designated to:</p> <ul style="list-style-type: none"><li>A. Review applicable ADA requests, complaints or grievances and respond on behalf of the office.</li><li>B. Maintain the division's ADA Files.</li><li>C. Provide training to staff on ADA issues.</li><li>D. Keep the ADA Division Representative informed of all ADA issues.</li></ul>
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ADA DIVISION  
REPRESENTATIVE      An employee of the office (Administrative Lieutenant)  
designated to:

- A. Represent the Sutter County Sheriff's Office on ADA Issues.
- B. Review unresolved requests, complaints or grievances and respond on behalf of the office.
- C. Supervise the ADA Coordinator

**DISABLED** For the purposes of coverage under the ADA, a person with a disability is defined as one who:

- A. Has a physical or mental impairment that substantially limits one or more major life activities; or
- B. Has a record of such an impairment; or

C. Is regarded as having such impairment.

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 inmates at all levels from sexual assault from other inmates and facility staff.
PROSTHESIS	A device used to replace a defective or missing part of the body.
SERVICE ANIMAL	ADA defines a service animal as any dog, individually trained to work or perform for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
PURPLE SYSTEM	A telecommunication device that allows a hearing-impaired person to use the PURPLE computer system for conversation.

## **MANDATES**

*Title II of the Americans with Disabilities Act (ADA) 1993. Americans with Disabilities Act Amendments Act of 2008*

*Yeskey vs. Pennsylvania (1998) - Yeskey sued the Pennsylvania Department of Corrections for refusing him admission to a program based on his disability. Yeskey alleged that the exclusion violated ADA, Title II that prohibits a "public entity" from discriminating against a "qualified individual with a disability" on account of that disability. The Third Circuit court accepted the claim, state prisons fall squarely within Title II's statutory definition of "public entity," which includes any instrumentality of State or Local Government.*

*Penal Code: 2656, 6030 Title 15: 1061, 1206(d)*

*Individuals with Disabilities Education Improvement (IDEA) Act of 2004 Prison Rape Elimination Act of 2003*

*Department of Justice National PREA Standards  
28 CFR 115.16*

## **GENERAL INFORMATION**

The purpose of this policy is to set guidelines for compliance with Title II of the Americans with Disabilities Act (ADA) for inmates, staff and for those persons having legitimate business within the detention facilities of the Sutter County Sheriff's Office.

## **COMPLIANCE WITH PREA**

- A. The Sheriff's Office will take the appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are sight impaired or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the Sheriff Office's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

- B. The Sheriff's Office will 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 written materials are provided in formats or through methods which 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.

- C. Inmate interpreters, inmate readers, or other types of inmate assistants will not be used except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-responder's duties or the investigation of the inmate's allegations.

## **COMPLIANCE WITH ADA**

- A. An impairment which substantially limits one major life activity need not limit other major life activities to be considered a disability.
- B. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
- C. The Sutter County Sheriff's Office will not discriminate against inmates or members of the public based on disability in providing access to its detention facilities, programs, services and activities.
  1. The Americans with Disabilities Act Inmate Notice will be prominently posted in all inmate-housing units.
  2. The Americans with Disabilities Act Public Notice will be prominently posted at the public entrances of the Main Jail Lobby and the Medium Custody Facility.
- D. Persons with a disability are entitled to an equal opportunity to participate in programs, services, or activities offered by the Sutter County Sheriff's Office.
- E. Special Education classes will be provided to inmates who qualify under the IDEA Act of 2004 and eligibility will be determined by the Jail Lieutenant or his designee.
- F. Disabled inmates may be refused participation in services, programs, or activities at a facility they may otherwise be entitled to if there is a safety and security concern to themselves, other inmates, public, staff, or the facility.
  1. If an inmate is refused participation due to a safety and security concern, the Jail Commander or Jail Lieutenant will be notified.
- G. Temporary disability conditions are generally not covered by ADA and certain conditions are expressly excluded from ADA coverage. Medical staff in accordance with ADA policy and procedures and the ADA representative will make this determination.
- H. A telecommunication device for hearing-impaired (PURPLE SYSTEM) is available for use by attorneys, volunteers, program providers upon request. The PURPLE SYSTEM is available to all inmates in the jail who are hearing impaired.

- I. Disabled visitors will be afforded the same visiting privileges as non-disabled visitors.

## **FORMS**

- A. Custody and medical staff must use the Inmate Disability Evaluation Form report to verify an inmate's disability. Wellpath Medical staff will determine and document if a disability exists. Classification staff will determine the appropriate housing.
- B. The Disability Tracking Form will be used by booking staff to track inmates who have a physical impairment or disability and to ensure that the appropriate accommodations are provided. This form will be distributed to Medical Staff and the ADA Coordinator.
- C. The ADA Request for Accommodation Form may be used by an inmate to formally request accommodation for a Disability. The inmate must sign the form at the bottom and turn it in to custody staff. After review of the form, medical staff must sign the form and determine if the inmate is eligible for an accommodation. The inmate will fill out Sections A and B. Medical Staff will fill out Section C, if necessary.
- D. The ADA Coordinator will use the ADA Coordinator Review Form when an inmate accommodation has been denied, a grievance has been filed, an alternate accommodation is proposed, a safety and security issue exist related to the accommodation request, or there is a financial or administrative issue.
- E. The Record of Contact Form will be filed in the ADA Coordinator's Inmate files. The form will be used to document interaction or discussions the ADA Coordinator has with the inmate, staff or visitors regarding accommodations and ADA issues.
- F. The Accommodations for Hearing Impaired Form will be given to every inmate who is hearing impaired. This form is a general information form that is used to inform the inmate of his/her rights and services that are available to them while incarcerated. The inmate will sign the form and receive a copy, a copy will be forwarded to the ADA Coordinator and the original form will be placed in the inmate's file folder.
- G. The Pre-Booking Medical/Mental Health Screening Form will be used to evaluate medical conditions, mental health status, and to evaluate an arrestee's need for any special accommodations because of a disability. This screening will be conducted at intake to ascertain whether the individual will be accepted into custody; to determine if they need immediate medical or mental health treatment; and to provide medical and/or mental health information relating to housing, classification, and the handling of inmates.
- H. The Hearing-Impaired Inmate Services Form is an addendum to the Pre-Booking Medical/Mental Health Screening Form and will be used to document information which will be useful and/or important to medical, classification staff, and the ADA Coordinator, and to provide immediate accommodations for hearing impaired inmates.

## **ACCOMMODATIONS FOR DISABLED PERSONS**

- A. Custody Staff will inform disabled visitors that they may request an accommodation.
- B. Custody Staff will inform disabled volunteers that they may request an

accommodation.

C. Custody/Medical Staff will inform disabled inmates that they may request accommodation as follows:

1. An inmate may notify custody or medical staff orally or in writing of his/her request.
2. An inmate may submit an ADA Request for Accommodation Form.
3. A third party such as an inmate's family member or friend may request an accommodation on behalf of the inmate.
4. If there is an unresolved request regarding a disability or an accommodation, an inmate may submit an Inmate Grievance Form.

#### **ACCOMODATIONS FOR INMATES IDENTIFIED AS DISABLED**

A. The medical screening process during intake, gives staff the ability to identify most disabilities and the need for accommodations prior to the housing of the inmate.

B. Corrections staff will ensure hearing-impaired inmates are provided with the Accommodations for Hearing Impaired Form.

C. Medical Staff will provide or recommend the necessary medical equipment. (Example: wheelchairs, walkers, canes, beds, breathing equipment, etc.)

D. Corrections staff will make every attempt to ensure that hearing impaired inmates will be provided with any equipment necessary to communicate effectively.

E. Corrections staff will make every attempt to ensure hearing and sight impaired inmates are provided with the equipment and/or services necessary to achieve effective communication.

1. Every effort will be made to provide blind and deaf inmates with a tactile interpreter when necessary to communicate effectively.
2. When corrections staff are unable to communicate with an inmate who is blind and deaf, the following will be notified in a timely manner: the on-duty shift supervisor, the ADA Representative and the Jail Commander or Jail Lieutenant.

F. Corrections staff will ensure hearing impaired inmates will be provided with equipment necessary to communicate effectively.

1. A portable PURPLE Computer machine is available upon request in booking at the Main Jail and is available for use during official duty hours.
2. Each module/unit has an amplified telephone available for use.
3. A written record will be maintained for the use of the portable PURPLE machine.

G. Staff may communicate with hearing-impaired inmates for simple daily interactions in the method most effective for the situation including but not limited to:

1. Custody staff will allow hearing impaired inmates to utilize a pad and writing implement as a means of communication; however, such items may be temporarily removed when the safety and security of the inmate, other inmates or staff is at risk.
2. Custody staff will document in the Inmate's Management Notes and notify the ADA Coordinator when writing materials are taken from a deaf or hearing-impaired inmate due to safety and security concerns.
3. Custody staff will notify the ADA Coordinator and return the writing materials to the inmate as soon as possible after the safety or security concerns are resolved.
4. A sign language interpreter may be utilized when it is necessary.
5. All housing units with hearing impaired inmates will have closed-captioned televisions.

#### **DISABLED INMATE NOTIFICATIONS**

- A. The Sutter County Sheriff's Office will ensure there is a process for all disabled inmates to be notified of emergencies, interviews, appointments, court appearances, meals, medical assessments, medication times, visiting and other announcements and information regarding inmate services by the most effective means possible.
- B. Communications to disabled inmates for inmate services may be provided by personal contact, placards, written notes or verbal explanations.
- C. Visual and Audible alarms are utilized at each facility; however, notification of an emergency evacuation will be done individually, when appropriate, contacting the disabled inmates in the facility and ensuring the inmates are assisted in their evacuation.

#### **DISABLED VISITOR ACCOMMODATIONS**

- A. The Sutter County Sheriff's Office will make every possible effort to ensure accommodations are available to disabled visitors.
- B. A special room with a Purple Computer is available for hearing impaired at the Main Jail Interview Room #1.
- C. A staff member, if necessary, will escort vision-impaired visitors to the designated visiting area.
- D. Visitors with a disability may request assistance getting to their designated visiting area.
- E. Service animals may accompany an inmate visitor into the facility during their visit.
  1. Examples of service animals +may include, but are not limited to, alerting persons with hearing impairments to sounds, pulling wheelchairs or carrying and picking up things for persons with mobility impairments, or assisting persons with mobility impairments with balance.

- a. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.
2. Visitors may be asked if their animal is a service animal and required because of a disability, and what tasks the animal has been trained to perform. Verification is not required. No inquiry into the visitor's disability may be made.
3. The care and supervision of a service animal is solely the responsibility of their owner and they may not be segregated from each other.
4. A visitor with a disability cannot be asked to remove their service animal unless:
  - a. The animal is out of control and the animal's owner does not take effective action to control the animal.
  - b. The animal poses a direct threat to the health or safety of others.

## **PROCEDURES**

### **IDENTIFYING DISABLED INMATES DURING BOOKING PROCESS**

- A. The medical screening process during intake gives the jail the ability to identify most disabilities and the need for accommodations prior to the housing of the inmate.
- B. It is the responsibility of booking and medical staff to assess inmates upon admission for evidence of a disability or special management need. This assessment information will be entered on the Pre-Booking Medical/Mental Health Screening Form, the Inmate Disability Evaluation Form, and if applicable, on the Classification Health Services Input Form.
  1. The inmate's prior custody or medical records may indicate previous accommodations or requests.
  2. Custody or medical staff may observe and report what appears to be a disability that would:
    - a. Impact the inmate's housing;
    - b. Affect the inmate's program access; or
    - c. Present a safety or security concern for the inmate or others.
- C. It is the responsibility of corrections staff to immediately advise a supervisor when an inmate appears to meet the criteria of a disabled person for the purposes of ADA.
- D. It is the responsibility of medical staff to sign and verify the Inmate Disability Evaluation Form and forward a copy to the Classification Sergeant and the Supervisor on duty in the Jail. Medical staff will note on the form if the disability impacts the inmate's housing.
- E. Medical staff will document when an inmate requests an accommodation that is not granted and the reasons why the accommodation was not granted.

## **BOOKING PROCESS FOR DISABLED INMATES**

- A. The Booking Officer will assign a Correctional Officer to track the inmate through the booking process until the inmate is released or housed. It is the responsibility of the Booking Officer to initiate and ensure the completion of all the required disability forms for an inmate who has been identified as disabled.
- B. The Classification Sergeant will be informed of an inmate's disability upon commitment and housing at the jail facility.
- C. Medical and correctional staff will ensure the inmate is able to effectively communicate his information.
- D. Medical staff will provide or recommend the necessary equipment for disabled inmates.
- E. Booking staff will notify the ADA Coordinator and Classification Sergeant, when a disabled inmate is going to be housed in the facility.

## **INMATES WITH PROSTHETIC DEVICES**

- A. As required by Penal Code Section 2656, inmates shall be allowed to retain possession of their prosthesis unless it presents a threat to the security of the facility or is an immediate risk to the safety of staff and/or others.
- B. Medical Staff must approve the use of prosthesis by an arrestee or inmate.
- C. If an arrestee or inmate becomes combative or uses the prosthesis for other than its intended purposes, the prosthesis may be taken from the individual. Alternate specialized housing may also be granted based on the inmate's behavior.
- D. Any prosthesis which is confiscated shall be placed in the arrestees/inmate's bulk property or released to their designee.
- E. Depending on the reason for the removal of a prosthesis, authorization to return the prosthesis must be approved by Medical Staff, Mental Health Staff and/or an on-duty supervisor.
- F. Generally, prosthesis will be approved for use in the facility unless, in the opinion of the on-duty supervisor, it constitutes a documentable threat to the safety/security of staff or others in the facility.
- G. If there is probable cause to believe an inmate's possession of a prosthesis constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the on duty supervisor or his designee shall direct the removal of the prosthesis and document the incident in an Incident Report.
- H. Whenever a prosthesis is removed from an inmate, the physician must evaluate the inmate's need for the prosthesis within 72 hours of the removal.
- I. If the prosthesis is not returned, the Jail Lieutenant/Jail Commander shall:
  1. Advise the Physician and the inmate and specify the reason for the refusal, and shall provide the inmate with a completed Petition for

Return of Prosthesis form; and

2. Document in a supplemental incident report the decision which was made and the reason the prosthesis was not returned.

J. Upon petition by an inmate, the court shall either order the prosthesis returned to the inmate or within two (2) judicial days after the petition is filed receive evidence relevant to the granting or denial of the petition.

K. If an inmate does not have a prosthesis and needs one, Medical Staff will:

1. Evaluate the severity of the need and either approve or deny the request;
2. Provide the inmate with crutches, walker or device, as indicated; or
3. If the request is approved, decide to obtain the prosthesis.

### **IDENTIFYING DISABILITIES OF HOUSED INMATES**

- A. For those inmates with disabilities that were not identified at intake booking or processing, there are Americans with Disabilities Act Notices posted in the housing units that inform inmates how to get information regarding an ADA issue or how to request accommodation.
- B. Corrections and Medical staff will attempt to identify inmates who may require an ADA accommodation based upon personal observation of the inmate, an oral statement by the inmate, or a written request by the inmate. Any observation, oral statement, or written request will be forwarded immediately to the ADA Coordinator.
- C. When Medical staff becomes aware of an inmate with a disability or request for disability accommodation; medical staff will complete the Inmate Disability Evaluation Form, forward a copy to Classification or Supervisor and notify the ADA Coordinator. Medical Staff will note on the form when a disability impacts an inmate's housing.

### **ADA DIVISION REPRESENTATIVE RESPONSIBILITIES**

- A. The ADA Division Representative (Jail Lieutenant) will:
  1. Represent the Sheriff's Office on ADA issues.
  2. Review unresolved requests, complaints or grievances and respond on behalf of the Sutter County Sheriff's Office.
  3. Supervise the ADA Coordinator.

### **ADA COORDINATOR RESPONSIBILITIES**

- A. The ADA Coordinator will:
  1. Keep the ADA Division Representative informed of requests, complaints or grievances related to ADA issues.
  2. Maintain an ADA file on every disabled arrestee/inmate documenting

each contact in regard to their ADA needs, accommodations, special education, and requests.

3. Provide training to staff regarding ADA policies and procedures.
4. Initiate contact with the disabled inmate within two workdays of receiving the ADA paperwork and, if necessary, ensure the court is notified of any accommodations needed. The ADA coordinator will also follow up every 10 working days thereafter to ensure that the inmate has equal opportunity to participate in programs, services, and activities and to discuss any issues the inmate may have regarding his treatment and document the meeting on the Record of Contact form.
  - a. The ADA coordinator and inmate may agree at any time to suspend follow-ups if there is no change in the inmate's status.
  - b. If the inmate needs to contact ADA coordinator after suspending follow up visits, the inmate can do so via an Inmate Request Form.
5. Document ADA accommodations regarding equipment or supplies requiring service or repair on the Classification/Health Services Input. The ADA coordinator will:
  - a. File a copy of the referral in the ADA file.
  - b. Submit the referral to Medical staff for follow up and record it in the inmate's file.
6. Notify the Correctional Officers when a disabled inmate is housed and may require an accommodation to access program services and/or special education.
7. Review claims, complaints and grievances regarding disabilities.
8. Ensure complaints and grievances are finalized.
9. Confer with medical staff each month to review whether accommodations continue to be appropriate and necessary, document interaction on the Record of Contact form.
10. Audit the condition and update the Disability Information Binder located in Control Room, the ADA Coordinator's desk once per month.
11. Audit the location and condition of the PURPLE computer once per month.

## **MEDICAL STAFF RESPONSIBILITIES**

- A. All requests for disability verification or accommodation are forwarded to medical staff for review. It is the responsibility of medical staff to verify an inmate's

disability and provide custody and classification staff with housing recommendations.

- B. Medical staff may inform disabled inmates that they may request accommodations.
- C. Medical Staff will document on the ADA Request for Accommodations form if the request is not granted and the reasons why the request was not granted.
- D. Medical Staff will follow up on all Classification/Health Service Inputs and file in the inmate's medical records related to ADA.

### **CLASSIFICATION STAFF RESPONSIBILITIES**

- A. Classification Sergeant is responsible for reviewing and signing all Inmate Disability Evaluation Forms and ensuring the inmate is housed in a protective environment, if deemed necessary, appropriately based on the inmate's disability, and classification plan. In the absence of the ADA Coordinator, Classification staff or the Jail Sergeant will be responsible for notifying the courts of any accommodations necessary for the inmate.
- B. Classification Sergeant will be responsible for entering disability flags in the computer system.
- C. Classification Sergeant staff will notify the ADA Coordinator and medical staff when an inmate is to be transferred to another facility.
- D. If the inmate is transferring between the Main Jail and the Medium Facility, the ADA Coordinator or Classification Sergeant or Jail Sergeant will ensure the receiving facility is made aware of the inmate's need for an accommodation.

### **PROGRAM STAFF RESPONSIBILITIES**

- A. Inmates with Disabilities will be afforded access to all services, programs, and activities for which they meet eligibility criteria.
  - 1. The ADA Coordinator will forward to the Probation Program Officer any requests by inmates who need accommodations to participate in services, programs, or activities.
  - 2. Probation Program staff will consult with the ADA Coordinator in all cases where accommodations are granted or denied for disabled inmates.

### **COURT TRANSPORTATION RESPONSIBILITIES**

- A. Court transportation will review the court lists each day and check the inmate's disability code, to identify any special accommodations that are necessary.
- B. Court transportation will contact the disabled inmate's housing unit and/or medical staff to determine if special arrangements are needed for the inmate's transportation to court.
- C. When circumstances prevent the Court Transportation's ability to transport the

inmate to court, Transportation will immediately notify the bailiff in the courtroom, an on-duty Sergeant or Supervisor, and the ADA Coordinator. The Court Transportation Officers will also document the incident on a Jail Medical/Incident Report.

## **GRIEVANCE PROCESS**

- A. Inmates may be instructed by staff to complete an ADA Request for Accommodation Form to request disability accommodations. Inmates will use the standard Inmate Grievance Form to submit grievances regarding ADA issues.
- B. If the inmate is in custody for a State Parole hold only (3056 P.C.) and submits a disability- based grievance, the following shall apply:
  1. Correctional staff shall provide an initial response to the inmate within one week from the receipt of the grievance.
  2. The grievance process shall be expedited if the grievance or the appeal of a grievance alleges a condition which is an imminent threat to the parolee's health and safety.
- C. All other grievances will be handled according to the grievance process as outline in policy (Refer to: Grievances - Inmate).

## **DISCIPLINARY PROCESS**

- A. When a disabled inmate is the subject of a disciplinary process that could deprive him/her of any privilege or right afforded to all other inmates, the Disciplinary/Grievance Sergeant will ensure that the inmate understands the charges against him or her.

## **REMOVAL FROM ADA STATUS LISTING**

- A. If an inmate no longer wishes to be listed as an ADA inmate, they can fill out and submit an Inmate Request Form to the ADA Coordinator.
- B. The ADA Coordinator will document in the inmates ADA file they no longer wish to have an ADA listing.
- C. The request will be evaluated by the Office ADA Representative who will respond back to the inmate.
- D. The ADA Coordinator can remove an inmate from ADA status if the inmate no longer requires accommodation.

## **J121.85 - DEVELOPMENTALLY DISABLED PLACEMENT & PROCEDURES**

The purpose of this order is to establish procedures and guidelines for recognizing, processing, and housing mentally disordered, mentally ill, and developmentally disabled inmates.

### **Policy:**

It shall be the policy of the Jail Division to attempt to identify any inmate/detainee who is suspected to be developmentally disabled, mentally ill or have a mental disorder. Anyone with suspected developmental disabilities, mental disorders or mental illness is identified as a “special needs” inmate/detainee, which requires consideration in classification.

**PROCEDURE:**

**I IDENTIFICATION OF MENTALLY DISORDERED,  
DEVELOPMENTALLY DISABLED, AND MENTALLY ILL INMATES.**

- A. **PHYSICIAN'S OPINION.** For the purposes of the order, an inmate will be considered Developmentally Disabled, Mentally Disordered, or Mentally Ill if the jail staff receives an opinion from Wellpath jail medical personnel or a physician indicating the individual has such a condition. If a physician's opinion or a Wellpath Jail Medical Staff opinion is not readily available, the jail staff shall consider a prisoner Mentally Disordered, Developmentally Disabled, or Mentally Ill if there is a reason to believe the person is a danger to self or others, or if the person appears to be gravely disabled.
- B. **DANGER TO SELF/OTHERS**  
Any new arrestee accepted into the Jail who the booking medical staff identifies as having any current suicidality shall have a suicide risk assessment completed as soon as possible but no later than four hours of the identification of current suicidality. Only Qualified Mental Health Professionals, PA's, NP's, or RN's who have been trained regarding how to conduct a suicide risk assessment shall conduct such assessments. Within two hours after administering a suicide risk assessment, the staff member who conducted the assessment must consult with a psychiatrist to determine an appropriate plan of treatment and the appropriate level, if any, of suicide precaution.
- C. **DEVELOPMENTAL DISABILITY.** A Developmental Disability may be due to a mental disorder, cerebral palsy, epilepsy, or autism. A Developmentally Disabled individual may suffer from illiteracy, have difficulty identifying them self, reading, writing, identifying money by denomination, telling time, or making verbal or physical responses. In addition, they may have a speech defect as well as other indicators.
- D. **MENTALLY DISORDERED, MENTALLY ILL.** An individual with a Mental Disorder or Mental Illness may exhibit some of the following signs: severe prolonged anxiety or state of panic, abrupt changes in mood or behavior, visual or auditory hallucinations, severe paranoia, delusions, ideas of grandeur, bodily ailments, disorientation, or prolonged or severe depression.
- E. Inmates who are found incompetent to stand trial shall be placed on the Special Attention Inmate Log. A copy of the Court's order declaring

incompetency shall be forwarded to the Jail Lieutenant for tracking purposes.

## **II PROCESSING DEVELOPMENTALLY DISABLED, MENTALLY DISORDERED, AND MENTALLY ILL INMATES.**

**MEDICAL SCREENING.** The initial mental health screening is included in the Wellpath Intake Health Screening conducted by medical staff at the time of intake. Positive responses or refusing to answer all the mental health questions on the Intake Health Screening will result in a referral to mental health. Any person exhibiting or testifying to presence or history or mental illness will be referred to mental health staff for further evaluation. When an individual is identified as Developmentally Disabled, Mentally Ill or Mentally Disordered during the booking process, the booking officer shall notify the jail medical staff for review and necessary action. In order to assess mental health issues, as part of the 14-day assessment, a Qualified Medical Professional will meet and complete the PHQ-9 form for each inmate. Depending on the results, the inmate may be referred for further mental health evaluation and treatment.

**MENTALLY DISORDERED INMATES.** When an individual is identified as being Mentally Disordered, a physician's opinion shall be secured within 24 hours of such identification or at the next daily sick call, whichever is earliest. If a physician's opinion is not readily available, an inmate shall be considered mentally disordered if he or she appears to be a danger to themselves or others.

**SPECIAL MENTAL DISORDER ASSESSMENT.** Any woman who has given birth within the past year and is charged with murder or attempted murder of her infant is to receive additional intake mental health screening pursuant to Title 15, Section 1207.5. If such screening and assessment indicates postpartum psychosis, a referral will be made for further mental health evaluation.

Any inmate who was receiving outpatient care from the Sutter-Yuba Behavioral Health Service or other similar provider of behavioral healthcare services, at the time of incarceration will be evaluated by a Qualified Mental Health Professional within 24 hours of acceptance in the jail.

**DEVELOPMENTALLY DISABLED/MENTALLY DISORDERED.** When an individual is identified as Developmentally Disabled or Mentally Disordered, the booking officer shall notify the Alta Regional Center for the Developmentally Disabled at 674-3070 and inform them of the arrest. This notification shall take place within 24 hours (excluding weekends and holidays) of the arrest. If the arrest occurs during non-business hours, a note shall be left on the booking file, indicating notification was not made and

notification is to be made during business hours. The Regional Center acts as an advocate for Developmentally Disabled persons and insures that they receive services appropriate to their needs. The center provides a court liaison for the Developmentally Disabled as well.

**MENTAL HEALTH SERVICES.** Any new arrestee who states he or she has a mental illness, is taking psychiatric medications, or who the medical booking staff identifies as having a mental illness must be seen by a Qualified Mental Health Professional within twenty-four hours. When an officer feels an individual is mentally disordered or mentally ill and needs Mental Health services, he shall notify the jail mental health counselor, or in mental health's absence the jail nurse, and inform the mental health worker (or jail nurse) of the inmate's behavior. When the mental health worker determines the individual should be brought to the Yuba Sutter Mental Health facility for further evaluation or treatment, the shift supervisor is responsible to insure the inmate is transported there.

Inmates shall be provided with timely access to inpatient and outpatient mental health care as needed. Mental health services at the Jail shall include mental health screenings and evaluations, suicide risk assessments, diagnosis, treatment including psychosocial therapy and psychotropic medication as needed, and referral services. While inmates are entitled to assessment and treatment, they must be informed that they are also entitled to refuse such treatment. No inmate may be disciplined for seeking medical or mental health care. Inmates receiving basic mental health services are clinically indicated, but not less than every 90 days.

**72 HOUR HOLD.** If the shift supervisor determines that an individual is a danger to self or others due to mental illness or mental disorder, or is gravely disabled, the shift supervisor may decide to place a 72 hour hold on the individual pursuant to welfare and Institutions Code 5150. The Shift Supervisor shall complete an application for a 72-Hour detention for evaluation and treatment. The application shall include the circumstances for officer involvement and the probable cause to believe the person is, because of a mental health disorder, a danger to him/herself or gravely disabled. This application shall be provided to the facility staff member assigned to that patient, and a copy shall be retained and attached to the incident report. The shift supervisor should arrange to have the inmate transferred to mental health. Mental Health shall be apprised of the inmate's behavior and custody status.

**MENTAL HEALTH INSTRUCTIONS.** Jail staff shall follow all instructions from Mental Health Services as they pertain to insuring for the safety and welfare of an inmate. An example of this would be a request for the inmate to be checked at fifteen-minute intervals or receive special housing considerations. A Qualified Mental Health Professional shall issue all

suicide precaution orders, including placement in or removal from housing for inmates at risk of suicide, and confidential follow-up assessments at clinically appropriate intervals. Inmates released to the community will be provided by Well path with written instructions for the continuity of care, including name and contact information for community providers for follow-up appointments, prescriptions, and/or adequate supply of medication for psychiatric patients.

**MENTAL HEALTH REFERRALS.** Inmates requiring services beyond the on-site capability of the Jail shall be referred to appropriate off-site providers. Qualified Mental Health Professionals shall evaluate whether an inmate's mental illness or risk of suicide requires that he or she be sent to Sutter-Yuba Behavioral Health Services inpatient setting for evaluation and treatment.

If an inmate is in acute psychiatric distress and in need of urgent inpatient psychiatric care that cannot be provided at the jail, they shall be taken to Rideout Hospital and evaluated by Sutter Yuba Behavioral Health. (SYBH). If Sutter Yuba Behavioral Health determines the inmate requires psychiatric care that cannot be provided at the jail, Sutter Yuba Behavioral Health will care for that individual (either at Rideout or its psychiatric facility) or locate bed space at another facility. The jail will work cooperatively with SYBH to locate bed space. If SYBH determines the inmate does not require psychiatric care that cannot be provided at the jail, SYBH will provide that determination in writing and that inmate will be returned to the jail with written instructions for further evaluation and care.

All inmates returning from psychiatric treatment at an outside facility will be screened at intake for continuity of care and will be seen at the next available sick call by a Qualified Mental Health Professional and by a psychiatrist.

If an officer feels an inmate is in need of mental health counseling or if an inmate requests mental health counseling, the officer shall complete a written mental health referral and forward it to the mental health worker. A copy of the written referral shall be kept in a designated file.

**CRISIS SERVICES.** Crisis intervention and management of acute psychiatric episodes shall be handled initially by on-duty medical staff with referral to mental health on a 24 hour per day basis. Frequently inmates will experience stress or other problems associated with being in custody. Jail staff may encourage these inmates who are having difficulty coping with their custody environment to speak to a Mental Health counselor.

On a bi-weekly basis, unless otherwise needed a Qualified Mental Health Professional shall consult with Correctional Officers and Qualified Medical

Professionals to exchange information with respect to the mental health of the inmates. The Qualified Mental Health Professional must respect the confidential nature of communications to him or her but has an obligation to take steps to assure the safety of an inmate who indicates that he or she may attempt to commit suicide or to harm another.

### **III HOUSING DEVELOPMENTALLY DISABLED, MENTALLY ILL, OR MENTALLY DISORDERED INMATES.**

**SEGREGATION POLICY.** Those identified as special needs inmates, especially those with suspected developmental disabilities, are subject to possible exploitation when housed with the general jail populations. This factor should be considered when identifying housing, in addition to other safety and security concerns. Inmates with serious mental illness shall not be housed in Single Cells Administrative Segregation or the medical cells unless those inmates demonstrate a current threat to jail security, inmate safety, or officer safety. Inmates shall not be housed in Single Cells Administrative Segregation solely because they have a mental illness. Segregation may be used if necessary, to protect the safety of the inmate or others. The reason for placement in any segregated cell shall be documented, and continued housing in such cell shall be monitored in accordance with Section J121.15 of the Jail Operations Manual.

It shall be the responsibility of the Jail Lieutenant or the shift supervisor to ensure the inmate is housed in the proper section of the jail and appropriate provisions are made to prevent the inmate from becoming a victim.

### **IV REPORTING OF DISCIPLINARY ACTIONS**

If the Jail Supervisor believes that an inmate's mental illness was a significant factor causing a minor or major rule violation, the inmate shall be referred for a mental health evaluation and possible treatment.

Should the Jail Supervisor charge a person determined to have a mental illness, which caused or contributed to the violation, the Jail Supervisor must consult with a Qualified Mental Health Professional prior to imposing any discipline in order to determine whether the imposed discipline is likely to exacerbate an inmate's mental health symptoms and expose the inmate to an increased risk of danger.

If there is a danger that a proposed discipline will exacerbate an inmate's mental illness or expose him or her to increased risk of danger, an alternate sanction shall be imposed, if at all, unless safety or security reasons dictate otherwise.

## J121.86 – PHYSICALLY IMPAIRED INMATES

The purpose of this order is to establish guidelines and procedures for housing and caring for physically impaired inmates in the Sutter County Jail. There is emphasis on safekeeping the inmate's health and welfare.

### **Policy:**

Physically disabled or impaired inmates pose a challenge to the staff of the jail. Accommodating the needs, condition or disability of these inmates shall be considered when housing and programming inmates with such conditions. The need for security will be weighed against the needs of the inmate in accommodating any prosthetic device.

The Jail prohibits discrimination against persons with disabilities and adheres to the American with Disabilities Act (“ADA”) and all other applicable federal and state laws, regulations and guidelines.

### **ADA Coordinator:**

Someone will be appointed to serve as the ADA Coordinator, whose responsibilities include, but are not limited to, coordinating compliance with ADA requirements. The ADA Coordinator will help to develop and deliver annual training to staff regarding issues specifically related, but not limited to, (a) the requirements of the ADA and Section 504 of the Rehabilitation Act, 29 U.S.C. §794, and (b) the Jail’s policies and procedures relating to compliance with the ADA and Rehabilitation Act.

### **Tracking Inmates with Disabilities:**

The Jail shall have a system for identifying and tracking all inmates who have a disability and the accommodations they require for those disabilities. The system shall also track the reasonable accommodations necessary for qualified inmates with disabilities to participate in programs, services and activities offered at the Jail.

The tracking system must be accessible by all staff and updated at least twice per week. Custody and medical staff shall check the system before all due process proceedings, including adjudicating grievances and disciplinary violations, and medical and mental health encounters. Staff shall also check the system before assigning inmates to housing and making program assignments.

### **Reasonable Accommodations:**

Inmate’s requests for an accommodation shall be given primary consideration and shall be granted unless the request is unreasonable for specific articulated reasons allowable under Title II of the ADA or poses a significant safety or security threat.

Reasonable accommodations necessary to provide access to all programs, services and activities offered to other inmates (including work assignments, Milestone Program, and OWR Program) shall be provided. If there is a question regarding the ability to provide an accommodation, staff shall conduct an interactive process to determine whether a reasonable accommodation can afford an inmate with a disability the ability to participate in a program, service or activity.

All programs, services and activities shall be offered in accessible locations.

Reasonable accommodations, if requested, shall include qualified sign language interpreters (in-person or through a service) (such as through the PURPLE Translation Computer) to any inmate for whom sign language is their only or primary method of communication. This accommodation shall be documented.

**Prosthetics:**

Staff shall not remove health care appliances, such as canes, wheelchairs, eyeglasses, artificial eyes, dental prosthesis, artificial limbs, orthopedic braces and shoes, or hearing aids from an inmate unless necessary to ensure the safety of persons, the security of the institution, or to assist in an investigation, and only when supported by documented evidence. No inmate will be deprived of an appliance because of the acts of another inmate.

Custody staff and medical staff shall consult and coordinate on issues of prosthetics to ensure they meet the needs of the inmate, as well as any safety and security issues to the Jail and others. If the use of a specific aid is contraindicated for security reasons, alternatives are to be considered so the health of the inmate are met.

**J121.90 - RECLASSIFICATION**

An inmate may be reclassified based on his behavior while incarcerated. An inmate may request a review of his classification every thirty (30) days. Permanent reclassification will be enacted or approved by a supervisor. A simple housing change does not necessarily require reclassification.

**J121.95 - CLASSIFICATION APPEALS**

Any inmate may appeal their classification. Classification appeals must be made in writing. The Classification Committee will review the appeal and conduct an interview with the inmate before making a decision on the appeal.

A ruling of the Classification Committee may be appealed to the Jail Facility Manager in writing. The decision of the Jail Facility Manager is final. Written records of the appeal and decisions made will be maintained in the inmate's file.

**J122.00 - REPORTS, RECORDS, LOGS, COURT ORDERS, REQUEST FORMS**

**J122.05 - REPORTING CRIMES WITHIN THE JAIL**

In any instance where there is evidence a crime may have been committed in the Jail, an Incident Report shall be prepared and the Jail Sergeant or OIC notified. The Sergeant shall request an Operations Deputy to complete a crime report if the crime is a felony, or a misdemeanor which would warrant an investigation.

**J122.10 - REPORTING CRIME INFORMATION**

Any officer who receives crime information from an inmate, regardless of where or when the alleged activity will occur or has occurred, shall immediately relay such information to the Jail Sergeant or OIC.

The Sergeant shall inform the Jail Lieutenant, who will then notify whomever he deems appropriate.

#### **J122.15 - JAIL INCIDENT REPORT/MEDICAL REPORT**

Any incident which results in physical harm or serious threat of physical harm to an employee, inmate or other person, shall be reported in writing on a Sutter County Jail Incident/Medical Report Form. The form shall include the names of persons involved, a description of the incident, actions taken, and the date and time of the occurrence.

Major incidents such as escapes, staff assaults, suicides, major problems and serious incidents involving personnel (both on and off duty) shall be reported immediately by both oral and written reports.

A Sutter County Jail Incident Report form may also be used for minor incidents and information reports on matters relating to inmates and the operations of the jail.

A concise report of all incidents shall be typed and submitted to a supervisor by the end of the shift on which the incident occurred. The supervisor will approve the report and deliver a copy to the Jail Administration without delay. It will be the responsibility of the Jail Facility Manager to notify the Sheriff through the Chain of Command. A copy of any Sutter County Jail Incident/Medical Report that involves illness in the inmate or services (or lack of services) by Wellpath Medical Services is to be forwarded to the Jail Nurse Manager and the Medical Director.

#### **J122.20 - INJURY REPORTS**

The Jail shall maintain detailed records of all incidents which result in physical injury or serious threat of physical injury to an employee, inmate, or other person. This shall include all accidental injuries to inmates.

Such records shall include the names of the persons involved, a complete description of the incident, the actions taken, and the date and time of occurrence.

A Sutter County Jail Incident/Medical Report shall be prepared and submitted, as soon as possible to Jail Administration.

#### **J122.25 - SHIFT INSPECTION LOGS**

Each shift supervisor shall maintain a shift inspection report recording all events and incidents occurring during that shift. The Shift Inspection Report will be completed and turned in to Jail Administration at the end of each shift.

#### **J122.30 - CELL LOGS**

Located just outside of each cell is an ongoing cell log upon which jail staff keep a running total of the number of inmates within the cell. The log is also used to document all activities related to the cell and the inmates therein. Such activities include physical head counts, meal times, inmates removed from and returned to the cell after visiting, court, doctor call, etc. New cell log books will be distributed at midnight on the 1<sup>st</sup> of each month.

### **J122.35 - INMATE HOUSING RECORDS**

Assigned housing areas and records of housing changes shall be maintained in the inmate's computer files. Each time an inmate is assigned a different housing designation in the computer, a record of the move is automatically created by the computer. It shall be the responsibility of the officer entering the move to bring up the record created by the computer and add to it the reason for the move.

### **J122.40 - COURT ORDER LOGS**

The Jail has developed a system for recording all court dates and orders affecting inmates. Compliance with all court orders shall be assured by each supervisor. Copies of such court orders will be maintained in the inmate's file.

### **J122.50 - COURT ORDERED TELEPHONE CALLS**

Where applicable the following guidelines shall apply to Court Ordered telephone calls:  
All Court Orders shall be executed as soon as possible within the limits of the Jail.

All calls shall be made at the expense of the inmate, unless otherwise ordered.

Whenever possible, an attempt shall be made to accommodate the inmate as to the time the call is placed.

### **J122.60 - SPECIAL COURT ORDERS**

Special Court Orders are orders requiring this Sheriff's Office to perform some special or particular service or function or to allow an inmate special privileges.

All action and distribution of these Orders will be made with the intent to comply with and expedite the order.

The Jail Facility Manager shall receive copies of Special Court Orders when they are of an unusual nature which would interfere with or interrupt the normal operations of the jail or otherwise are of Sheriff's Office concern.

The Jail Facility Manager shall be sent copies of Special Court Orders pertaining to matters of a medical nature.

This includes, but is not limited to:

- Inmate diet
- Inmate physical welfare
- Inmate health
- Orders appointing a doctor to examine the inmate

*NOTE: A copy of Unusual Court Orders which substantially deviate from established Sheriff's Office Policy or Jail Policy or procedures shall be forwarded to the Jail Facility Manager.*

### **J122.70 - INMATE BEHAVIOR OR WORK PERFORMANCE REPORT**

The purpose of this section is to define the procedure to be used when attorneys solicit information

concerning the inmate's behavior and/or work performance.

Penal Code Sections 1203 and 1204 state jurisdiction of the inmate is in the hands of the Probation Department and any information concerning the inmate can only go to court via the Probation Department or via direct testimony.

Consequently, any reports that are prepared regarding behavior or work performance will be done only at the request of the Probation Department.

#### **J122.80 - MAINTENANCE REPORTS**

The Jail procedure for reporting maintenance problems is through the use of the "Facilities Work/Maintenance Order Request Ticket" which is accessed by the Jail Supervisor on line at the County Intranet Website.

#### **J122.90 - MEDICAL RECORDS**

All inmate medical records shall be maintained by Wellpath Medical Services. These records are to be kept separate and confidential from custody staff. These records shall include:

*Medical evaluation reports*

*Complaints of illness or injury*

*Names of personnel who treat, prescribe,*

*And/or issue medication*

*Location where treated*

The Intake Screening Form contains medical and mental health questions. A copy of this form will be maintained in the inmate's Medical Record by Wellpath Medical Services.

This information is either very limited in nature or provided by the inmate themselves and will not be considered a violation of physician/patient confidentiality.

#### **J122.95 - INMATE REQUEST FORMS**

Inmates requesting information from jail staff must submit an inmate request via tablet or in writing on a Sutter County Inmate Request Form to the on-duty Sergeant or OIC if tablets are unavailable. Inmate requests via tablet and the Inmate Request Form may be used to address any topic. Staff or sergeants may reply or answer the tablet requests through the GTL Command Portal. For paper requests, once the request is answered, the original paper form is forwarded to the inmate, and the duplicate copy is placed in the inmate's file.

#### **J123.00 - RELEASE OF INFORMATION**

##### **J123.10 - MEDIA POLICY**

###### **EXECUTIVE ORDER #7-2004**

The purpose of this policy is to provide procedures for processing requests for the release of booking sheets and/or photographs of Sutter County Jail Inmates.

The media will be provided a copy of all booking sheets of persons booked into the Sutter County

Jail. In addition, the media will be provided a copy of the daily booking recap report. Bona fide members of the media will be supplied with one copy of an inmate booking photograph upon approval.

Effective immediately, when a request is made for an arrested person's booking sheet and/or photograph, the following procedure will be followed:

Identify to whom the requested information is being released. Photo copy the identification provided and attach it to the designated release form. Uniformed law enforcement personnel need only provide their name and agency. Non-uniformed personnel (unless known to releasing officer) will be required to show identification. Attorney of record may receive a copy of the photo. Other attorneys must produce a subpoena under *de cus tecum*. Bail bonds agents will be required to show identification unless they are known to the releasing officer.

When members of the general public request an inmate booking sheet, it will be provided to them at the cost of \$.50 per page.

The intended use of the information must be stated on the release form.

Photographs will not be released to the general public. Public requests should be referred to the Jail Facility Manager during regular business hours.

News media requests for photographs will be referred to the Undersheriff or his designated representative (On-Call Commander). The request for photo must also be cleared through the arresting agency prior to release. Obtain name and phone number of authorizing agent.

No fees will be collected for the release of jail photographs.

The release form and any accompanying information will be reviewed by the on-duty supervisor prior to releasing any booking sheet or photograph to confirm the correct information is provided. The correctional officer and shift supervisor will sign the bottom of the release form verifying they have reviewed the material.

The completed form and any attachments will then be placed in the Facility Manager's box.

## J123.20 - RELEASE OF AUDIO-VISUAL RECORDINGS, JAIL RECORDS, AND PHONE RECORDS TO LAW ENFORCEMENT INVESTIGATORS

**PURPOSE:** To establish guidelines for the dissemination of official Jail Division audio-visual recordings, jail records and phone records to law enforcement investigators.

**POLICY:** Copies of jail records, audio and video recordings, and inmate phone records from a Sutter County Jail facility may be released to authorized law enforcement officials and investigators pursuant to an official investigation; except in civil proceedings involving the county or any of its employees. Those authorized persons shall articulate a specific need for the contents of the requested information.

**BACKGROUND:** There are several areas within the Jail Unit that are under 24-hour video and audio surveillance. Since a person is allowed up to two years to file a suit in Federal Court, and if incarcerated, extensions may be granted by law, it was determined that, by local policy, the events captured on this system will be maintained for a period of three years.

The inmate phone system has the ability to monitor and record all outgoing inmate-initiated phone calls, and all calls are digitally stored and retrievable.

The existence of this technology and the corresponding data produced by it will result in requests by law enforcement officials. This policy addresses the parameters for the releases of such information, in addition to official jail reports, documents, and other paper records.

**DEFINITIONS:**

**Audio-Visual Records:** Audio and video recordings that are generated by stationary cameras, recording devices, or by Jail personnel, in the performance of their duties, at the Sutter County Jail.

**Inmate Phone Records:** Audio, digital and paper records of inmate telephone calls originating from within any of the Sutter County Jail.

**Jail Records:** All documents created internally by jail and holding facility staff regarding incidents, daily routines or other information regarding inmates, visitors, or staff members.

**Law Enforcement Investigators:** Those persons who are sworn law enforcement personnel pursuant to 830 P.C. (et al.), and Deputy District Attorneys.

**PROCEDURE:**

A. Any law enforcement agency performing an official law enforcement investigation can request inmate phone records, internal jail records or audio-video recordings of any incident in a jail or court holding area.

1. Requests for inmate phone records, jail records, or audio-video recordings from law enforcement investigators outside the Sutter County Sheriff's Office must be made in writing by management level staff.

a. For jail records and audio-video recordings, the investigator shall indicate the name, booking or SC number of the inmate(s) involved, location and date of the incident. The investigator shall also include a specific reason or purpose for requesting these records. This information is submitted to the Jail Facility Manager using the *Request for Information or Records form* (see **Appendix F**).

b. For inmate phone records, the investigator shall provide the name, booking or SC number of the inmate, specific date range for the requested calls, and the telephone number(s) called by the inmate, if known. The investigator shall

also include a specific reason or purpose for requesting these records. This information is submitted to the Jail Facility Manager using the *Request for Information or Records* form

2. The Jail Facility Manager will endeavor to ensure all requests are completed in a timely manner. If the official request does not provide details of a specific incident, location, or number, or if it is unclear in any way, clarification will be requested before proceeding.
3. The Jail Facility Manager shall retain the completed *Request for Information or Records* form within the inmate file. As custodian of Jail Unit records, this will fulfill the requirement of maintaining a record concerning to whom the Jail Facility Manager released information.

B. All Sheriff's Office inmate phone records, internal jail records and audio-video recordings are provided for, and shall be used only for, legitimate law enforcement investigative purposes.

1. The above listed items will be released for a specific law enforcement function; however, these items will not be released in cases where civil litigation is pending in which the County of Sutter or any of its employees are named in any legal action. In these instances, all requests shall be submitted to the County Counsel's office for review, or to retained legal counsel representing the Sheriff on specific litigation, whichever is most appropriate.
2. The Jail Facility Manager or designee must authorize any exceptions to the above policy.

#### **J124.00 - INMATE CORRESPONDENCE**

The Custody Section handles incoming and outgoing inmate correspondence pursuant to Section 1063, Title 15, Subchapter 4, of Minimum Jail Standards.

#### **J124.10 - WRITING PERSONAL CORRESPONDENCE**

The following rules and standards shall apply to outgoing letters written by inmates. Any questions regarding the following should be referred to a Jail Sergeant or Supervisor.

- [1] Lead pencil may be used.
- [2] Both sides of the paper may be written upon.
- [3] Any number of pages may be written, however, correspondence in each envelope may not weigh more than one ounce. Envelopes returned "postage due" because of weight will be returned to the inmate.
- [4] There shall be no limitation on the volume of mail an inmate may send.
- [5] Letters shall not contain any form of contraband, threats, intimidation, escape plans, possible criminal information or any violation of State or Federal Law.
- [6] Inmate mail shall not be read by personnel unless the Jail Facility Manager approves and there is a valid penological interest to justify such action.

- [7] Indigent Inmates (those inmates who are without funds) are permitted at least two postage paid letters each week to permit correspondence with family members and friends. Indigent inmates are also allowed an unlimited number of postage paid letters for correspondence with their attorney and the courts. **This applies to indigent inmates only.**
- [8] Outgoing mail shall not be sealed by inmates until after it is inspected by jail personnel. Sealed mail will be returned to the inmate.
- [9] All outgoing correspondence will be inspected for contraband.
- [10] There is to be no writing on outgoing envelopes except for the name and address of the person(s) receiving the mail and the inmate's name, SCSO number and return address.
- [11] All processed mail shall be deposited with the U.S. Postal Service without delay.
- [12] Jail staff will stamp all outgoing inmate mail as "Jail Generated Mail."
- [13] The inmate's return address shall appear on the outside of the envelope as:

*Inmate Name  
SC#-XXXXX (Sutter County Number)  
1077 Civic Center Boulevard  
Yuba City, CA 95993*

- [14] Sutter County inmates may not correspond with other Sutter County inmates housed within the Sutter County Jail unless given written permission by the Jail Lieutenant or Jail Commander.
- [15] Sutter County inmates may not send correspondence to inmates serving time in State or Federal prisons unless given written permission by the Jail Lieutenant or Jail Commander.

#### **J124.20 - RECEIVING PERSONAL CORRESPONDENCE**

Executive Order #7-2014 on 8/4/14

Mail inspection may be done by all jail personnel. Mail may be read where there is a valid security reason and the facility manager approves.

The following rules and standards shall be followed concerning inmates receiving personal correspondence. Any questions regarding the following should be referred to a Jail Sergeant or Supervisor.

- [1] All incoming correspondence will be inspected for contraband. (Confidential correspondence will be inspected as described below in Section J124.30.)

Contraband shall include, but is not limited to:

- A. Postage stamps
- B. Stickers
- C. Items stained with lipstick, chocolate, oils or other materials.
- D. Embossed cards or cards with raised areas which enclose a space, musical devices, attached items, flocked designs or which for other reason may be deemed capable of compromising jail security (i.e., fancy greeting cards, etc.).

- E. Any type of item normally denied inmates.
- F. Any type of item normally available through inmate commissary.
- G. Photographs with enclosed spaces capable of concealing contraband (i.e., Polaroid pictures).
- H. Obscene material such as depictions of acts of sexual intercourse (actual or simulated), exposure of male or female sex organs or bare breasts.
- I. Any material deemed inappropriate based on a valid penological interest.

[2] Any enclosure of currency, bank drafts, money orders, checks or other negotiable instruments shall be handled in accordance with the procedures outlined in Jail Policy Manual section J117.35.

[3] All processed mail shall be expediently routed to the addressee.

[4] There shall be no limitation on the volume of mail an inmate may receive. There is a limitation on the amount of mail and photographs an inmate may maintain in their cell. Inmates may possess a reasonable amount not to exceed 12" x 12" x 6" by dimension.

[5] Photographs may be given to inmates, subject to the following guidelines:

- A. Photographs shall be unadorned and shall not exceed 3 inches by 5 inches in size.
- B. Photographs are not considered "contraband" pursuant to item [1] above.
- C. Jail staff may prohibit photographs which they deem capable of compromising the security of the facility. This includes Polaroid Photographs.

[6] Postage stamps will be removed from envelopes before envelopes are delivered to inmates.

[7] Mail or items from mail considered to be contraband will be photocopied and then placed into the inmates' property. (Obscene material will not be photocopied prior to placement into property.)

The photocopy will be delivered to the inmate along with a notice which states:

"The item pictured on the attached copy was received for you in the United States mail. This item is considered contraband and will not be allowed into housing areas. It has been placed into your property and will be given to you upon your release from the Sutter County Jail."

[8] No packages will be accepted for inmates except books from the publisher. Packages shall be returned to sender by mail room.

[9] Sutter County inmates may not receive any correspondence from any other inmates housed within the Sutter County Jail.

[10] Sutter County Inmates may not receive any correspondence from anyone in State or Federal prison or any other correctional facility.

#### **J124.30 - CONFIDENTIAL CORRESPONDENCE**

Confidential correspondence (legal mail) is any confidential communication between an inmate and any state or federal courts, any attorney licensed to practice law in any state, a holder of public office, the Corrections Standards Authority, the facility manager (Jail Facility Manager) or the Facility Administrator (Sheriff). Legal correspondence must be

clearly indicated on the outside of the envelope.

Inmates may correspond, confidentially, with any of the foregoing agencies/persons, subject to the following guidelines:

- [1] There is no limitation on the volume of confidential mail an inmate may send or receive.
- [2] Indigent Inmates are permitted an unlimited number of postage-paid letters for correspondence with their attorney and the courts. **This applies to indigent inmates only.**
- [3] Jail authorities may open and inspect confidential mail only to search for contraband, cash, checks or money orders. Personnel may open, rifle through and shake the pages of the document to check for contraband. This does not preclude the additional use of a tactile examination or physical manipulation to enhance the security check.
- [4] All confidential mail will be opened in the inmate's presence. Correctional staff shall sign the envelope, showing the mail was opened by them and delivered to the inmate.
- [5] After this inspection, the inmate will be given incoming mail, or instructed to seal the envelope on outgoing mail and give it to the officer.
- [6] After processing, all outgoing correspondence shall be deposited with the U.S. Postal service without delay.

#### J124.40 - FEDERAL PRISONER CORRESPONDENCE

Any incoming or outgoing mail that discloses evidence of the following nature shall be withheld and reported to the U.S Marshal or the U.S. Bureau of Prisons:

- [1] Contraband
- [2] Escape plots or plans
- [3] Criminal information or activities
- [4] Violation of Postal Laws

Federal prisoners will be permitted to correspond, within reasonable limits and subject to inspection, to the following:

- [1] Family members
- [2] Friends
- [3] Persons necessary for preparation of upcoming trials

As provided for in the U.S. Justice Department Contract, Federal prisoners shall be permitted, without examination, to correspond with the following:

- [1] U.S. Attorney General
- [2] Director of the Bureau of Prisons
- [3] Members of the U.S. Board of Parole
- [4] Pardon Attorney
- [5] U.S. Marshal
- [6] U.S. District Court Judge
- [7] Attorney of Record

## J124.50 - RELEASE OF INMATE MAIL AND PROPERTY TO LAW ENFORCEMENT INVESTIGATORS

**PURPOSE:** To establish guidelines for the search, copying, seizure, and dissemination of inmate mail and property to law enforcement investigators.

**POLICY:** Inmate property and copies of inmate mail may be released to authorized law enforcement officials and investigators pursuant to an official investigation after receipt of an official request. Those authorized persons shall articulate a specific need for the contents of the requested information.

**BACKGROUND:** All incoming mail, except confidential (legal) mail, is screened by Jail personnel to ensure that appropriate security measures are observed. This security screening occurs so that contraband and/or sensitive material are not introduced into the custody system. The legal mail is opened only in front of the inmate and then checked for contraband or other prohibited items.

Mail addressed to certain inmates may be scanned or read with approval of the Jail Facility Manager. If information that may be pertinent to an agency outside of the Jail Unit is read, the agency will be notified. The agency must submit a written request pursuant to the following guidelines in order to receive a photocopy of the letter.

Investigators without a warrant or other official request may simply view inmate property. The actual release of inmate property, including photocopies or original articles of inmate mail, is only accomplished after completion and receipt of form *Seized Property Report* (see **Appendix G**).

### **DEFINITIONS:**

**Inmate Property:** Valuable, bulk, or personal property of an inmate received at time of booking at the Sutter County Jail. Inmate property includes all items added to the inmate's property bag.

**Inmate Mail:** Written material which is processed through the Jail mail system. It includes mail that is delivered through the U.S. Postal System.

**Confidential Mail:** Legal written material from any county, state and federal courts, or any member of the State Bar, holder of public office and the State Corrections Standards Authority. Inmates may also correspond, confidentially, with any member of the Jail Administration and/or Sheriff's Office Administration. Mail from private attorneys must be on official letterhead and in a properly identified outer envelope to be considered confidential.

### **PROCEDURE:**

#### **RELEASE OF INMATE PROPERTY**

1. Whenever a law enforcement agency requests inmate property from the Sutter County Jail Property Room in relation to an official law enforcement investigation, the request must be submitted in writing to the Jail Unit on a *Seized Property Report* form designated for this purpose. A copy of the form is placed in the inmate property bag, as well as in the inmate file within the Main Jail Control Room.
2. Investigators may view inmate property without a search warrant or other paperwork. Any prosecuting attorneys or criminal defense attorneys, if verified to be the attorney of record for that inmate may also view the property without a court order. Jail Administration or the Jail Sergeant will schedule the appointment.

#### **RELEASE OF INMATE MAIL**

1. **Photocopies of inmate mail:** Whenever a law enforcement agency from outside the Sheriff's Office requests photocopies of inmate mail, the request must be made in writing by management level staff using official Sheriff's Office letterhead to the Jail Lieutenant. Sheriff's Office investigators requiring the same information may submit the written request through interoffice electronic mail.
2. **Original articles of inmate mail:**
  - a. If investigators request the seizure of original mail after it is delivered to an inmate in the custody of the Sutter County Jail, a search warrant is required, and the search warrant shall be served and handled by the investigator/attorney listed on the warrant. Unless authorized by the Jail Facility Manager, Jail personnel will not act as seizing agents for the investigator/attorney listed on the warrant.
  - b. Investigators requesting to seize original mail prior to delivery to an inmate in the custody of the Sutter County Jail shall complete a *Seized Property Report* form. Note: The inmate will be presented with a copy of this form notifying the inmate that the mail has been seized.
3. The Jail Lieutenant shall retain copies of completed *Seized Property Report* forms within the inmate files, as well as all letterhead requests for copies of inmate mail. As custodian of Jail Records, this will fulfill the requirement of maintaining a record concerning to whom the articles of mail have been released.

#### **J125.00 - SUPERVISION OF INMATES**

All Jail Section facilities shall maintain twenty-four (24) hour supervision of all inmates.

Direct visual observation shall be accomplished as much as possible.

There shall be one appropriately trained female correctional officer on duty, available and accessible for the supervision of female inmates, pursuant to Section 4021 of the Penal Code. At no time shall any inmate be permitted to supervise, control, or assume any authority over another inmate. Any form of inmate control of this nature is prohibited by Section 4019.5 of the Penal Code.

#### **J125.10 – INTERACTION BETWEEN MALE AND FEMALE INMATES**

Section 4002 of the Penal Code prohibits the mixing of male and female inmates at the County Jail Facility. This includes mixing for the purpose of participation in recreational or work programs. Exceptions to this rule are supervised educational programs approved by the Jail Facility Manager or Lieutenant.

#### **J126.00 - JUVENILE BOOKING - JUVENILE DETENTION**

[1] Juveniles may not be booked or detained within the perimeter of the Sutter County Jail. For the purposes of this section, the Administration Area is outside the jail perimeter.

[2] Juveniles may be allowed into the booking sally port or booking area for the specific purpose of taking a breath test under the provisions of California Vehicle Code section 23157 with advance notice to the jail and advance approval of a supervisor, subject to the following conditions under the provisions of Welfare and Institutions Code section 207.1 (i):

- A. Juveniles will be in the direct company of the arresting officer at all times.
- B. Juveniles will be separated from all adult arrestees or inmates both by sight and sound.
- C. Juveniles may not be held or detained in any holding area, cell or physically secured to any object while in the Sutter County Jail.
- D. The evaluation, test, or chemical test shall be completed as expeditiously as possible and the juvenile removed from the facility immediately upon the completion of the test.
- E. In no case shall the evaluation, test, or chemical test require the juvenile to be within the facility for more than two (2) hours total.

#### **J128.00 - INMATE VISITING**

This policy provides an inmate visiting plan which is reasonable and necessary to protect facility security, visitor safety and inmate welfare, and which shall provide for as many visits and visitors as facility schedules, space and number of personnel will permit.

Each inmate shall be allowed no fewer than two (2) personal visits totaling at least one (1) hour per inmate, per week in accordance with Title 15, Minimum Jail Standards.

Everyone entering the Main Jail Facility to provide services will be subject to pat down procedures and with a wand for added security measures. Those entering the jail facility will be instructed to leave all non-essential items, purses, and cell phones, etc., in their vehicle. All shifts will function the same in this procedure.

Everyone coming to visit will check in at the Main Jail Lobby window and they should remain

in the lobby until given further direction by jail staff. Visitors will be instructed to secure all non-essential items, purses, and cell phones, etc., in their vehicle. Those entering the Medium Security Facility are subject to pat down search and with a wand for added security measures. All shifts will function the same in this procedure.

All visitors (both personal and professional) must present valid picture identification, and credentials if applicable.

Attorneys, clergy, authorized County employees and members of law enforcement agencies on official business may be allowed contact visits when staffing and security considerations allow.

Any person authorized to engage in a contact visit with an inmate is subject to random searches of his or her person and/or personal belongings by facility staff.

No family contact visits will be allowed.

No one under 18 years of age will be allowed to visit an inmate unless they are accompanied by their parent, a confirmed spouse or legal guardian. Minors 12 to 18 years old may be allowed to visit their parent or legal guardian in custody without being accompanied by other adult supervision. However, all minors under 12 years old, regardless of relationship to inmate, will be accompanied by another parent, confirmed spouse or legal guardian.

Detention facilities cannot exclude minor children of an inmate from visiting unless there is a valid penological reason based on the circumstances of the individual case. (For example, jails may exclude visits where the minor children are victims or are unrelated minor children who may have been exploited by the inmate.)

Minor children cannot be left unattended in the lobby.

Due to limited space, a maximum of one (1) visitor per inmate will be allowed in the visiting room at a time. Visitors are signed up on a first-come, first-served basis.

Visiting privileges may be changed or cancelled at any time as circumstances warrant. These may include, but are not limited to:

- [1] Where medical clearance of the inmate is not issued.
- [2] Where an inmate is on a restricted status.
- [3] Where security conditions of the facility preclude visitation for a temporary period of time.

Hospitalized inmates may be allowed visitors only if approved by the on-duty Jail Sergeant or OIC. Each situation will be dependent on the security risks involved and therefore evaluated on a case-by-case basis. If visiting is approved, correctional staff will make every effort to allow the hospitalized inmate at least one (1) hour of visiting per week. Visiting days and times for hospitalized inmates will remain the same as the housing unit to which they

were assigned prior to admission, unless medical treatment dictates a change. This is to prevent visitors from showing up unexpectedly. Hospital visiting hours do not supersede jail visiting hours.

Visiting days and times are as follows. However, they are subject to change, as are the housing units that are allowed to visit together based on classification.

**ALL FEMALE VISITING**

(D Pod, D Dorm, Main Jail and Medium Security)

Tuesdays and Thursdays: 1900-2100

**MALE VISITING**

General Population

(Main Jail Dormitory)

Fridays and Saturdays:

0830-1000 and 1230-1400

Protected Inmates

(MW-1, MW-2, MW-3, MW-4, MW-5, MW-6)

Tuesdays and Thursdays: 0830-1000 and 1230-1400

Special Housing

(Medical Cell) (Sureños)

Wednesdays: 0830-1000 and 1230-1400

Single Cell Units

(Pod A)

Sundays and Mondays: 0830-1000

(B & C Pod)

Sundays and Mondays: 1230-1400

Medium West Security Facility

Sundays: 0830-1000 and 1230-1400

Medium East Security Facility

Saturdays: 0830-1000 and 1230-1400

MI Block to visit in accordance with similar classification on visiting day.

Schedules are subject to change at any time if unit is not being used as intended housing assignment.

**J128.10 - VISITOR IDENTIFICATION**

Persons requesting visitation privileges will be required to provide valid picture identification which may include, but not be limited to:

- [1] California Driver's License
- [2] California DMV Identification Card
- [3] Military Identification
- [4] Passport
- [5] Resident Alien Card
- [6] Mexico Identification Card

When doubt exists as to the validity of identification, verification will be made prior to allowing the visitor to enter the facility. Record checks may be made if it is considered necessary for the security of the inmates, employees and facility.

#### **J128.20 - MATERIALS FROM VISITORS**

Inmates shall not be permitted to receive items from visitors nor send items out to visitors. Inmate personal property releases due to impending prison commitments may be accomplished during the inmate's visiting hours or by appointment during normal business hours, as outlined in Jail Policy Manual section J133.90.

#### **J128.30 - MEDIA ACCESS TO INMATES**

Media access to inmates shall be subject to the same rules and regulations as regular visiting as defined in sections J128.00, J128.10 and J128.20 of this manual. No special interviews will be granted outside designated jail visitation hours.

No inmate shall be compelled to meet or be interviewed by the media. All interviews with inmates by the media shall be conducted in the jail visitation area. No direct contact between inmates and the media will be permitted.

No electronic devices or photographic equipment shall be permitted within the jail, including the visitation area.

#### **J130.00 - PROCESSING BOOKS, MAGAZINES, NEWSPAPERS, PERIODICALS AND OTHER READING MATERIALS FOR INMATES**

A. Pursuant to Title 15 Section 1066, nothing in this policy shall be construed as limiting the right of the Custody Section:

1. To exclude obscene publications or writings, and mail containing information concerning where, how, or from whom such matter may be obtained; and any matter of a character tending to incite murder, arson, riot, violent racism, or any other form of violence; any matter of a character tending to incite crimes against children; and any matter concerning unlawful gambling or an unlawful lottery; the manufacture or use of weapons, narcotics, or explosives; or any other unlawful activity.
2. To open and inspect any publications or packages received by an inmate.
3. To establish reasonable restrictions as to the number of books, newspapers, periodicals, and magazines an inmate may have in their cell or elsewhere in the jail at one time.

4. To establish restrictions to ensure materials come from a reliable rather than an uncontrolled source.

B. The Jail may also restrict gang related materials or magazines, and material depicting gang drawings or articles which depict gang culture.

C. The Jail Sergeant will determine if a book, magazine, or periodical is unsuitable for entry into the jail. All materials determined to be gang related are reviewed and verified by Correctional staff assigned to gang intelligence. If there is disagreement over what is acceptable, the matter will be addressed to Jail Administration for final determination as to its acceptability. Items deemed unacceptable will be placed in the inmates' property.

1. All books, magazines, newspapers, and periodicals must be:
  - a. Prepaid
  - b. Sent directly from the publisher or a retail outlet
  - c. Delivered by the U.S Postal Service or mail delivery service.

D. Inmates may receive newspapers, magazines, periodicals and soft-bound books through the U.S. mail only if they are sent directly from the publisher, a book seller or other vendor of such publications. Some publications may be disapproved due to the direct penological interests of the jail. All books must be paperback, not hardbound.

E. Inmates are allowed to receive, read and permit other inmates to read any and all legal materials, newspapers, and books distributed by the jail.

F. Books, magazines, newspapers, and periodicals will be delivered to the inmates with all other mail.

G. Inmates may retain only ten (10) publications within their cell. The total of ten (10) may be any combination of library requested books or magazines, personal books or magazines sent to the inmate from a publisher, newspapers or other published materials, including legal materials, in their cell at one time. This requirement excludes religious books.

H. When the inmate has received ten (10) or more publications, the Jail Sergeant shall inform the inmate that he/she has received the maximum number of allowed publications. The inmate must then either arrange for pick up, discard, or donate to the Jail Inmate Library, any publications they no longer wish to retain. The inmate may also choose to have newly received publications returned to sender by informing the Jail Sergeant.

I. The inmate books and/or magazines received in excess of the inmate's maximum allowable allotment shall be held no longer than five (5) working days, to permit the inmate time to arrange for the pick-up of books or magazines to be exchanged for any newly arrived books and or magazines. After five (5) days, if the inmate has not taken

action to disperse cell retained books or magazines, the books and or magazines held shall be returned to sender.

- J. It is the inmate's responsibility to ensure that the number of books or magazines held in possession does not exceed the maximum number of ten (10) allowed within his/her cell, as jail personnel will not track the number of Jail Library books distributed/received.
- K. Books/magazines found inside of an inmate's cell in excess of ten (10) will be considered contraband and will be placed in the inmate's property.
- L. Magazines, newspapers, and periodicals will be exchanged on a one for one basis when the mail is delivered to the inmate. Exchanged magazines, newspapers and periodicals will be discarded or placed into the inmate's personal property.
- M. Excess books and magazines may be released to family, a friend, or legal representative, or may be placed into the inmate's personal property as long as such placement does not create a storage problem for the facility. The inmate may choose to donate the book(s) to the jail inmate library. Excess items and all other items not released will be confiscated and will be placed into the jail library for other inmates to read or discarded. Inmates may designate a person to receive any excess books/magazines by filling out a Property Release Form.
- N. Inmates may be denied the privilege of receiving or retaining publications if the materials are used to deface walls, cover windows, bars, light fixtures, or for any purpose other than reading. They may also be denied the privilege for retaining excessive amounts of materials in violation of this order.
- O. Upon their release, the inmate may take their remaining books with them or donate the book(s) to the jail. To donate them, the inmate must write, "Donated to the Sutter County Jail" on the cover page. Books donated to the jail will be placed into circulation for other inmates to read.
- P. It will be the responsibility of the inmate to cancel or change address information on all subscriptions. Magazines, newspapers, and periodicals for released inmates will be discarded. Books for released inmates will be stamped "Returned To Sender."

**Inmates are financially responsible for any subscriptions they order and must make arrangement for items that arrive after their release. The Sutter County Jail will not accept responsibility for items received after the departure of the inmate from the facility.**

#### **J130.10 - REJECTION OF PUBLICATIONS**

Questionable publications shall be reviewed by a Jail Sergeant upon receipt to determine their suitability. A Jail Sergeant shall notify the concerned inmate whenever a publication is

rejected and the reason for its rejection (i.e., hardbound instead of paperback, obscene nature). The item will then be placed in the inmate's property. If the publication is book that was shipped directly from the publisher, the jail will not pay for the item to be returned to sender. If the publication is a magazine, the inmate must file a change of address form or cancel his subscription to ensure further questionable publications are not sent to the jail.

#### **J130.20 - READING MATERIAL FROM VISITORS**

Inmates shall not be permitted to receive books, newspapers, periodicals, publications, or any items from visitors.

Educational and/or religious materials may be allowed to an inmate when approved by a supervisor. Such materials will only be accepted during normal visitation hours.

#### **J131.00 - INMATE HYGIENE/PERSONAL CARE**

The Jail shall issue personal hygiene items according to the following guidelines:

[1] All female inmates shall be issued, or made available, sanitary napkins and/or tampons, or both free of charge.

[2] All inmates held over twenty-four (24) hours shall be issued:

Fingertip toothbrush/toothpaste

Soap

Comb

Mini safety razor

Shampoo//Bodywash

Deodorant

Golf Pencil

22oz Plastic Mug

\*\* If an inmate is in need of reading glasses, the inmate will need to submit a request form via tablet or paper request form indicating which strength is needed. The cost of reading glasses is \$10.00. The Commissary Officer will then check the inmate's funds. If an inmate is determined to be indigent, there is no cost to the inmate.

#### **J131.10 - INDIVIDUAL STORAGE OF HYGIENE/PERSONAL ITEMS IN HOUSING AREAS**

The jail shall provide all inmates with a means of storing hygiene and personal items within their sleeping areas. This will be accomplished by, but not limited to, the use of a storage box or shelf for each inmate. These areas shall be open for inspection by officers at all times.

#### **J131.20 - SHOWERING**

Inmates shall be inspected for cleanliness at booking. Persons who require a shower will be showered before being placed into a housing area. Inmates shall be permitted to shower upon assignment to a housing unit and at least every other day.

Inmates on work assignments and those making court appearances shall be permitted to shower daily.

### **J131.30 - HAIR CARE SERVICES**

Head and facial hair shall be kept clean and groomed at all times. The Jail Facility Manager may invoke necessary restrictions regarding extreme hair styles that relate to safety, health or security.

These restrictions may result in exclusion from certain work assignments, but only with the exercise of discretion and good judgment.

The following guidelines apply to hair care services:

- [1] Hair care services shall be available to all inmates on a weekly basis. Indigent inmates are not charged for hair care services.
- [2] Inmates, except those who may not shave for reasons of identification in court, shall be permitted to shave daily and receive hair care services at least once per month.
- [3] Correctional Officers shall list the inmates requesting haircuts on the "Inmate Hair Cutting Log" located in the main control room. Inmates must initial next to their services on the log.
- [4] The haircuts will be conducted in a designated haircutting location.
- [5] The log shall be delivered to the Commissary Officer or Jail Lieutenant for record keeping; the barber shall receive a copy for their records.
- [6] The Commissary Officer will make appropriate fund deductions from the inmate accounts consistent with the pricing for each service as follows (fees will be deducted within 24 hours except in exigent circumstances):

Hair Cut	\$10
Beard/Mustache Trim	\$5
Shave	\$5
Nail Trim	\$1

- [5] The Jail Lieutenant will complete a County claim charging the Barber's services to the Inmate Welfare Fund.
- [6] Haircut services will be conducted by housing unit on allocated dates and times to ensure proper classification.

### **J131.40 - STERILIZATION OF HAIRCUTTING EQUIPMENT**

To ensure proper sterilization of equipment used, Sutter County Jail has a written policy for outside barber services to be allowed for the health and safety needs of the inmates housed in the facility.

Hair care equipment shall be sterilized before each use, by a method approved by the State Board of Barber Examiners to meet the requirement of Section 6586.5(h) of the Business and Professions Code.

### **J132.00 - INDIGENT INMATES**

Inmates with funds shall be expected to purchase, for themselves, all items necessary for daily inmate hygiene before purchasing such items as candy, snack foods, etc.

An inmate shall be considered indigent if:

They have no money in their possession.

They have \$3.00 or less in their Inmate Account.

#### **J132.10 - SUPPLIES FOR INDIGENT INMATES**

Inmates held over twenty-four (24) hours who are unable to supply themselves with personal care items shall be issued the following on commissary issue day:

Fingertip Toothbrush	(Once a week)
Toothpaste	(Once a week)
Bar Soap	(Once a week in Welfare Pack and additionally upon request)
Comb	(Once a week)
Shampoo/Bodywash	(Once a week)
Mini Safety Razor	(Once a week)
Lined paper & golf pencil	(Once a week)
2 postage free envelopes	(Once a week)
Deodorant	

The Jail Facility Manager or designee shall determine eligibility to receive the above items and such eligibility shall be reviewed and re-evaluated each issue date.

#### **J133.00 - INSTITUTIONAL CLOTHING – ISSUE**

The Jail will be responsible for the control, storage and inventory of all institutional clothing. The Jail shall assure a sufficient supply of clothing is available at all times and shall be prepared to meet any unusual demands which may arise.

A standard issue of institutional clothing shall include, but not be limited to:

- [2] pants
- [2] underwear
- [2] pairs of socks
- [2] t-shirts
- [1] sweatshirt (when applicable)
- [1] shorts (when applicable)
- [1] towels
- [1] Mattress
- [1] Sheet
- [1] blanket
- [2] bras (females only)

Single cell inmates will receive (2) jump suits, (2) white t-shirts, (2) shorts (when applicable).

Note: Female inmates may not wear their own personal bra unless inventory necessitates. (No under wire bras will be allowed.)

#### **J133.10 - INMATE DRESS CODE**

The Jail has established inmate dress codes adaptable to daily inmate life. Dress codes include, but are not limited to:

- [1] Standard jail clothing shall be worn at all times.
- [2] Alteration, in any form, of the jail clothing is prohibited.
- [3] Inmates shall be fully dressed when not in their sleeping quarters. Single Cell Inmates will be fully dressed in the dayroom or at their cell door to receive medications.

Fully dressed consists of a shirt, pants, socks and shoes. (In some housing areas jumpsuits are issued in lieu of shirts and pants.) Shower shoes are acceptable footwear within the facility but are not to be worn outside the jail. Women shall wear a bra; when not in their sleeping quarters.

#### **J133.20 - WORK CREW CLOTHING**

Inmates shall be issued suitable clothing to enable them to work assignments such as food services, painting and other specified work. Inmates shall be provided with suitable footwear.

Inmates returning from work assignments will be provided a clean exchange of clothing. Soiled clothing will be exchanged for clean clothing on an item-for-item basis. Work crews will leave soiled work clothes in the laundry room.

#### **J133.30 - INSTITUTIONAL CLOTHING EXCHANGE**

Each inmate is responsible for the exchange of laundry items according to the schedule posted in each housing unit. To receive clean laundry, inmates must adhere to the following procedure:

Laundry and clothing exchange days are posted in each housing unit. Blankets are exchanged on a monthly basis and shoes are exchanged as needed.

#### **J133.40 - INMATE USE OF PERSONAL CLOTHING**

Inmates are not allowed to wear non-institutional (or personal) clothing while incarcerated. This includes personal footwear. However, an unsentenced inmate may be allowed to wear personal clothing and footwear to attend jury trials when it is appropriate and such clothing is available, requested and approved by the Jail Facility Manager.

Inmates attending psychiatric or medical exams and out-patient mental health services shall wear institutional clothing unless otherwise ordered by the court.

Personal clothing shall consist of shoes, outer garments, and a wrap (i.e. coat, sweater, etc.).

All additional clothing requests shall be handled by special request with the approval of the Jail Facility Manager.

#### **J133.50 - NON-INSTITUTIONAL CLOTHING STORAGE**

The Jail is responsible for the storage of inmate personal clothing which shall include a plan for the cleaning and/or disinfecting of all inmate personal clothing before storage and as necessary to control vermin.

## **J133.60 - CONTAMINATED CLOTHING**

The following procedures shall be implemented for confiscating and handling contaminated inmate clothing.

[1] Clothing shall only be confiscated when it cannot be laundered and will contaminate other clothing if stored. Clothing should be confiscated and destroyed if it:

Contains excessive amounts of blood;  
Contains excessive amounts of dirt and the material is rotting;  
Is saturated in heavy grease or oil; or,  
Is saturated with urine or fecal matter.

A supplemental report shall be made which shall include the date and reason the clothing was destroyed. A copy of this report will be placed in the inmate's records jacket.

An Inmate Incident Report form shall be used to make proper notification.

Final authority to destroy an inmate's non-institutional (personal) clothing shall be made by the Sergeant on duty.

## **J133.70 - INMATE PERSONAL PROPERTY**

Inmate personal property consists of all personal property and clothing worn or carried by (or on behalf of) the inmate at the time of his/her arrival to the jail. Personal property can include clothing such as pants, shirts, shoes and socks. It can also include, but is not limited to, items such as coats, headwear, wigs, purses and wallets. These items are accepted and stored at the jail pursuant to Jail Policy Manual section J133.80.

All personal property and clothing is inventoried carefully by the booking officer when the inmate is booked, and a property sheet is generated. Non-authorized Commissary from outside facilities will not be allowed into the housing units. Exceptions will be made if the items are currently sold on the Sutter County Jail Commissary Menu. The property sheet is signed by both the booking officer and the inmate, as confirmation of its accuracy.

No additional property is taken in for the inmate after booking unless approved by the Sergeant on duty.

## **J133.85 – RINGS AND BODY PIERCINGS**

Rings and body piercings (example: ear, nose, tongue, nipple, bellybutton piercings, etc.), and articles in the hair shall be removed by the arrestee. Every attempt will be made to have the inmate voluntarily remove all jewelry or body adornments utilizing any available hand lotion, hand cleaner, oil or soap and/or cutting implement. Rings shall only be removed by using a ring cutter. Correctional Officers may provide reasonable assistance to cooperative inmates with removing items which are not in the genital area. The removal of an arrestee's body piercings from the genital area shall be conducted in an area of privacy in the presence of jail officer(s) of the same gender.

1. If the inmate is unable to remove the body piercing or articles, the inmate will be escorted to the medical office, where medical staff will attempt to remove or assess the removal of the body piercing or articles in the hair.
2. Intake officers shall consider the inmate's charges (example: ASAP release, or pending housing) when informed an arrestee is unable to remove a ring or piercing or other article, as a safety precaution, be isolated from other inmates by placing him/her alone in a holding cell until their release, if the cell is available.
3. If jail medical staff is unable to remove the piercing from an arrestee, and the arrestee does not fall in the category listed ABOVE, the arrestee shall be allowed to wear the body piercing due to unable to remove it. Permanent type piercings, especially on the facial area will not be removed by Correctional Officers
4. Hair of an arrestee is not to be cut by Correctional Officers. Every attempt will be made to have the inmate voluntarily remove articles in the hair to the extent of providing the arrestee a cutting implement to do so.
5. Transport to the Hospital ER for removal of the piercing or articles by hospital staff if jail medical staff deems the piercing to be a health hazard to the inmate.

#### **J133.80 - INMATE PROPERTY ROOM**

The inmate property room for the Sutter County Jail is located within the Main Jail building and is commonly referred to by staff as the "Property Room". All personal clothing and small property items an inmate has at the time of booking will be inventoried by the booking officer and later stored in the property room after the inmate is dressed into jail clothing. All personal clothing and small property items are stored systematically within the property room for easy, accurate retrieval at the time of release.

Entry and access to the property room shall be by authorized personnel only. At no time will inmates be allowed inside the property room, unless escorted by an officer for the purpose of a special detail (such as cleaning, or moving something into, or out of, the basement for storage purposes).

Property storage space is limited. For this reason, Sutter County Jail will NOT accept certain items for storage as inmate property. Such items include, but are not limited to:

- [1] The Sutter County Jail will not accept items which are to be booked into evidence. Evidence items must be retained by the arresting officer or agency.
- [2] The Sutter County Jail will not accept property items which are illegal to possess or illegal to bring into a jail. Such items include, but are not limited to:
  - A. Narcotics and narcotic paraphernalia
  - B. Firearms and other weapons (with exception of knives)
  - C. Alcohol of any kind
- [3] Perishable foodstuffs will not be accepted Perishable foodstuffs brought to the jail will be destroyed upon intake.
- [4] Large or bulky items such as tents, sleeping bags, backpacks, ice chests and large suitcases

will not be accepted.

- [5] Items described above should be booked for safekeeping at the station or agency where the arrest originated.
- [6] Any questions or disputes regarding the above policy should be referred to the Jail Sergeant BEFORE the property is accepted.

#### J133.90 - RELEASE OF INMATE PROPERTY

All property held for an inmate at the Sutter County Jail should be returned to the inmate when he or she is released from custody. Items left over ninety (90) days after an inmate's release will be destroyed or otherwise disposed of.

Generally, inmates are not allowed to release their personal property while in custody, unless they are sentenced to state prison. In that case, they may release their personal property in advance of their transport to prison, but must do so during their designated visiting hours (refer to visiting schedule).

Upon receipt of a property release request, signed by an inmate and verified by jail staff, the personal property shall be retrieved from the inmate's property and released to the designated person only. Inmates sentenced to CDCR or a State institution will have their property released in its entirety, without the option of selecting specific items. The designee must produce a valid photo ID in order to receive the property.

Inmates will not be allowed to release shoes or clothing items deemed necessary for transportation to another facility or necessary for release.

Prescription Medication on an inmate's property will never be released to anyone except the inmate upon their release from custody.

*Note: If the property of an inmate committed to state prison is not released prior to transportation, said property will accompany the inmate to state prison. No inmate property is intentionally held after an inmate is released.*

#### J135.00 - GENERAL INMATE RULES AND REGULATIONS

These rules are provided to all inmates and are for the protection of their rights and safety during their stay. Any violation of the rules may result in loss/restriction of privileges, time credits, and/or criminal prosecution.

Each rule is followed by a code letter (M), (m), or (C). These code letters indicate the severity of the offense committed and are defined as follows:

M - Major Violations

m - Minor Violations

C - Criminal Law Violations

Inmates who violate any Federal, State, or County Ordinance may have criminal charges filed against them. In addition, they may also be re-classified/re-housed and have other privileges

restricted.

## J135.10 - GENERAL RULES APPLY TO ALL INMATES WITHIN THE JAIL

- [1] (M) (C) Inmates will obey all local, state and federal laws, as well as all rules and regulations of the Sutter County Jail.
- [2] (M) (C) Inmates will not mark or deface any wall or structure within the jail or destroy or alter any county property. This includes laundry, books, and all property purchased by the Inmate Welfare Fund.
- [3] (M) Inmates will not gamble. This includes any game played for money, property or food.
- [4] (M) (C) Fighting, challenging or threatening remarks will not be tolerated.
- [5] (M) (C) Inmates will not have in their possession any contraband, any dangerous weapon, or any item which can be construed to be a weapon (i.e., club or similar instrument, etc.).
- [6] (M) (C) Inmates will not have in their possession any pointed or sharpened objects except authorized pencils.
- [7] (M) Inmates will obey all lawful orders of the jail staff.
- [8] (m) Inmates will not have in their possession any item which they did not purchase in the commissary or issued by the jail staff.
- [9] (m) Inmates will be fully dressed when not in their sleeping quarters. Fully dressed consists of a shirt, pants or shorts, socks and shoes. (In some housing areas jumpsuits are issued in lieu of shirts and pants.) Shower shoes without socks are acceptable footwear within the facility but are not to be worn outside the jail. Women shall wear a bra when not in their sleeping quarters.
- [10] (m) Inmates will not hang or attach photographs or other items on walls, windows, bunks or fixtures. Items placed on or attached to walls, windows, bunks or fixtures will be considered contraband. Photographs and correspondence will be removed and placed into the inmate's property. They will be returned only upon the inmate's release.
- [11] (m) Inmates will address staff and visitors in a respectful manner. Staff will be referred to by title (Officer, Sergeant, Lieutenant, Captain, Mr., Mrs., or Dr., etc.). Abusive, improper, or disrespectful language will not be permitted. Inmates will not make personal advances or negative comments toward any staff member. Visits may be terminated for use of abusive, improper, or disrespectful language.
- [12] (M) (C) Smoking is prohibited within the facility, during transports, and on work crews. Inmates shall not possess or bring any marijuana, tobacco products or tobacco paraphernalia into any jail facility. There are severe penalties for violation of this rule up to and including loss of Good Time/Work Time.
- [13] (m) Lights and vents will not be covered with any objects. Clothes and other items are not to be hung on pipes, wires, or bedposts, or near any air vents. No strings, ropes, or wire will be hung between bunks, pipes, fixtures, or attached to wall. No clothes lines or "curtains".
- [14] (M) (C) Burning any object or starting any type of fire is forbidden. Inmates shall NOT possess matches, lighters, or any other source of ignition.
- [15] (m) Inmates will be responsible for the cleanliness of their housing area.
- [16] (M) (C) Inmates will be responsible for all jail property issued to them. Loss or destruction of these items will result in disciplinary action, criminal charges, or both.
- [17] (M) (C) Inmates will not engage in sexual activity with other inmates or staff.

- [18] (M) Inmates will not change assigned sleeping quarters without written permission.
- [19] (M) Inmates will not remove, tamper with or alter identification bracelets. Nor furnish false information; falsely identify themselves, to Jail Staff.
- [20] (M) (C) Inmates will not enter or remove property from another inmate's sleeping quarters or be in possession of another inmate's property.
- [21] (m) Inmates will not use issued property or commissary items for anything other than its intended purpose. Property is not to be stored in cardboard boxes.
- [22] (m) Inmates will refrain from loud talking, shouting and other disruptive acts.
- [23] (m) Inmates are not allowed to store food other than commissary items in their cell or room.
- [24] (m) Inmates will not give, loan, or transfer money or commissary items to other inmates.
- [25] (m) Inmates assigned to work details or other programs within the jail will remain in their assigned area.
- [26] (m) (M) (C) Inmates will not tamper with any fixture, plumbing fixture, fire or life safety device or any other fixture or device.
- [27] (m) Inmates will store their personal property in their respective sleeping areas.
- [28] (m) Inmates will not have more than ten (10) of the following items, in combination, stored in provided containers in their sleeping area: newspapers, books, legal papers and a reasonable amount of mail and photographs not to exceed 12" x 12" x 6" by dimension or inside a plastic 23 3/4" L x 16" W x 6 7/8" H storage box; bibles and religious books are not included in this count. Laundry items subject to the limits set in section J133.00. Commissary items subject to the limits set.

*Note: Excess photographs or correspondence (a reasonable amount not to exceed 12" x 12" x 6" by dimension) will be placed into the inmate's "personal property". Excess newspapers, books, etc., will be placed in the inmates' property box. It is the individual inmate's responsibility to not purchase commissary items in quantities above set limits.*

- [29] (m) All items from the kitchen such as trays, food, etc., will be returned immediately after each meal. Food items not consumed at mealtime shall be discarded. Inmates will not store food, other than commissary items, in their sleeping quarters. There will be no food trays allowed in the bunk/living areas at any time.
- [30] (M) There will be no tattooing or possession of tattoo equipment, piercing of skin areas or wearing objects in pierced areas of skin.
- [31] (M) (C) It is a felony to escape, attempt to escape, or aid or abet any escape or any attempted escape by any person.
- [32] (m) Pounding on doors and yelling is allowed only to notify jail staff of an emergency. Misusing emergency notification or facility intercom is a violation.
- [33] (m) Groups of inmates will walk single file while in any hallway. No Inmate will cross a red or yellow line without permission of the jail staff. Inmates will stop when directed and turn to face the nearest wall when directed to stop.
- [34] (m) Passing articles, notes or any items from one housing unit to another is not allowed. Communication between housing units or between inmates in separate units is not allowed.
- [35] (m) Items provided through commissary are subject to limits in number. Inmates may not possess greater than specified amounts of items. Items over specified limits are

contraband and will be destroyed.

- [36] (m) Extra laundry is not allowed. Inmates may have only the quantity of laundry issued at the time of housing. Extra laundry items will be taken.
- [37] (m) (M) Refusal to accept a work assignment may result in the loss of work time credits.
- [38] (M) Inmates are not allowed to bring any contraband items into the jail from court, medical appointments or other activities.
- [39] (M) Acts of insubordination or abusive, disrespectful language toward anyone will not be tolerated at any time.
- [40] (M) Inmates will not interfere with the Jail counts or any other Jail duties, for any reason.
- [41] (M) (C) Making, using, or possessing intoxicants (alcohol, drugs, pruno, etc.,) or paraphernalia to produce or construct a lab is prohibited.
- [42] (M) (C) Inmates may not store, share, trade or give another person any medications prescribed or dispensed to them by Wellpath Medical Services nurses or providers.
- [43] (M) (C) No inmate will defraud, sell, transfer, convey, or use the Personal Information Number (PIN code) of another Inmate for any unlawful purpose to obtain any services. A criminal investigation will be conducted, and violators will be charged and may be sentenced up to a year in the State Prison, under Section 530.5 of the Penal Code.
- [44] (m) (M) (C) Inmates will not remove, destroy or tamper with any security device.

## J136.00 - INMATE WORKERS

- [1] May be required to do any work at any time.
- [2] Will be at their work station, or when done, in their housing unit.
- [3] Those assigned to work outside the jail will wear orange pants and an orange work shirt.
- [4] An inmate worker will not visit the medical clinic unless called for. An inmate worker requesting sick call will do so in the normal manner. Those who are unable to carry out all of their duties will inform the on-duty Custody staff at once who will notify their supervisor.
- [5] Inmate workers will not be in any place other than their work station or housing unit unless prior approval has been granted by the jail staff.
- [6] Violation of any General Rule or Inmate Worker Rule or failure to complete their assignment may result in disciplinary action and the loss of their job assignment and/or loss of good time work time.
- [7] Inmate workers may be male or female; however, male and female workers will be kept physically separate and may not communicate in any manner.
- [8] All efforts shall be made to keep inmate workers separate from OWR participants.
- [9] Work-related injuries for inmate workers are to be managed according to County policies and procedures for worker injuries. If called, Wellpath Medical Services will provide life- and limb protective emergency response within the Jail until an ambulance arrives or the Custody Officer receives direction from the Company nurse for management of the incident. All follow-up health care for inmate work-related injuries or illness will be according to County policies and procedures.

## J136.10 - WORK CREW RULES

- [1] While working on crews outside the jail, workers are to follow all the general rules for inmates within the jail as well as the directions of the person for whom they are working.
- [2] Workers are not allowed to have visits from anyone while working on outside work crews.

- [3] Workers are not to leave their assigned stations for any reason.
- [4] Workers are not to bring any contraband of any kind into the jail from the outside.
- [5] Violations of any General Rule or Work Crew Rules or failure to complete the job assignment may result in disciplinary action and the loss of the job assignment.

## **J137.00 - TELEVISION PRIVILEGES WHILE IN CUSTODY**

Televisions are a privilege and can be taken away as a disciplinary action. Removal of televisions may occur prior to a disciplinary hearing.

Day room and individual cells must be clean before televisions are turned on. The volume on televisions will be turned down during meals, medication rounds and at jail staff discretion.

Televisions and cable television services are provided from proceeds of commissary sales. Inoperative sets will be repaired as soon as practicable; however, the Sheriff's Office has no obligation to provide television during times when these unexpected events occur.

## **J137.20 - INMATE ISSUED COMPUTER TABLET POLICY AND PROCEDURE PLAN**

The purpose of this policy is to develop and implement guidelines for the use, management, and security of computer tablets issued to Sutter County Jail inmates.

**Charging Station:** Each cell that has access to the tablets will have a charging station attached to the wall in the cell or dormitory dayroom.

**Computer Tablet:** The tablet used by the inmates to access GTL's Educational and Socialization Programs.

Tablet Program Overview:

1. Each computer tablet containing the GTL platform is assigned to specific, pre-determined housing units.
2. Inmate access to these tablets is a privilege and may be temporarily suspended, limited, or revoked when necessary for the safety and security of our facility.
3. GTL System support team will administer the tablet program at the discretion of the Jail Lieutenant or his designee.
4. Educational platforms completed via the tablet program will not qualify for milestone credits under PC Section 4019.
5. The Jail may assign a Tablet Program Coordinator
6. Tablet may be used for informational purposes, I.E. PREA, Inmate Handbook or for Inmate Grievances and Request Forms. Also, for Commissary and any other purpose deemed necessary by the Sutter County Jail.

### **ISSUANCE:**

1. Upon being assigned to a housing unit where tablets are distributed or located, inmates will be permitted access, unless on disciplinary action or assigned a different classification.

2. Tablets are to be stored and secured in their respective charging station on the cell or dormitory wall. They are to be left in the on position while stored to ensure the software updates are downloaded successfully.
3. Before tablets are distributed the cell/tank or dorm officer will visually inspect all tablets to ensure they are in good working order, tablets have no physical damage, and tablets turn on and the screen functions correctly.
4. Floor officers will ensure tablets are assigned correctly to each cell or dormitory location and verified against the tablet location print out sheet.
5. Inmates will be assigned a tablet on a first come first served basis. Top Tiers in the Pods will receive tablets on Monday-Wednesday-Friday and bottom tiers will receive them Tuesday-Thursday-Saturday. Sunday is first come first served for both tiers.
6. Inmates will be assigned a specific tablet (All tablets have an asset number) which they will be held accountable for until it is checked back in.
7. Floor Officers will visually inspect all tablets as they are checked back in before lockdown to ensure they are in good working order, there is no physical damage, the screen operates correctly and the tablets seat properly in their charging stations.

Print out a tablet location sheet from the GTL website at the beginning of each shift and inventory and check the tablets by location against the printout.

If there is an issue found with a tablet, a rule violation will be issued to the inmate the tablet was last assigned to.

8. Night shift will print out a tablet location sheet from the GTL website and verify at lockdown to make sure all tablets are accounted for, placed in their charging station, and are secured.
9. GTL system support department will provide an updated count and location of all tablets as needed.

## **USE OF TABLETS:**

Access to Inmate Tablets for Video Visiting, Messaging, Etc.

All access to any inmate tablet is strictly monitored. Neither inmate nor visitor has any expectation of privacy while communicating via a tablet.

1. Use of jail tablets is a privilege. Jail staff may limit an inmate or visitors' access and use of a tablet with or without cause.
2. Inmates may use the tablets located in their assigned housing unit. Each housing unit has specific rules concerning the types of use, hours of use and the length of calls allowed. These general rules apply to the inmate and visitor and include the following but are not limited to:
  - a. Do not shout, talk above a normal conversational level, or use profanity while on the tablet.

- b. Do not tamper with, mark or damage a tablet. Inmates will be charged a fee for any damage they cause while using a tablet.
- c. Do not pull on the cord or slam tablet down on any surface, item, etc.
- d. Do not attempt to contact any victim, complainant, or individual prevented by court order from contacting.
- e. Do not use a third party to relay any message to any individual, including another inmate, jail staff, any individual the inmate is prohibited from contacting due to a court order.
- f. Do not allow any inmate to join the call/video visit while using a tablet.
- g. Do not share an inmate PIN with any inmate. Inmates are responsible for all charges to their PIN.
- h. Do not use another inmate's PIN.
- i. Immediately report stolen PIN's to the nearest Correctional Officer.
- j. Immediately notify the nearest Correctional Officer if a tablet or telephone is not working properly. If a PIN is not working properly, submit a work order on the phone or tablet, if possible. Inmates may also report issues with their PIN to the Correctional Officer in their housing area.
- k. Do not use inappropriate gestures, signs or displays of an offensive nature or involving gang indicia while on the tablet.
- l. NO sexual conduct or gesture will be tolerated at any time. Both the inmate and visitor must be completely clothed during a video or in person visit.
- m. Video visits are recorded and are always monitored.
- n. Violation of any Sutter County Sheriff's Office policy may incur discipline and/or criminal charges.
- o. Messaging is allowed on the tablet. There is a fee for each message determined by GTL.
- p. Prohibited messages include but are not limited to the following:
  - 1) Contain threats of physical harm, blackmail, extortion or other criminal activity.
  - 2) Concern plans for escape, criminal activity, or activity that violates jail rules.
  - 3) Concern sending or receiving contraband into the facility.
  - 4) Encourage or instruct how to commit a crime.
  - 5) Contain material that is related to gangs or security threat groups.
  - 6) Contain information that, if communicated, would create a danger of violence or physical harm to any person.
  - 7) Is written in code or suspected code.
  - 8) Contains sexually explicit content.
  - 9) Communication with any other inmate in any correctional facility, home detention, active probation or parole client,

active member of any criminal organization, or in any treatment facility.

- 10) Is to or from a victim of a crime that you are in custody for, either in pretrial or sentenced status, either directly OR via third party. Note: the term "victim" includes the guardian or custodial parent of any minor child victim.
- 11) Third party communication by any means.
- 12) Or any other act which is deemed nefarious by Sutter County Jail Staff.

#### **TROUBLESHOOTING:**

1. In the event a tablet does not function properly, restart the tablet. If the tablet fails to function correctly again, turn the tablet in to Jail Administration and generate a Jail Incident Report.
2. If a tablet is damaged by an inmate generate an Inmate Disciplinary report as well for destruction of County Property. A crime report will be completed, with the inmate either being booked on the appropriate charges or the report forwarded to the District Attorney's office for review. The replacement cost is \$299.00 if the inmate has caused intentional damage to the tablet.
3. If a tablet fails to function correctly, or if an inmate deliberately damages or destroys a tablet, the tablet shall be given to the Sergeant or Jail Lieutenant for replacement. The Jail Tablet Coordinator or Jail Lieutenant will contact the tablet vendor, GTL, for a replacement tablet.

#### **J137.10 - TELEPHONE PRIVILEGES WHILE IN CUSTODY**

The Jail Facility Manager has developed and implemented a policy which allows inmates reasonable access to a telephone beyond those calls which are minimally required by Section 851.5 of the Penal Code.

Telephones are a privilege and can be taken away at a Supervisor's discretion as a disciplinary action. Inmate misuse and/or abuse of the telephone shall be cause for it to be turned off.

Telephones are turned on at breakfast and turned off at lockdown. Telephones will not be turned on unless cell areas and day rooms are clean, sanitary and orderly.

Each housing unit has at least one (1) telephone for the use of inmates. The telephone cannot receive incoming calls. Outgoing calls must be placed "collect" or by using a pre-paid phone card purchased from the Jail Commissary.

Billing for inmate telephone calls is done by the contractor/telephone service provider. Questions regarding billing shall be referred to the provider. The Sutter County Sheriff's Office is not responsible for rates or billing.

In the event an inmate damages or destroys a telephone, a substantial delay can be expected in their repair or replacement. Criminal prosecution for the appropriate charges may be

pursued by the Custody section via Incident Report to the District Attorney.

*NOTE: Inmate phone calls may be monitored at any time.*

## **J138.00 - FACILITY SERVICES/INMATE PROGRAMS**

### **J138.05 - LIGHTS OUT/EVENING LOCKDOWN**

Housing unit lights will be turned on each morning at 06:00 hours for breakfast and turned off in the evening at general lockdown (23:00 hours).

Each morning all inmates will get fully dressed and ensure their individual cells and day room areas are swept, mopped and cleaned when cleaning supplies are provided by jail staff; and in all cases, no later than 0800 hours.

Breakfast is served at approximately 07:00 hours  
Lunch is served at 12:00 hours  
Dinner is served at approximately 19:00 hours

*NOTE: Jail hours may be subject to change without notice.*

Single Cell Inmates will be fully dressed in the dayroom or at their cell door to receive medications.

### **J138.10 - RELIGIOUS BELIEFS**

The Administrative Sergeant shall be responsible for assisting the volunteer ministry participants with supervising, planning, directing, and coordinating religious programs. The Administrative Sergeant and Lieutenant are responsible for duties including, but not limited to:

- (a) Coordinating religious services.
- (b) Reviewing requests for religious accommodations.
- (c) Overseeing the distribution of a variety of religious texts.
- (d) Developing and maintaining a liaison with a variety of religious faiths in the community.
- (e) Making reasonable efforts to enlist religious leaders from outside the community as necessary.
- (f) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the inmate population.
- (g) Providing guidance to the Sheriff and the Jail Commander on issues related to religious observance.
- (h) Providing an onsite jail orientation to explain jail rules, personal safety awareness and facility security requirements to all new volunteer ministry participants/applicants.

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing to the Administrative Sergeant. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices will be reviewed on a case-by-case basis.

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 to the Administrative Sergeant. In determining whether to grant or deny a request for accommodation of a religious practice, the Administrative Sergeant will determine the sincerity of the religious claim of an inmate. To determine sincerity, the Administrative Sergeant will look at the history of the inmate, the request itself, the current behaviors of the inmate and any other information that would tend to prove legitimacy or otherwise. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

If the Administrative Sergeant does not grant an accommodation, either in part or in full, the Administrative Sergeant should forward the request to the Jail Commander within two business days, through chain of command. The Jail Commander will consult with County Counsel and make a determination regarding the request within 10 days following the inmate's request and notify the inmate.

If the Jail Commander does not grant an accommodation, either in part or in full, he shall forward the request to the Sheriff with the basis for the denial within 14 days of the inmate's original request being made, if possible. The Sheriff or the authorized designee will review the denial and respond to the requesting inmate within 20 days following the inmate's request.

The Jail Commander shall be informed of all approved accommodations. The Administrative Sergeant should make any necessary notifications to staff as necessary to meet an approved accommodation.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

In an emergency or extended disruption of normal facility operations, the Jail Commander may suspend any religious accommodation. The Jail Commander may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

Inmates may appeal the Jail Commander's denial, suspension, or revocation of an accommodation through the inmate grievance process. This grievance procedure can be

found in the Inmate Handbook, provided to all inmates on the tablets. The handbook is available in English, Spanish and Punjabi.

## **DIETS AND MEAL SERVICE**

The Administrative Sergeant 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. The Administrative Sergeant shall provide names of inmates authorized to receive religious diets to the food services supervisor. The food services supervisor shall establish a process for managing religious meal accommodations. Meal recipes will be created and cleared by Summit's dietician to ensure compliance of Title 15.

## **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.

To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility. 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.

## **RELIGIOUS TEXTS**

Religious texts can be provided by jail staff, religious volunteers, U.S. mail, or during normal visiting hours.

All materials may not pose a threat to the safety, security, and orderly management of the facility. All materials shall be cleared and approved by the on-duty sergeant prior to being given to an inmate. Texts will be paperback and not contain staples.

## **UNAUTHORIZED PRACTICES OR MATERIAL**

The following materials and practices are prohibited. Jail administrative reserves the right to add to this list to protect the safety and security of the inmates and facility.

- (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

## **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 religious symbols and implements may be considered when security, safety or efficient operations will not be jeopardized.

## **RELIGIOUS GARMENTS AND CLOTHING**

Inmates who practice a religion that requires a certain manner of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated as long as safety and security is maintained.

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged for office-supplied head coverings when available and appropriate.

Inmates wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the inmate's head and face shall be temporarily removed during the taking of booking and identification photographs.

When deemed necessary, alternative housing may be considered to accommodate an inmate's need for religious attire, while meeting the security needs of the facility.

## **FAITH- AND MORALS-BASED COUNSELING**

The Jail Commander shall be responsible for establishing a plan for inmates to receive faith-and morals-based counseling from the inmate's personal religious advisor or religious volunteers. Inmates 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 inmate shall be required to participate in any such program.

The Administrative Sergeant will make an attempt to network with the community to find a suitable credentialed minister upon a request from an inmate for services and/or counseling. This can be accomplished by calling, meeting, or emailing potential clergy.

In the event the Administrative Sergeant is unable to find a minister of a particular requested religion the inmate may seek out a credentialed member of that particular faith to help provide services. Any facility efforts to contact faith-based representatives shall be documented in a memorandum to the jail commander and in the requesting inmate's jail record.

The Administrative Sergeant shall develop and maintain communication with different faith communities to be prepared for an inmate request for services.

This policy is in compliance with Title 42 U.S.C. § 2000, Religious Land Use Act (RLUIPA).

## **J138.20 - COMMISSARY**

The facility provides a commissary service to inmates. This service makes available the purchase of personal hygiene items and acceptable food products. See Jail Policy Manual section J163.00 "Commissary Process" for details.

## **J138.30 - EXERCISE AND RECREATION**

The jail has developed and implemented an exercise program in an area specifically designated for recreation which shall allow each housing unit a minimum of three (3) hours, (5) hours for the Main Jail in accordance with Court Orders, of exercise yard over each seven (7) day period. The exercise yard will be offered at varying periods throughout the day. The yard must be used at the time offered or inmates will forfeit their time in the yard.

This program includes regulations as are reasonable and necessary to protect the facility's security and the inmate's welfare. Recreational activities shall be available to all inmates unless they are restricted by medical reasons, or by the Jail Facility Manager for security reasons.

Officers will log Recreation Yard time for each Housing Unit in the Recreation Compliance Log on the Computer.

## **J138.40 - JAIL LIBRARY**

Recreational reading material shall be made available to every inmate. All jail library books are paperbacks. No hardbound books are allowed. Paperback books are placed on library service carts which are circulated throughout the facility on a regular basis.

Inmates may borrow up to three (3) books at a time and take them to their cells, providing they return the books once they have been read. In order to provide the widest use of books to the greatest number of inmates, inmates shall have no more than ten (10) books (from any source) in their possession at one time. Inmates in violation of this rule shall have the books confiscated and returned to the library cart or to their assigned property box and may be subject to a disciplinary action.

Religious reading material is available from the Facility Religious Services staff via Inmate Request Form.

Educational reading material and reading material concerning community services and resources are available from Inmate Program Staff or via Inmate Request Forms.

## **J138.45 - ACCESS TO LAW LIBRARY**

Inmates who are acting as their own attorney (Pro Per) on a criminal matter, pursuant to a verified Court order, will be granted law library access as outlined in Jail Policy Manual section J139.10.

Inmates who choose to proceed as their own attorney in civil matters not related to jail conditions (i.e., dissolution of marriage and child custody issues) have the following options:

- [1] Hire an attorney to handle the civil matter
- [2] Ask the court to continue the case until such time as the inmate is out of custody
- [3] Ask the court to provide readily available legal assistance and/or resources

Inmates who are represented by counsel should contact their attorney and/or public defender with their request for criminal legal materials.

Sergeants may deny law library access to non-pro per inmates due to disciplinary actions.

#### **J138.50 - LIBRARY RESOURCE MATERIALS**

All inmates, regardless of representation, may submit one (1) Inmate Request Form, and on it specify one (1) request, per day to the Law Librarian. The Law Librarian will provide referrals or resource materials for the following:

- [1] Writ of Habeas Corpus
- [2] Minimum Standards for Local Detention Facilities, issued by the California Corrections Standards Authority: Title 15 and/or Title 24, California Administrative Code.
- [3] Facility Rules and Procedures affecting inmates as specified in Title 15, section 1045, Public Information Plan (i.e., visiting, correspondence, access to telephone, etc.).
- [4] State and Federal income tax forms and instructions for filing tax returns
- [5] DMV forms
- [6] Application for Absent Voter Ballot
- [7] Addresses of government agencies
- [8] Via tablet, inmates can request resource materials through the Help Center from the Courthouse

#### **J138.60 - EDUCATION**

Educational materials may be made available through the Jail Facility Manager.

#### **J138.65 - INMATE EDUCATION PROGRAM**

This policy and procedure shall apply to all inmates, both sentenced and pre-sentenced. Each inmate will be reviewed on a case by case basis for eligibility to participate in the education program provided by the Sheriff's Office. Those inmates deemed eligible will be able to participate in the Sheriff's Educational Program, as well as receive GED support from Yuba Community College and the Yuba City Joint Unified School District.

#### **J138.70 - SOCIAL SERVICES**

Social Services are available to all inmates upon request.

#### **J138.75 – INMATE WEDDINGS**

Inmates in the Sutter County Jail are allowed, non-contact weddings, if one of the individuals is not in custody. The inmate must submit an Inmate Request form to a Jail Sergeant who will forward the request to Jail Management for final approval.

Once the wedding is approved, the inmates' bride or groom must obtain and prepare all legal documents, including any notary public requirements. This person must arrange for the pastoral or other service provider to be in attendance for the wedding. Once all required documentation is prepared, the person must advise Jail Administration it is complete and obtain a date and time for the wedding to be held.

When the date and time is approved, all weddings will be performed in the Main Jail visiting room, during regular visiting time. The inmate will remain on the inmate visiting side of the room and the pastor or service provider and bride/groom on the visitor's side.

The ceremony will be conducted through visiting room glass over the visiting phones and it will count as a visit for that week for the inmate. There will be no contact either before or after the ceremony. Correctional Officers in the Main Jail Control Room will assist with any signatures needed before or after the wedding ceremony, except any notarized form requirements.

#### **J138.80 - NOTARY PUBLIC**

Inmates who require the services of a notary public for the purpose of notarizing legal documents must submit an inmate request form advising jail staff of their need. Jail staff will work with the inmate to coordinate the best time for the notarization to take place. Notary services are available, for a fee, through the Sheriff's Office Civil Unit, Monday through Friday, 0800 hours through 1630 hours excluding holidays. Although it is encouraged, inmates do not have to use the Notary in the Civil Unit and may opt to use an outside Notary. Visits by an outside Notary Public shall only be scheduled during normal business hours (Monday through Friday,).

The Notary Public is subject to verification of identity and credentials, as well as search of their person and belongings. The Notary shall only be admitted to the booking area.

The Jail Facility Manager may make the services of a Notary Public available to any inmate, upon request, outside of normal business hours.

#### **J138.85 - CIVIL PROCESS**

The Sutter County Sheriff's Office Civil unit will process and serve civil process notices they are required to serve.

Civil Process for the Sutter County Jail will be conducted during normal business hours Monday through Friday, 0800 hours through 1700 hours excluding holidays.

Outside agency Civil Service Processors who wish to serve their paperwork in camera with the inmate will schedule an appointment during normal business hours by contacting the on-duty Jail Sergeant or Officer in Charge to schedule a service time.

Processors should be advised that although a visit is scheduled, it may be interrupted by unforeseen circumstances which may arise in the jail. The processor may wait until the visit can be accommodated or be re-scheduled by the on-duty jail supervisor. All staples

will be removed by service processors prior to presenting papers to our inmates.

The inmate will be brought to the booking area for the service process and the processor can view the service through the jail front lobby window.

If any member of the public comes to the jail to serve process on any Judicial Counsel Form such as Temporary Restraining Orders (TROs), Child Support, Divorce proceedings, and other civil process and requests jail personnel to serve notice, they will not be denied. We must accept service in accordance with Penal Code 4013.

The public has to provide proof of service filled out except for date and time of service which the officer will fill out. There should be no blanks on the proof of service. The service notice will be signed by the officer and the paperwork taken and served to the inmate.

For further information on Proof of Service please refer to Penal Code 4013.

#### **J138.90 – SUBSTANCE ABUSE**

The facility will provide scheduled times for Substance Abuse meetings.

#### **J139.00 - PRO PER INMATE POLICY**

**PURPOSE:** To provide standards for employees in the management of Pro Per inmates, and to ensure compliance with constitutional access to the courts, while maintaining jail security.

**POLICY:** Inmates who have court approval to act as their own legal counsel (*In Propria Persona*, or more commonly known as *Pro Per*) will be afforded Pro Per privileges upon written receipt of the appropriate court order.

Inmate Pro Per privileges shall apply to criminal cases only. Pro Per privileges shall be at the expense of the inmates unless the court has been satisfied as to the indigence of the inmate. Pro Per inmate privileges shall be honored at the reasonable convenience of the facility and shall be dependent on the security of the Pro Per inmate, other inmates, staff and the needs and security of the facility.

#### **DEFINITIONS:**

**Pro Per Inmates:** Those inmates who have court approval to act as their own legal counsel.

**Court Approval:** Written documentation from the court granting Pro Per status to an inmate.

**Court Order:** Written documentation from the court granting specific privileges to a Pro Per inmate.

**Law Library:** An area of the jail designated by the Jail Facility Manager, exclusively for inmates to review and research legal material.

**Legal Boxes:** A cardboard banker's box no larger than 10 x 15 x 24 inches, designated for

storage of Pro Per inmate's legal material.

**Authorized Legal Assistant:** A special investigator, legal runner or other person specifically authorized to assist a Pro Per inmate.

## J139.05 - PRO PER GENERAL INFORMATION

### **Jurisdiction**

This policy, which is the exclusive body of rules and regulations governing in-custody defendants acting In Propria Persona or "Pro Per" in Sutter County proceedings, outlines the privileges granted to those defendants acting in Pro Per within the Sutter County Jail.

### **Sheriff's Authority**

The Sheriff has the exclusive authority to house inmates and take such actions authorized by law, as is necessary to maintain jail security, discipline and safety, and provide for the operation of the jails.

### **Pro Per Committee**

A committee, consisting of a Judge of the Superior Court, an Attorney of the Public Defender's Office, an Attorney of the County Counsel's Office, and a member of the Sheriff's Office, will meet, no less than once annually to review this policy and procedures. The committee may make recommendations to the Sheriff on suggested changes to this policy and procedures.

### **Pro Per Liaison Officer**

The Sutter County Sheriff's Office shall designate one or more officers to act as Pro Per Liaison between the Pro Per inmate, the Sheriff's Office and the Court.

The Sheriff's Office shall direct a copy of all Pro Per court orders to the Pro Per Liaison officer, including any existing orders and any new orders, including those which modify or revoke existing orders.

The liaison officer shall be responsible to maintain a Pro Per file consisting of all court orders involving the Pro Per status and privileges as to each Pro Per inmate.

If a Pro Per inmate has a concern as to his or her Pro Per privileges, he or she shall first advise the liaison officer of the concern in writing and in detail. The liaison officer may consult with the Jail Sergeant, Lieutenant or Facility Manager, appropriately address the concern, attempt to dispose of the concern informally, and respond to the Pro Per inmate in writing within ten (10) business days of receipt of the concern as to what action, if any, will be taken.

### **Pro Per Inmates Notification**

All inmates who are granted Pro Per status through court order shall be provided a copy of the "Pro Per Policy and Procedures". The inmate shall sign an acknowledgement of receipt of the policy and procedures.

### **Pro Per Inmates Housing Considerations**

Pro Per inmates will be housed according to classification and at locations which provide security, order and safety. Pro Per inmates will not receive any privileges that are not granted to any other inmate, except as specifically outlined within these procedures or provided by Court Order.

#### **J139.10 - PRO PER LAW LIBRARY PRIVILEGES**

The Sheriff shall provide and maintain law library access for use by inmates granted Pro Per status per court order. The law library materials may be in a printed format, or accessible by electronic means, or both. The Sheriff and his staff will not be responsible for providing any computer instruction.

Law library access is provided primarily to permit effective access for all inmates to the Court, including Pro Per inmates, and inmates who intend to attack their sentences or challenge the conditions of their confinement. Therefore, the law library can also be accessed by non pro per inmates. Additionally, all inmates are expected to utilize their time in their cell to prepare for court hearings and trial.

The use of the law library is restricted only to legal research directly related to an inmate's case. Inmates violating this section will be verbally warned and may be summarily removed from the library for the balance of that particular session. The verbal warning shall be documented. Repeated violations shall result in further disciplinary action with possible loss of Pro Per privileges and/or Pro Per status.

The Pro Per Liaison, Jail Sergeant or their designee will designate the time and place of an inmate's law library access, and may assign inmates into groups based upon safety, security, and efficient use of available facilities. Inmates may be moved to a law library within the institution or law library services may be delivered to the inmate's housing assignment. Jail staff shall maintain a log which shows the time and date each inmate uses the law library. The log shall be retained for five (5) years.

Pro Per inmates will be afforded up to ten (10) hours of law library access over a seven (7) day period (Sunday-Saturday), if so requested. When requested, non-Pro Per inmates will be given law library access as time permits. Pro Per inmates will receive priority access over non pro per inmates.

It is the inmate's responsibility to avail himself or herself of the law library during his or her scheduled time. Jail staff will notify the Pro Per inmate of his or her scheduled time, at least thirty (30) minutes in advance. The Pro Per inmate is obligated to be prepared to be escorted to the law library. Delays in escorting the inmate to the law library, caused by the inmate, will be documented and will result in verbal warning. Repeated violations shall result in further disciplinary action with possible loss of Pro Per privileges and/or Pro Per status.

The jail staff may, but is not required to, provide make up time. The jail staff is under no obligation to provide any law books, other legal reference materials, or copies thereof, to any inmate in his or her living area. If the inmate is provided law library access or materials

within his or her cell, the inmate is responsible for the safe return of those materials.

If during a Pro Per inmate's scheduled law library access time, he or she voluntarily suspends access for an interview, or any other reason, the scheduled time in the law library continues until that scheduled time is over. All inmates exercising Pro Per privileges have an affirmative duty to exercise these privileges in such a manner as not to infringe upon the exercise of other Pro Per inmates' privileges.

An inmate shall not remove law books, source material, or parts thereof, from the law library. Possession of any law library materials in an inmate's cell other than during scheduled law library access time, or with the Jail Facility Manager's consent or pursuant to Court Order, shall be considered contraband. The possession of such contraband, or the theft, damage or destruction of law books or source materials will result in discipline or charges filed.

Pro Per inmates who violate facility and/or library rules will be subject to disciplinary action which may include restriction from the Law Library for a designated period of time.

### **Law Library Equipment**

A computer with legal research capability will be maintained for law library access. Inmates may use the computer to prepare their criminal case. The jail staff will not be responsible for providing any computer instruction. The computer has printing capability.

A word processing app is available on the Law Library computer. Pro Per inmates who need copies must obtain them from their authorized legal assistant(s).

Inmates not wishing to use the computer may legibly hand write their materials, or the materials may be typed by someone else. Motions to the court may be typed or hand-written provided they are legible. The court will accept motions on any type of paper and in pencil.

Audio and video equipment will also be maintained and provided for use by Pro Per inmates during their law library access time. Inmates that have audio or video tapes that are related to their criminal case may use the equipment exclusively for their criminal case preparation and not for entertainment.

All such equipment must be checked out and in by staff after each law library access session. Audio and video equipment necessary to review audio tapes and video tapes will only be supplied by the jail. Authorized legal assistant(s) and other persons will not be permitted to bring this type of equipment into the jail facility.

An inmate who damages any equipment, either intentionally or through misuse will be held responsible for any damage caused beyond normal wear and tear. The inmate will be disciplined, including, but not limited to, if charged may be required to pay for the cost of repair or replacement of that equipment, loss of access to that equipment, and/or loss of Pro Per privileges or Pro Per status.

## J139.20 - PRO PER TELEPHONE PRIVILEGES

Pro Per inmates shall have access to the telephone located within his/her housing unit in accordance with facility procedure. To facilitate these calls, Pro Per inmates are required to provide a list of up to three (3) telephone numbers which will be entered into the telephone system as "privileged" to prevent them from being monitored or recorded. The list should include:

Licensed Private Investigator

Legal Runner

Other number related to the case (with the reason or role in the case)

All calls will be outgoing only and must be placed collect or made using a pre-paid telephone card purchased through the jail's commissary.

All calls will be made at the inmate's expense unless determined to be indigent by Court order. Indigent Pro Per inmates may contact the Court and request funds for the purchase of a pre-paid telephone card.

Indigent Pro Per inmates shall not give away, loan, barter or sell his/her court funded phone cards or phone time. No inmate will use a phone card that has not been directly issued to him or her.

Court funded phone cards shall be used only for phone calls that directly relate to the case for which the inmate has been designated by the court as Pro Per.

An inmate shall report any lost or stolen court funded phone card as soon as he/she becomes aware that the phone card is missing.

An inmate who leaves the custody of the Sutter County Sheriff's Office must surrender any court funded phone cards still in his/her possession.

Any inmate who does not receive money from the Court for phone calls can have their authorized legal assistant(s) or others deposit money on their inmate commissary account for the purchase of pre-paid telephone cards.

A telephone will be made available for use during normal law library time and made available for Pro Per inmates to contact their witnesses, or investigator(s), runner(s) or other persons specifically authorized by Court order (collectively "authorized legal assistants"). All phone calls made in the law library shall be related to the inmate's case.

Non-Pro Per inmates will not be entitled to the same phone privileges within the law library.

## J139.30 - PRO PER AUTHORIZED LEGAL ASSISTANTS (LEGAL

## **RUNNER/INVESTIGATOR)**

Pro Per inmates may retain the services of a legal runner and/or an investigator at their own expense. The inmate has the responsibility to notify the court of who the legal runner and/or investigator will be. If the inmate is determined to be indigent the court may provide a legal runner and/or investigator to the inmate.

The legal runner may be used to pick up or deliver one package per calendar day. Pick-ups and deliveries will be limited to the hours between 9:00 a.m. and 8:00 p.m.

Materials that may be picked up or delivered will be legal materials and/or approved office supplies. Non legal mail, books, periodicals, newspapers or any other items not specifically approved, may not be sent through a legal runner.

Items to be sent out of the jail via a legal runner must be prepared by the inmate and inspected by jail staff. The items will then be placed into an envelope, no larger than a 10" x 13" manila envelope and sealed by the inmate. The receiving deputy will write on the outside of the envelope that the contents were inspected, date and time. Inmates must supply their own envelopes.

Items being brought to the jail by the legal runner will be placed into a sealed envelope, no larger than a 10" x 13" manila envelope. The envelope will be taken to the inmate within a reasonable time and will be inspected in the inmate's presence. Any unauthorized items found will be seized. A report will be written.

The investigator must be a California Licensed Investigator. Investigator designees and representatives will not be permitted.

Both the legal runner and the investigator must be pre-approved by the Jail Facility Manager and may be rejected for reasons such as:

Disruptive conduct

The individual is determined to be a security risk

The individual is an ex-felon (PC 4571)

The individual was released from the Sutter County Jail within the previous six (6) months

The Jail Facility Manager will have up to ten (10) business days to approve or reject a legal runner or an investigator, and notify the inmate, applicant and court of the results.

Abuse of the authorized legal assistant privilege will result in discipline and may result in loss of Pro Per status or privileges.

## **J139.40 - LEGAL VISITS FROM PRO PER'S AUTHORIZED LEGAL ASSISTANTS AND WITNESSES**

Inmates granted Pro Per status shall receive visitation time to confer with their authorized legal assistant(s) and/or witnesses. The Court will notify the jail unit of the identity of any investigator, runner or any other person that the Court has authorized to assist the Pro Per

inmate with the inmate's case. If there has not been any notification from the Court, the Jail Facility Manager has the right to refuse access to any such person.

Pro Per inmates will be permitted up to one such visit daily, Monday through Friday, by their authorized legal assistant. It will be the Pro Per inmate's responsibility to coordinate with his/her assistant to prevent multiple arrival times on the same day.

Access by the Pro Per inmate's authorized legal assistant(s) may be contact or non-contact at the discretion of the Jail Facility Manager, or his designee.

Pro Per inmates that need to interview witnesses shall do so via the telephone, or through their authorized legal assistants, except as ordered by the Court.

No interview will be permitted without notification from the trial 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.

No visit shall be permitted by a prospective witness who is in custody of the Sheriff or otherwise detained by a government agency except upon a specific court order.

#### **J139.45 - STORAGE OF PRO PER LEGAL MATERIALS AND CONFIDENTIAL CORRESPONDENCE**

Pro Per inmates may accumulate legal materials, to include reports, notes, court documents, confidential correspondence, law books and other materials relating to their criminal case. The volume of materials the Pro Per inmate may possess within their cell at one time is limited to what can be stored inside two (2) legal boxes, commonly known as a cardboard banker's box, no larger than 10" x 15" x 24". Any other materials needed for the criminal case must be stored outside the jail at a location selected by the inmate, and at the inmate's expense.

It will be the Pro Per inmate's responsibility to arrange for the exchange of materials with his or her keeper of the materials. Materials may be transported in and out of the jail, via the authorized legal assistant. All materials entering or leaving the jail will be subject to search.

It is the responsibility of the inmate to keep any legal materials separate and apart from his or her other personal property. All legal materials must be kept in the legal boxes. Non-legal items shall not be kept in the legal boxes. Important materials stored with personal property items such as soap, shampoo, food products and newspapers may be treated by jail staff as regular inmate property.

It is the inmate's responsibility to store the materials within his or her living area in a safe and sanitary fashion. If the accumulated materials jeopardize the safety or security of the inmate, staff or facility, the jail staff shall request the inmate to take immediate and appropriate remedial action. If the inmate fails to take such remedial action within a reasonable time, jail staff may remove excess property, at the jail staff's reasonable

discretion. In this instance, the excess property may be stored by jail staff on behalf of the inmate until released to an authorized legal assistant, or any person designated by the inmate.

Upon the transfer of a Pro Per inmate to another facility, it shall be the policy of this facility to follow usual and customary transportation procedures in providing for the safety and security of both inmates and staff. This means the Pro Per inmate will not be allowed to maintain possession of anything, including his or her legal material, during transport. During this time of physical separation from his or her legal material, the legal material will be carefully sealed and clearly marked with the inmate's name, and stored within the cargo area within the transport van. Or, prior to being transported, the Pro Per inmate may opt to release his or her legal material to any designated person.

#### **J139.50 - SEARCHING PRO PER INMATE PROPERTY**

Prior to the search of his or her housing area the Pro Per inmate shall be instructed to gather all legal materials into his or her legal box(es). Although the Pro Per inmate need not be present during the search of his or her cell, it is necessary that the Pro Per inmate be present during the search of his or her legal box(es), unless there is an articulable safety and/or security reason dictating otherwise.

Anytime a Pro Per inmate's legal materials are searched outside the presence of the inmate the search shall be approved by the Jail Facility Manager, and shall be videotaped or conducted in the presence of at least two (2) officers. All materials returned shall be delivered promptly to the Pro Per inmate, providing the safety of staff or other inmates, or the security of the facility, is not then an issue.

Confidential correspondence (legal mail) is any confidential communication between an inmate and any state or federal courts, any attorney licensed to practice law in any state, a holder of public office, the Corrections Standards Authority, the facility manager (Jail Facility Manager) or the facility administrator (Sheriff). Legal correspondence must be clearly indicated on the outside of the envelope.

Incoming and outgoing legal mail may be searched for contraband only in the presence of the inmate or authorized legal assistant. Jail staff may inspect the materials for contraband, but cannot read the contents of the materials.

#### **J139.60 - PRO PER LEGAL SUPPLIES**

Pro Per inmate may possess office supplies to assist in the preparation of their criminal case. The supplies must be stored in the same box as their legal materials. All limitations to volume apply. Office supplies may be brought into the jail, via the inmate's authorized legal assistant(s). All supplies brought from an outside source are subject to reasonable security checks and restrictions imposed by the Sheriff.

Inmates must supply their own office supplies. The supplies may be purchased from the inmate's personal funds or through approved court funds.

Inmates may possess the following office supplies:

Accordion file	folders
file	folders
Plain bond paper	legal pads
10" x 13" envelopes	envelopes
"Post-it" note pads	erasers
Plastic paper clips	stamps
Cord or plastic fasteners to secure pages or transcriptions	

No ink pens or markers of any type are permitted. No items with metal parts are permitted. No metal fasteners, including staples, will be permitted. No carbon paper will be permitted.

Photocopies must be provided by the Pro Per inmate's authorized legal assistant.

#### **J139.70 - REQUESTS FOR ADDITIONAL PRO PER PRIVILEGES**

Pro Per inmates wanting additional or special privileges or treatment different from what is provided in this Policy and Procedures shall first submit the request in writing to the liaison officer. The inmate must specifically state his or her request and reason(s) for, along with the duration of, the special privilege(s). The liaison officer shall respond in writing within ten (10) business days to the request. The inmate may appeal any adverse decision to the Facility Manager in detailed writing with a copy of the liaison officer's decision. The Facility Manager shall respond in writing to the appeal within ten (10) business days.

The inmate may appeal any adverse decision from the Facility Manager to the Court designated to review Pro Per issues, attaching a copy of the decision to the appeal.

#### **J139.80 - INMATE DISCIPLINE AND REVOCATION OF PRO PER STATUS AND PRIVILEGES**

Pro Per inmates are subject to discipline for violations of jail rules and regulations in the same manner as all other inmates. All reports of Pro Per inmate discipline will be filed with the Court designed to review the Pro Per issues. After reviewing the discipline report, the Court may request the Jail Facility Manager, or his designee, to apply for an order modifying or revoking the inmate's Pro Per privileges or Pro Per status.

The Jail Facility Manager may apply for an order modifying or revoking some or all of an inmate's Pro Per privileges or Pro Per status for cause. Except in emergency situations, Pro Per privileges may not be revoked or modified as a result of either jail discipline or administrative segregation without complying with the following procedures:

- [1] The inmate will be given notice of the charges upon which the proposed revocation, modification or administrative segregation is based at least twenty-four (24) hours in advance of a hearing before a Hearing Officer.
- [2] The inmate will be given the opportunity to appear before the Hearing Officer within

forty-eight (48) hours of the service of such notice. The Hearing Officer shall be a Sheriff's Lieutenant or Captain not personally involved with the Pro Per inmate in question.

- [3] The inmate will be given the opportunity to present witnesses and documentary evidence at the hearing. The Hearing Officer may restrict the presentation of live witnesses if he or she determines that doing so is necessary to preserve institutional safety and security.
- [4] The inmate will be given a written statement of the evidence relied upon and the reasons for the action taken, except that when personal or institutional safety requires the statement may be properly redacted to the extent necessary to preserve the safety of inmates or staff or to protect institutional security.
- [5] As soon as practical after the hearing, but in no event later than two (2) court days after the hearing, the Hearing Officer shall issue findings and decision as to the charges and proposed disposition. The Jail Facility Manager shall notify the Court before whom the defendant's case is pending of the findings and decision, a record of the administrative proceedings, and the proposed disposition, including any modification or revocation of Pro Per privileges, or administrative. The Jail Facility Manager shall notify the Court as soon as practical under the circumstances, but under no circumstances beyond the next court day. Where the inmate is Pro Per on multiple cases, the notice shall list all cases in which the defendant is acting Pro Per and will be filed in the Court designated to consider the Pro Per matter.

Unless the safety of the inmate, the safety of the other inmates or jail staff would be jeopardized, the inmate's Pro Per privileges should not be revoked or modified until the Court orders modification of Pro Per privileges or Pro Per status. In emergency situation, the Jail Facility Manager may immediately suspend all Pro Per privileges provided that the notice provided to the Court specifically describes the emergency action taken and the reasons therefore.

- [6] Upon receipt of the notice, the Court may direct the Jail Facility Manager to show cause why any or part of the Pro Per privileges suspended should not be reinstated pending hearing on the proposed disposition. The Court will independently review the administrative record and will conduct a hearing thereon within a reasonable time of receipt of the notice from the Jail Facility Manager, at which both the Jail Facility Manager, or his designee, and the inmate will be entitled to appear and argue. No additional evidence will be presented at the Court hearing unless the Court so determines upon a showing of Good Cause.

The Court may affirm, deny or modify the proposed disposition as to the Pro Per privileges and Pro Per status, and may request that the Jail Facility Manager prepare a formal order as to the same.

### **J139.90 - DURATION OF PRO PER PRIVILEGES**

An inmate's Pro Per privileges and Pro Per status as to a particular case shall terminate upon Court order to that effect, or shall immediately and automatically terminate upon sentencing in that case or upon appointment or retention of counsel as to the inmate in that case.

### **J139.95 - PRO PER INMATE ACCESS TO THE COURT**

The Court will not hear, nor set for hearing, any request for additional privileges, complaint about denial of Pro Per privileges, or appeal from any disciplinary action affecting Pro Per privileges, that does not allege that the inmate has complied with, and exhausted, the administrative procedures and remedies set forth above. The Jail Facility Manager may request that the Court suspend any such matter that has not first exhausted the established administrative procedures and remedies.

### **J140.00 - INMATE VOTING**

The Jail facility has established procedures enabling qualified inmates to vote and register to vote in local, State and Federal elections, pursuant to the California Elections Code.

### **J140.10 - INMATE REGISTRATION TO VOTE**

Any inmate who is qualified by age, citizenship, residence, etc., to register to vote through a Deputy Registrar may also register, by mail, while they are in custody.

This registration by mail shall be accomplished by making available to inmates, at their request, an "Affidavit of Registration" form. This document, which folds into a postage pre-paid mailing form, can be obtained in quantity, by the Jail Commander, from:

*Sutter County Clerk  
1435 Veteran's Memorial Circle  
Yuba City, CA 95993*

In order to qualify to register an inmate must be:

- A. Citizen of the United States
- B. A resident of the State of California
- C. Eighteen (18) years of age or older
- D. Must not be in prison or on parole for a felony conviction
- E. Must not be judged by a court to be mentally incompetent

A properly executed Affidavit of Registration must be received by the Registrar of voters on or before the 15th day prior to Election Day (except: new residents of California may vote for President and Vice President if they register on or before the 7th day prior to a presidential election).

Completed Affidavit of Registration cards shall be mailed as soon as possible (those held more than three days, excluding weekends and holidays, before being returned to the Registrar of voters, shall be declared void).

## **J140.20 - NOTIFICATION OF REGISTRATION**

A "Voter Notification Card" will be mailed to each registrant by the Registrar of voters. The registration will be cancelled if this card is returned as undeliverable.

## **J140.30 - ABSENTEE VOTING**

Any inmate who is registered to vote may vote, by mail, with an absentee ballot.

This voting shall be accomplished by making available to inmates, at their request, an "Application for Absent Voter Ballot". This application, which is available in Spanish and English and may be reproduced, shall be completed by the inmate and mailed at the inmate's expense, to the Registrar of Voters.

The Registrar of Voters will mail the Absent Voter Ballot to qualified inmates. These ballots shall be completed, addressed and sealed by the voting inmate and shall not be reviewed by officers.

## **J140.40 - CAMPAIGN LITERATURE**

Campaign Literature and/or sample ballots addressed to inmates shall be delivered without delay.

## **J141.00 - APPLICATIONS FOR MODIFICATION OF SENTENCE**

Inmates requesting a modification of sentence need only compose a letter to the courts or the Judge. The letter will be delivered to the courts or Judge via regular mail or it may be delivered to a jail staff member. The courts will consider the application letter and make a decision. The court's decision will be returned to the inmate by jail staff.

## **J141.10 - EARLY RELEASES**

Penal Code Section 4018.6 authorizes the Sheriff, or his designee, to permit the temporary or early release from custody of any inmate of the County Jail for purposes preparatory to their return to the community. Such releases are not to exceed three (3) days. Policy regarding the application of Section 4018.6 is as follows:

- [1] Such releases will apply to sentenced inmates only.
- [2] Inmates who are classified as security risks or who are violent are not eligible for early release.
- [3] Such releases may not be authorized under this section of the Jail Policy Manual for any reason other than for purposes preparatory to the inmate's return to the community.
- [4] Such releases, whether temporary or early, may be apportioned in one (1), two (2) or three (3) day increments. However, under no circumstances will such releases exceed three (3) days.
- [5] Release pursuant to this policy must be expressly authorized by the Sheriff, or his designee.
- [6] Any early releases granted may be revoked by the Jail for reasons of holds on warrants/abstracts or OFR to allow other agencies extended pickup dates.

Requests for temporary or early release from custody will be submitted to the on-duty Jail

Sergeant or supervisor on an Inmate Request Form. This request will be thoroughly reviewed by the supervisor for qualification and to ensure there is no duplication of request or that it exceeds the three (3) day release policy, prior to it being sent to the Jail Lieutenant for final approval.

The Jail Sergeant will review the inmate's jail record and sign the request form verifying eligibility or deny it if the inmate does not meet the criteria outlined above.

The signed request will then be forwarded up the chain of command, to the Jail Facility Manager, for final approval.

The request will be prepared in duplicate, using the pre-printed Inmate Request Forms provided by the jail.

The original will be placed in the inmate's file and a copy provided to the inmate.

## **J141.12 – PRISONER PROGRAM CREDIT REDUCTION PROGRAM** **EXECUTIVE ORDER #06-2014**

Additional Work Credits Pursuant to Penal Code Section 4019.4

The Sheriff's Office will follow guidelines below that provide for credit reductions for inmates who successfully complete specific program performance objectives for approved rehabilitative programming.

The current designated and approved rehabilitative programs are Moral Recognition Therapy Program or (MRT), Untangling Relationships and Coping with Anger, General Education Development Program or (GED) or High School Diploma, These programs separately or combined will allow for a credit reduction of not less than one week of credit reduction and not more than six weeks for each performance milestone.

The developed milestones for Sutter County Jail programs are as follows:

### **Each Milestone for Moral Recognition Therapy (MRT):**

Milestone one Objective Steps 1-4:	Credit: 7 days
Milestone two Objective Steps 5-9:	Credit: 7 days
Milestone three Objective Step 10-12:	Credit: 7 days

### **Each Milestone for Peer Relationships:**

Milestone One: 1-4 Weeks	Credit: 7 days
Milestone Two: 5-8 Weeks	Credit: 7 days
Milestone Three: Module 10-12	Credit: 7 days

### **Each Milestone for Coping with Anger:**

Milestone One: Module 1-4	Credit: 7 days
Milestone Two: Module 4-8	Credit: 7 days

**Each Milestone for General Education Development**

18 hours of GED class and meet the average on Test Milestone #1	Credit 7 days
18 hours of GED class and meet the average on Test Milestone #2	Credit 7 days
18 hours of GED class and meet the average on Test Milestone #3	Credit 7 days
18 hours of GED class and meet the average on Test Milestone #4	Credit 7 days

**Each Milestone for High School Diploma**

20 units of classes for HS Diploma + 18 hours attendance Milestone #1	Credit 7 days
Passing the California High School Exit Exam:	
Passing Mathematics (18 hours class attendance) Milestone #2	Credit 7 days
Passing English Language Arts (18 hours class attendance) Milestone #3	Credit 7 days
Complete Requirements and Receive High School Diploma Milestone #4	Credit 7 days

**Each Milestone for Kitchen Workers**

15 days of successful work experience with a satisfactory review by staff + 1 (one) unit of academic study with at least a passing score of 70%	Credit 7 days
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Sutter County Jail Administration shall calculate and award authorized credit reductions after input, coordination and approval from the Probation Department, MRT or GED Instructors.

Inmates may not have their term of imprisonment reduced by more than six weeks for credits awarded pursuant to this section during any 12-month period of continuous confinement. Program credits are a privilege, not a right.

Credits awarded pursuant to this section may be forfeited pursuant to the provisions of Section 4019. Inmates shall not be eligible for program credits that result in an inmate being overdue for release.

This credit reduction program only applies to inmates sentenced to Sutter County Jail pursuant to Penal Code Section 1170 (h).

**J141.15 – ACCELERATED RELEASE POLICY****COMMAND ORDER #8-2013**

Penal Code section 4024.1 provides the means for the Sutter County Jail to request authority to accelerate the release of inmates due to the inmate count exceeding bed capacity in specific classifications in the jail. Once an Accelerated Release Order has been approved by the Presiding Judge, the following procedures will be completed by the on-duty Jail Sergeant or Supervisor to correctly vet the individuals selected for release.

These actions will be accomplished prior to the release of any inmates:

1. Run a due for release listing in Central SquareCentral Square.
2. Identify those inmates who are potentially eligible in the designated cell locations.
3. Pull the inmates' in custody file

- a. Review charges and compare to the charges listed in the Central Square systemCentral Square.
  - i. Review all current charges
  - ii. Check for any violence and/or sex crimes
  - iii. Consider Flash Arrest/Sentenced
  - iv. Consider Parole Arrest/Sentenced
- b. Review the inmate's classification sheet and the provided "RAP" Sheet
  - i. Identify and consider any current or past history of violence or sex crimes
  - ii. Check for sex registration requirements
- c. Review the file for any disciplines
  - i. Consider all current major disciplines
  - ii. Consider how long ago the disciplinary incident occurred
- d. Review the current classification and consider moving the inmate to another housing unit
  - i. Medium or Minimum Jail Facility
  - ii. Single Cell Unit
- e. After the review is completed, disregard those who did not qualify and develop a list of the names and Sutter County Jail numbers of those eligible to release early. The developed release list will be approved by either the Jail Lieutenant or the Jail Commander prior to the release of any inmates.

#### **J142.00 - EMERGENCY LEAVE**

Custody Section policy regarding emergency leave is outlined as follows:

#### **J142.10 - TEMPORARY RELEASE FOR FAMILY EMERGENCIES**

Pursuant to Penal Code section 4018.6, the Sheriff, or his designee, may authorize the temporary release of any inmate of the County Jail for the purposes of family emergencies.

Inmates, family members or clergy may request an emergency leave for the express purpose of permitting an inmate to attend the funeral of an immediate family member, or to visit a critically ill member of their immediate family.

A member of the immediate family, for purposes of this policy includes:

- A. Parents (natural or legal guardians)
- B. Spouse
- C. Children (natural and legally adopted)
- D. Brother or sister
- E. Grandparents
- F. Grandchildren

The inmate or other person requesting an emergency leave pursuant to this policy must

provide, in writing, the details regarding the request to the on-duty Jail Sergeant. The request will be forwarded up the chain of command, to the Jail Facility Manager. The Jail Facility Manager will notify the Undersheriff.

*NOTE: Last-minute requests on weekends, holidays and after hours may be initiated by the on-duty Jail Sergeant contacting the Jail Facility Manager.*

The Undersheriff will determine if the request is valid and the inmate meets the restrictions stated in this policy. If necessary, the Undersheriff may refer the request to the appropriate court for Court Order.

The Jail Sergeant will notify the inmate, and the person making the request, as to the status of the request (i.e., approved, denied, pending court order).

The inmate will wear institutional clothes.

#### **J142.20 - RESTRICTIONS FOR TEMPORARY RELEASE REQUESTS (FAMILY EMERGENCIES)**

The following restrictions apply to Emergency Leave requests made pursuant to this policy:

- [1] Inmates charged with murder or a violent crime with a bail in excess of \$50,000 are not eligible.
- [2] Inmates are not eligible if bail has not been set.
- [3] Inmates who are classified as security risks, or who are potentially dangerous or violent are not eligible.
- [4] Attendance at funerals or visits to critically ill family members shall generally be limited to one day and only be permitted for four (4) hours.

Every effort shall be made, however, to restrict such visits to between 07:00 and 17:30 hours. The Sheriff or Undersheriff may extend the hours because of unusual circumstances.

Funerals or visits to critically ill persons shall be limited to Sutter and Yuba Counties and critical status will be verified with the attending physician.

Inmates may choose between attending the Visitation (sometimes called the Viewing or Rosary) or the Funeral Service but may not attend both.

#### **J143.00 - FAMILY MEMBER DEATH NOTIFICATIONS**

If staff receives information that an incarcerated inmate has had a death in the family, and the inmate is unaware of the news, the following actions will be taken with regard to notifying the inmate about the death:

Verification of the death must occur before inmate notification takes place.

If an inmate's friend or family member contacts our jail from out of state, or even just out of our county, the Jail Sergeant will advise them to go to their local Sheriff's Office and have

the information sent via teletype to our dispatch. This includes neighboring counties such as Butte and Yuba. The Jail Sergeant will make our dispatch aware of the forthcoming teletype.

Once a teletype is received, dispatch will advise the Jail Sergeant and arrangements will be made for a deputy to make the official notification.

Upon arrival of the deputy, a correctional officer will be designated to stand by while the notification is given. After the notification has been made, the Jail Sergeant will make an entry in the shift inspection log, listing the names, times, and addresses of involved parties.

At the discretion of the Jail Sergeant, the inmate may be given a phone call and/or visit (outside of normal visiting hours), as long as it does not interfere with the safety or security of the facility.

#### **J143.10 - NOTIFYING ILL OR INJURED INMATE'S NEXT OF KIN**

If an inmate in jail custody becomes ill or injured to the extent their condition is diagnosed as either critical or life-threatening, and the inmate is admitted to a hospital by competent medical authority, a notification shall be made to the inmate's next of kin.

The Jail Sergeant or OIC will begin by notifying Jail Administration via chain of command, starting with the Jail Lieutenant.

The amount of information provided to the inmate's next of kin may vary on a case by case basis, depending on the security risks involved.

Next of kin notifications may be made by telephone by the Jail Facility Manager or his designee. If notification by telephone is not possible or appropriate, dispatch may be contacted, and a request made to have a deputy make personal contact with the next of kin. In the event the next of kin resides in another jurisdiction, either locally or out of state, the appropriate law enforcement agency having jurisdiction over the area in which the next of kin resides is to be contacted and asked to make the necessary in-person notification.

Upon confirmation that the appropriate notification has been made, an entry shall be made in the jail computer, listing the names, times and addresses of the concerned parties.

Hospitalized inmates may be allowed visitors only if approved by the on-duty Jail Sergeant or OIC. Each situation will be dependent upon the security risks involved and therefore evaluated on a case-by-case basis. If visiting is approved, correctional staff will make every effort to allow the hospitalized inmate at least one (1) hour of visiting per week. Visiting days and times for hospitalized inmates will remain the same as the housing unit to which they were assigned prior to admission, unless medical treatment dictates a change. This is to prevent visitors from showing up unexpectedly. Hospital visiting hours do not supersede jail visiting hours.

#### **J144.10 - IN CUSTODY DEATHS**

**PURPOSE:** To establish guidelines for use in the event of an inmate death.

**POLICY:** An inmate death that occurs in the Jail will be handled in a manner to ensure

compliance with State of California mandates.

**DEFINITIONS:**

**Postmortem Lividity:** The discoloration of body tissue caused by the pooling of blood at the lowest point of the body after death.

**Rigor Mortis:** The temporary rigidity of muscles occurring after death.

**GENERAL INFORMATION:**

- A. Cases where death is suspected, an employee shall immediately summon assistance. The employee shall make every effort to preserve life, which may include CPR and other life saving measures. The inmate will be transported to the hospital for medical treatment, unless an EMT, Paramedic or Medical Doctor makes a determination regarding death. If Wellpath staff are in the Jail, they shall respond to the call to assist with the medical emergency.
- B. Cases where death has already been determined by an EMT, Paramedic or Medical Doctor, or Deputy Coroner, or death is obvious (i.e., postmortem lividity or rigor mortis), the body will not be disturbed or moved from the scene until approved by, and at the direction of the Sheriff's Detective/Coroner's representative.
- C. Once the scene is secured, the Sheriff or his designee will make the determination whether the Department of Justice (DOJ) or Sutter County Detectives will be conducting the investigation. If DOJ is going to conduct the investigation, the sergeant or OIC will develop a schedule and assign personnel to secure the crime scene until the arrival of DOJ. If it is determined Sutter County Detectives will conduct the investigation, the crime scene will be turned over to the Detective Lieutenant, or his designee, and he/she will make the necessary arrangements for scene security.
- D. Facility staff will not make any public comment regarding the situation or the individual(s) involved and will refer all inquiries to the Jail Facility Manager or his designee or the Sheriff's Office PIO (Public Information Officer).
- E. In the event DOJ conducts the criminal investigation it is still the responsibility of the Detective Unit to conduct the coroner's case. The Detective Unit is responsible for all things related to the coroner's investigation, including notification of the decedent's next of kin.
- F. In any case in which a person dies while in the custody of the Sheriff of Sutter County, the Jail Facility Manager shall submit all mandatory reports to DOJ within ten (10) calendar days after the time of death.

**PROCEDURE:**

**A. Correctional Officer's Responsibility**

1. Immediately contact responsible Sergeant or OIC via radio and call on-site Wellpath staff for assistance.
2. The staff member will start the necessary life saving measures.
3. The staff member will preserve crime scene/affected area and not disturb potential evidence, materials and/or instruments suspected to have been used to cause death as well as those instruments used in life saving measures, unless doing so will jeopardize the safety of the staff or inmates of the facility.
4. The staff member will identify and separate all suspects and witnesses.
5. The staff member assigned to control the crime scene will annotate on a log the date, time, name and agency of every person who enters and leaves the scene.

**B. Jail Sergeant's Responsibility**

1. The Jail Sergeant or OIC will assume the incident command.
2. It is the responsibility of the supervising Sergeant to direct and ensure the responsibilities of the correctional officers have been completed.
3. The supervising Sergeant will contact Dispatch and:
  - a. Provide specific details pertaining to the inmate
  - b. Request rescue and ambulance respond to the jail
  - c. Ask dispatch to notify the Operations Sergeant or OIC on duty
4. The supervising Sergeant will assign staff to:
  - a. Scribe/start activity log in the Main Jail Control Room
  - b. Meet and escort first responders (EMS/Fire/Etc.)
  - c. Limit access to affected area(s)
  - d. Print inmate roster of affected area
  - e. Ensure facility/floor lockdown
  - f. Complete incident reports as needed
  - g. Shut down all inmate phones
5. The Sergeant or OIC will begin notification up the chain of command, beginning with the Jail Lieutenant. In the event the Jail Lieutenant is unavailable, the Sergeant or OIC will contact the next person in the chain of command until someone in the administration has been advised of the

situation.

6. The Sergeant or OIC will notify the Director of Public Health, the Medical Director and the Jail Nurse Manager or designee so that Wellpath Medical Services may implement their applicable policy and procedures.
7. The supervising Sergeant will ensure all involved staff are sequestered, and/or remain on duty until dismissed by Command staff.
8. Brief the Jail Facility Manager and investigators upon their arrival, providing as much information as possible.
9. Contact Single Cells Control, Dormitory Control and Minimum/Medium Security Facility and advise them to direct any and all telephone calls about the incident to the shift supervisor, who will refer valid requests for information to the Jail Facility Manager or his designee and refer all media calls to the Undersheriff.
10. Forward all appropriate documents and logs to the Jail Facility Manager (i.e., cell logbooks, observation sheets from cell door, booking/medical sheet, medical records, pertinent videos and inmate property).
11. Only at the direction of appropriate Commander, assign staff to clean affected area(s).
12. Prepare for debriefing when scheduled.

C. Jail Facility Manager's Responsibility

1. After receiving notification regarding incident, and upon arrival at the facility, the Jail Facility Manager will be briefed by the Jail Sergeant and assume command.
2. The Jail Facility Manager will activate the Jail I.C.P. (Incident Command Post) and ensure the Sergeant's responsibilities have been completed.
3. The Jail Facility Manager will notify Sutter Dispatch he/she is now on scene and provide the office contact number and location.
4. The Jail Facility Manager is required to notify:
  - a. Sheriff
  - b. Undersheriff
5. Pursuant to 5021 P.C., an in-custody death must be reported within a reasonable time, not to exceed 2 hours of its discovery, and shall be

supplemented by a written report within 8 hours. The written report shall include all circumstance and details of the death known at the time the report was prepared, including names of all persons involved and all persons having knowledge of the circumstances surrounding the death, submitted to the entities below:

- a. Sheriff
- b. Coroner's Office
- c. District Attorney
- d. Chief of Police, in appropriate jurisdiction where incident occurred
6. Secure the following items of deceased: all personal clothing, property and medication from the jail property room; print an account balance log. If a fund balance exists in the trust account, order a check prepared to the estate of the decedent.
7. Appropriately verify custody status and identification using all, but not limited to:
  - a. Intake health screening form
  - b. Booking report
  - c. Most current commitments for each active case
  - d. Detainer(s)/Hold(s)
  - e. Print out history of current charges
  - f. Booking photos
  - g. All incident reports pertaining to the death
8. As the incident progresses the Jail Facility Manager or his designee will make the determination to initiate normal jail operations as they relate to the intake of arrestees. All other non-essential operations will be suspended but should be re-evaluated on a continual basis.
9. Gather all written logs, incident reports, information reports, etc., from all staff involved.
10. Complete a Jail Facility Manager's summary report of the incident.
11. Upon completion of the investigation, the Jail Facility Manager will deactivate the Jail I.C.P. (Incident Command Post) and arrange to have the work area cleaned; schedule a debriefing to include all staff/departments involved. Upon completion of debriefing, ensure all custody reports pertaining to the death in custody are forwarded for appropriate filing/archiving within the Sheriff's Office.
12. The Jail Facility Manager is responsible for completing the Death In-Custody Reporting Form (BCIA 713) and the Annual Survey for Death in

Custody (BCIA 8299) and submitting them to DOJ within ten (10) calendar days.

**D. Main Jail Control Room's Responsibility**

1. The Main Jail Control Room will activate the code 33 (radio silence with exception to essential communication).
2. The Main Jail Control Room shall maintain a written log of all activity once notified of an emergency. This written log shall contain date(s), time(s) of arrival, movement and departure of Fire/EMS, Operations patrol chase car, and staff movement within the affected area(s).
3. The Main Jail Control Room shall obtain approval(s) from the incident commander for every attempted access to and from the affected area(s).
4. Upon completion of investigation of death incident and deactivation of Jail I.C.P. (Incident Command Post), Main Jail Control Room will compile all logs/documents/reports and submit them to the Jail Facility Manager.

**E. Dispatch's Responsibility**

1. Upon appropriate notification from a Jail Sergeant, Dispatch will notify the following:
  - a. Ambulance Service/Fire/EMS
  - b. Sheriff's Office on-duty Operations Sergeant

**F. Sheriff's (or Designee's) Responsibility**

The Sheriff or his designee will notify the Yuba City Police Chief, Sutter County District Attorney, Sutter County Counsel/Risk Manager, Correctional Officer Association Representative (Deputy Sheriff's Association), and Chaplain.

If applicable, the Sheriff or his designee will request the District Attorney notify the judge involved with the inmate's case; also, any out of county agencies having a current HOLD or Detainer on deceased inmate.

**J144.20 - IN CUSTODY DEATH REVIEW TEAM**

Within 30 days, a review of every in-custody death shall be conducted by a review team comprised of the Jail Facility Manager, the Director of Human Services or his/her designee, Wellpath Medical Services Director, and other health care and supervision staff who are relevant to the incident.

All circumstances surrounding the death should be evaluated from both a health care and custody perspective. The review may identify weaknesses or failures in either system that led

to the death or failed to prevent it. These issues can then be addressed and corrected.

An additional review should be performed after all autopsy and other reports have been received, which could take a while, especially if a criminal investigation is being conducted. Nonetheless, the medical review will be inadequate if conducted too soon; it must be a final review and incorporate all previous reports and relevant information.

County counsel should be consulted when developing review committee responsibilities, obligations, immunities and authority in order to ensure the protection of the committee members, the agency and the county.

The results of the death review board will be documented by the Jail Commander.

#### **J144.30 - DEATH OF A MINOR WHILE IN CUSTODY**

In any case in which a minor dies while detained in a jail, lockup or court holding facility, the Jail Facility Manager shall provide the CSA a copy of the report submitted to the Attorney General under Government Code Section 12525 within 10 calendar days after the death.

#### **J145.00 - CHANGING OF RELEASE DATES**

A change of release date due to a modification of work time performance credits or good behavior time credits shall only be done with the approval of the Jail Facility Manager or Jail Lieutenant.

The Jail Facility Manager or Jail Lieutenant shall be notified of a change in an inmate's release date because of a modification in work time performance credits or good behavior time credits.

#### **J145.10 - OVER DETENTION**

The following procedures shall be followed when an inmate alleges his or her release date has expired or otherwise alleges false imprisonment.

These procedures are not applicable to routine requests for release dates and are to be used only where over-detention or false imprisonment is alleged.

#### **J145.20 - FACILITY RESPONSIBILITY**

Any officer receiving a complaint from an inmate who claims their release date has passed shall immediately contact the Sergeant and request an investigation of the inmate's allegation.

Inmates who are determined to be over-detained shall be processed for immediate release.

An entry shall be made in the computer. The Jail Facility Manager or Jail Lieutenant shall be given a written report explaining why the inmate was not released in a timely fashion.

#### **J146.00 - USE OF INTERPRETER**

The Jail shall make every attempt to make available to non-English speaking inmates the services of an interpreter. This interpreter shall explain jail rules and regulations and answer

specific questions to ensure clear communication.

In the event an appropriate bilingual officer is not available, another inmate with knowledge of the desired language may be utilized. This inmate will translate jail rules and assist as needed in the clarification of jail procedure.

#### **J147.00 – WELLPATH MEDICAL SERVICES**

Wellpath is the designated health agency for the Sutter County Jail. The Wellpath Health Officer is the Medical Director of Wellpath Medical Services for the Sutter County Jail. They are responsible for overseeing, planning, coordinating and developing health care delivery to the jail. All final medical judgments rest with the Wellpath Officer licensed in the State of California. The Health Authority will define the parameters of health care to be comparable to that which is available in the community.

Outpatient health care services are provided by Wellpath Medical Services and Wellpath Mental Health Services to meet the inmate's serious medical, dental and mental health needs, as medically necessary. Medical conditions requiring on-going care will be evaluated and treated by the Wellpath healthcare provider as he/she determines to be medically necessary.

#### **J147.05 - MEDICAL AUTONOMY**

Matters of medical, psychiatric and dental judgment are the sole province of the responsible physician, psychiatrist, dentist or their designee. Employees of Wellpath Medical Services staff or healthcare providers are not responsible for drawing blood alcohol test samples or the collecting of evidence from inmates for possible prosecution.

#### **J147.10 - RELATIONSHIP OF CUSTODY PERSONNEL AND MEDICAL/MENTAL HEALTH PERSONNEL**

Proper care is achieved only through the mutual cooperation of the health and custody personnel. The health authority arranges for the availability of health care services. The Jail Facility Manager provides the support for the accessibility of health care services to the inmates. Medical staff have sole authority for inmate treatment occurring at the jail.

#### **J147.15 - HOUSING OF MENTAL HEALTH SUBJECTS -**

##### **EXECUTIVE ORDER #5-2005**

The following are the Sheriff's Office guidelines for apprehension and housing of violators of Sutter-Yuba Mental Health's Conditional Release Program (ConReP) under the authority of sections 1608 and 1610 of the California Penal Code.

The following protocol will be utilized when circumstances require the arrest of a subject deemed by representatives of the Sutter-Yuba Mental Health Services ConReP to be in violation of outpatient regulations, or determined to be a danger to others:

1. The Program Director from Sutter-Yuba ConReP will notify dispatch if a patient participating in the program is deemed a danger to the health and safety of others. Included will be the patient's identifying information and location, if known.

Dispatch will send at least two deputies to the patient's location. A representative from ConReP will also respond if possible.

2. Once apprehended, the patient will be booked into the Sutter County Jail for violation of California Penal Code Section 1610 and housed until an order from the court is issued to either transport the patient to a state hospital or release the patient to the custody of Sutter-Yuba ConReP. Operations personnel will fill out a blue booking admission slip charging violation of 1610 PC. Deputies will record the arrest as an outside agency assist.
3. Jail personnel will segregate these arrestees from the general population by whatever classification means available.
4. Housing may be denied by the Wellpath Facility Manager or, in his/her absence the Jail Lieutenant, if after all reasonable effort, it is determined that there is insufficient housing available in the jail. If housing is denied, then the arrestee shall be transported to the Sutter-Yuba Mental Health facility for temporary housing in the in-patient unit.

#### **J147.25 - EMERGENCY SERVICES**

Emergency medical care is care for an acute illness or an unexpected health care need that cannot be deferred until the next scheduled sick call or clinic. An incarcerated pregnant person in labor or presumed to be in labor shall be treated as an emergency and shall be transported to the hospital, accompanied by jail staff, in the least restrictive way possible. Twenty-four (24) hour emergency care will be available to inmates as necessary. The need for emergency care will be based on the judgment of the nursing staff (when present in the facility, or when contacted by custody staff) or the custody staff itself.

Inmates needing emergency care shall be transported by ambulance or Deputy patrol car to the emergency room at Rideout Hospital Emergency Room.

An emergency exists when there is a sudden marked change in an inmate's condition so that action is immediately necessary for the preservation of the life or the prevention of serious bodily harm to the inmate or others.

Any inmate who is difficult to arouse or who is unable to be aroused, who displays irregular breathing or deep snoring, or who has convulsions, shall be considered to be an emergency case.

#### **J147.30 - PROTHESIS AND OTHER MEDICAL APPARATUS**

Inmates with a medical need for glasses, dentures, crutches, wheel chairs, canes, respiratory therapy devices or limb prosthesis may be allowed to use them. The need for such items is a medical decision which entails security considerations. Requests for evaluation for medical necessity for medical apparatus or aides are to be made, using a Request for Medical Attention (sick call slip) as soon as the item is taken and Wellpath should respond with a determination within twenty-four (24) hours from the time the request is received. When the inmate has

such items on admission or can provide them, they will be required to sign an in-house waiver stating they will be responsible for such items and any damage which might occur to them. The Jail Nurse Manager and Jail Facility Manager will evaluate the best way to handle these special problems.

#### **J147.35 - TUBERCULOSIS SCREENING**

Screening for tuberculosis usually includes a tuberculin skin test (TST), also known as a PPD skin test, but may also include a chest x-ray.

All inmates are screened for tuberculosis. Inmates shall be screened for TB prior to beginning work in the jail kitchen. Other inmates will generally be skin tested if they remain in the jail for more than seventy-two (72) hours and do not have a record of TB screening within the past 12 months at the Sutter County Jail. Policies and procedures for TB screening are the responsibility of the Medical Director, in accordance with law and regulations, CDC guidance, and approval of the County Health Officer.

#### **J147.37 – TUBERCULOSIS SCREENING FOR EMPLOYEES**

An intra-dermal tuberculin skin test (TST), also known as a PPD or TB Test, may be administered upon request to all jail personnel every two years. Employees with a history of a prior reactive skin test will be referred for an x-ray. The County Human Resources or Occupational Health will pay for these services if needed.

#### **J147.40 - MEDICAL SCREENING AT INTAKE**

A medical screening shall be administered to each inmate during the intake process. The screening will be conducted by the Wellpath Nurse. The Intake Officer will contact Medical Services and advise upon each arrestee intake into the facility for the nurse to respond to intake.

Pregnancy tests are administered to female arrestees at the time of intake, or within 72 hours of arrival at the jail, and upon request at any time during incarceration. Pregnancy tests shall be voluntary and administered only by medical personnel.

Any incarcerated person who declines a pregnancy test shall be asked to sign an "Informed Refusal of Pregnancy Test" form that shall become part of their medical file.

The Wellpath Medical Services shall be notified immediately under any of the following conditions:

- [1] If the inmate appears sick, injured or in need of immediate medical attention
- [2] If the inmate appears to be so under the influence of drugs or alcohol as to need immediate medical attention
- [3] If the inmate is taking prescription medication; or if the inmate appears to be infested with lice or vermin
- [4] If the inmate has had a delivery, miscarriage or abortion within seventy-two (72) hours.

The Wellpath Medical Services staff or on-call Wellpath Mental Health Staff shall be notified immediately under any of the following conditions:

- [1] If the inmate shows behavior suggesting the need for psychological evaluation
- [2] If the inmate expresses or exhibits suicidal tendencies
- [3] If the inmate appears to be developmentally disabled

Upon request, an incarcerated person shall be allowed to continue to use materials necessary for birth control measures as prescribed by a physician, nurse practitioner, certified nurse midwife, or physician assistant. (Penal Code § 4023.5(a)).

## **J147.42 FAMILY PLANNING and STERILIZATION OF INMATES**

### **Family Planning**

Family planning services are to be offered to all inmates in county jails, at least 60 days prior to a scheduled release date and upon request. Each incarcerated person shall be offered information and education regarding the availability of family planning services. The Sutter County Sheriff's Office/Jail unit provides a Family Planning Services pamphlet to all inmates at booking process. Upon request, an incarcerated person shall be provided with services needed to meet their family planning needs at the time of their release.

### **Advisement and Counseling**

Incarcerated persons who are pregnant shall be advised of the provisions of this policy manual, the Penal Code, and the standards established by the Board of State and Community Corrections related to pregnant incarcerated persons (Penal Code § 3407(e); 15 CCR 1058.5).

A qualified health care professional or counselor shall provide comprehensive, nondirective, and unbiased counseling and information to pregnant incarcerated persons regarding their options, including but not limited to prenatal health care, adoption, and abortion. Staff shall not urge, force, or otherwise influence a pregnant incarcerated person's decision (15 CCR 1206(f); Penal Code § 4023.5; Penal Code § 4023.8(b)). Nonmedical staff does not have the authority or discretion to decide if a pregnant incarcerated person is eligible for an abortion. (Penal Code § 4023.8(c)).

Pregnant incarcerated persons shall also be referred to a social worker regarding options for feeding, placement, and care of the child after birth, including the benefits of lactation (Penal Code § 4023.8(k)).

### **Abortions**

An incarcerated person who chooses to have an abortion shall be given access to abortion services and be requested to sign a statement acknowledging that the person has been provided the opportunity for related counseling and chooses to have an abortion. No condition or restriction, such as imposing gestational limits inconsistent with state law, unreasonably delaying access to the procedure, or requiring court-ordered transportation, may be imposed upon abortion services.

Any financial obligations for elective abortions will be handled consistent with state law as provided in Penal Code §4011.1, Penal Code § 4028, and 15 CCR 1200. The jail shall provide necessary transportation and supervision for such services.

Staff members who object to facilitating an incarcerated person's elective abortion (including arrangements, transportation, and security) should not be required to perform such duties. In these instances, alternative staff will be assigned promptly to prevent unreasonable delay of abortion services.

### **Required Posted Notice**

The rights provided for pregnant incarcerated persons by Penal Code § 4023.6, Penal Code § 4023.8, and Penal Code § 4028 shall be posted in at least one conspicuous place that all incarcerated persons can access.

### **Reproductive Sterilization**

Pursuant to California Penal Code Section 3440, Sterilization for the purpose of birth control, including, but not limited to, during labor and delivery, of an individual under the control of the department or a county and imprisoned in the state prison or a reentry facility, community correctional facility, county jail, or any other institution in which an individual is involuntarily confined or detained under a civil or criminal statute, is prohibited. Jail Medical Services Policy and Procedure JMS #16-526 addresses requirements regarding reproductive sterilization in the Sutter County Jail.

Such sterilization through tubal ligation, hysterectomy, oophorectomy, salpingectomy, or any other means rendering an individual permanently incapable of reproducing, is prohibited except in either of the following circumstances:

- A. The procedure is required for the immediate preservation of the individual's life in an emergency medical situation.
- B. The sterilizing procedure is medically necessary, excluding for the purpose of birth control, as determined by contemporary standards of evidence-based medicine, to treat a diagnosed condition, and all of the following requirements are satisfied:
  - (1) Less invasive measures to address the medical need are nonexistent, are refused by the individual, or are first attempted and deemed unsuccessful by the individual, in consultation with his or her medical provider.
  - (2) A second physician independent of, and not employed by, but authorized to provide services to individuals in the custody of, and to receive payment for those services from, the department or county department overseeing the confinement of the individual conducts an in-person consultation with the individual and confirms the need for a medical intervention resulting in sterilization to address the medical need.
  - (3) Patient consent is obtained after the individual is made aware of the full and permanent impact the procedure will have on his or her reproductive

capacity, that future medical treatment while under the control of the department or county will not be withheld should the individual refuse consent to the procedure, and the side effects of the procedure.

aa. Sterilization performed meeting all of the above stated conditions: pre-sterilization and post-sterilization psychological consultation and medical follow-up, including providing relevant hormone therapy to address surgical menopause, shall be made available to the individual sterilized while under the control of the department or the county.

bb. The jail shall publish an annual report of sterilizations performed, disaggregated by race, age, medical justification, and method of sterilization.

cc. Notification shall be provided to all individuals under department custody and to all employees who are involved in providing health care services of their rights and responsibilities under this section. *See Notification of Rights Regarding Sterilization Surgeries*

#### **J147.43 – INFANT AND TODDLER BREAST MILK FEEDING**

In accordance with Penal Code Section 4002.5, this policy will set forth procedures for lactating inmates detained in Sutter County Jail. These procedures will be carried out by Wellpath staff with the assistance of custodial staff:

1. Any inmate who is incarcerated that is either breast feeding or actively lactating will be referred to Wellpath.
2. Lactating inmates desiring to breast feed their infants will be provided a manual breast pump with instruction on its use, or a family member may provide a personal electric or manual pump for use. Anything provided by the family will be approved by the Shift Supervisor prior to it coming into the jail. The breast pump will remain in the medical unit when not in use.
3. Staff and Wellpath will coordinate the times in which the inmate will be brought to the medical unit and placed in a medical holding cell to use the breast pump. Wellpath staff will place a screen in front of the door to provide privacy for the inmate.
4. The breast milk will be pumped into clean breast milk bags which will be supplied by medical. If the inmate uses her own pump, family would need to provide the containers that fit that pump. Wellpath staff will label the containers with the inmate's name, ID#, and date and time of the pumping. After each use, the inmate will clean the pump with soap and hot water and return it to the medical staff.
5. The breast milk will be placed in a designated refrigerator or ice chest in the medical unit and it will be the responsibility of the inmate's family member to pick up the milk within twenty-four (24) hours. Milk not retrieved within 24 hours will be disposed of. The designated person picking up the breast milk will sign and date the Breast Milk Transfer Log each time container(s) is picked up to transport to the infant/toddler. It is the inmate's responsibility to arrange for the breast milk to be picked up. If the inmate is indigent and cannot make a

phone call, the inmate may request the on-duty Sergeant or OIC call the family member to pick up the breast milk.

6. Wellpath staff will provide the inmate with the necessary education to support them in the infant and toddler breast feeding program. This education may include but is not limited to the following:
  - A. Washing their hands with soap and water prior to pumping.
  - B. Cleaning the pump with soap and hot water after each use.
  - C. Notify staff upon completion of pumping so milk can be collected and refrigerated.
  - D. Maintain a healthy diet to ensure milk supply.
7. Wellpath staff shall also provide medically appropriate support and care related to the cessation of lactation and weaning.
8. Wellpath staff will instruct the inmate that undergoing drug screening will be a condition for participation in the program. Additional drug screening may occur at any time as determined by Wellpath staff.
9. The infant and toddler breast milk feeding policy for lactating inmates shall be posted in all locations in the jail where medical care is provided, and the provisions of the policy shall be communicated to all staff persons who interact with or oversee pregnant or lactating inmates.

#### **J147.45 - SICK CALL**

Each inmate requesting or requiring medical attention shall receive such attention as soon as possible. Sick call will be held by the Wellpath Medical Services staff on a regular basis.

In non-emergency situations, inmates requesting and needing medical attention shall give the nursing staff a completed "Request for Medical Attention" (sick call slip). The Jail Medical Staff will triage the sick call slips for urgency and priority of the medical issue and put the inmate on the clinic schedule.

#### **J147.50 - SOBERING**

Jail staff shall be aware of the signs and symptoms of inmates undergoing acute drug or alcohol withdrawal. Wellpath Medical Services staff shall be notified as soon as possible and their recommendations for treatment and observations shall be followed.

#### **J147.55 - MANAGEMENT OF ALCOHOL INTOXICATED INMATES**

The following sections of the Jail Policy Manual outline the medical policy created to comply with Title 15, section 1213, "Detoxification Treatment". Wellpath Medical Services has protocols in place for the care of inmate patients in, or at risk for, withdrawal from alcohol.

#### **J147.60 - SCREENING OF ALCOHOL INTOXICATED INMATES**

Jail staff should be aware of the signs and symptoms of inmates who are intoxicated or undergoing acute drug or alcohol withdrawal.

Common signs of intoxication:

- Droopy eyelids
- Slurred speech
- Impaired balance
- Impaired thought or logic process
- Extreme talkativeness
- Aggressiveness
- Obvious odor of an alcoholic beverage

Indications of severe alcohol intoxication requiring immediate medical attention:

- Unable to respond to simple commands
- No response to verbal or mild physical stimulus (shake and wake)
- Vomiting
- Slow, irregular or stertorous breathing

Indications of severe alcohol withdrawal requiring immediate medical attention:

- Shakiness or uncontrollable tremors
- Sweating or fever
- Shortness of breath or difficulty breathing
- Nausea or vomiting
- Increasing anxiety
- Visual or auditory hallucinations
- Seizures

A pre-booking form (blue slip) shall be completed by the receiving officer upon in-take.

This pre-booking form will be the receiving officer's preliminary medical observation to determine (1) if the inmate is medically suitable for booking and; (2) if conditions exist which require medical attention prior to being received by the Sutter County Jail.

A medical screening shall be administered to each inmate during the booking process, by the booking officer, before the inmate is placed into a housing area.

The Jail Medical Staff shall be notified immediately under any of the following conditions:  
 [1] If the inmate appears sick, injured or in need of immediate medical attention, this condition will be reported to the shift Sergeant who will make the determination of whether to accept the inmate or if the inmate should be denied acceptance pending a medical evaluation or treatment by Rideout Emergency Room personnel.

Under no circumstances will an inmate be received by the Sutter County Jail that requires immediate medical attention until cleared by trained medical staff.

*NOTE: Severe alcohol intoxication and severe alcohol withdrawal are both situations which will require immediate medical attention and may be life-threatening. Any inmate who is difficult to arouse or who is unable to be aroused, who displays irregular breathing or deep snoring, or who has convulsions, shall be considered an emergency case. Inmates needing emergency care shall be transported by ambulance or patrol car to the emergency room at*

*Rideout Memorial Hospital.*

- [2] If the inmate appears to be so under the influence of drugs or alcohol as to need immediate medical attention.
- [3] If the inmate is taking prescription medication; or if the inmate appears to be infested with lice or vermin.
- [4] Wellpath Medical Services staff will implement Wellpath protocols for alcohol withdrawal and, at a minimum, make a check of intoxicated inmates every 6 hours.

**J147.65 - HOUSING OF INTOXICATED INMATES**

Intoxicated inmates will be assessed and housed in either the Holding Cell or Observation Cell. Inmates in these cells shall be removed and when they are able to continue processing. Wellpath Medical Services staff must be notified as soon as possible of the placement of an intoxicated person in the Holding or Observation Cell.

Intoxicated inmates should be physically aroused and checked every 30 minutes with such checks logged on the cell inspection log. Observation by closed circuit television will not satisfy the above required observations.

Any inmate who is difficult to arouse or who is unable to be aroused, who displays irregular breathing or deep snoring, or who has convulsions, shall be considered an emergency case. Inmates needing emergency care shall be transported by ambulance to the emergency room at Rideout Memorial Hospital.

**J147.70 - MANAGEMENT OF THE ALCOHOL DEPENDENT INMATE**

All inmates who indicate a history of alcohol withdrawal on the Medical Screening Form will be referred for assessment by Wellpath Medical Services staff.

Wellpath Medical Services must be notified promptly so that inmates with a history of alcohol withdrawal can be evaluated by Wellpath Medical Services Nursing Staff within twelve hours of their last drink to triage for appropriate medical management.

The Wellpath Medical Services staff will be notified immediately when an inmate displays any of the symptoms of severe alcohol withdrawal.

**J147.75 - DELIVERING/ADMINISTERING MEDICATIONS**

This policy recognizes 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, and the documentation process for the refusal of medical care.

**DEFINITION:**

Informed consent - the agreement by an incarcerated person to a treatment, examination, or procedure 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 incarcerated person.

**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).

The qualified health care professional (e.g.: Nurse, PA, RNP, Doctor) 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 non-routine medical treatment, informed consent is documented on a written form containing the signatures of the incarcerated person and a health services staff witness. Appropriate arrangements shall be made to provide language translation services as needed before an incarcerated person signs any informed consent form.

A signed informed consent shall be obtained and witnessed by the prescribing psychiatrist for the initiation of psychotropic medication. Absent informed consent in non-emergency situations, a court order is required before involuntary psychotropic medications can be administered to an incarcerated person. (Refer to J147.76 for administration of involuntary psychotropic medication)

When an incarcerated person refuses medical, mental health, dental treatment, or medication, he/she shall be counseled by a qualified health care professional regarding the necessity of the treatment/medication and the consequences of refusal. The incarcerated person shall then be requested to sign a form acknowledging that he/she 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 and the incarcerated person's mental status. The form must be signed according to Wellpath policy.

Documentation regarding the incarcerated person's mental status shall be noted in the medical record, along with a brief note describing the intervention of the qualified health care professional. The refusal form shall be a permanent part of 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 or their designee. The incarcerated person may revoke his/her refusal at any time.

Any time there is a concern about the decision-making capacity of the incarcerated person, a clinical evaluation shall be conducted, particularly if the refusal is for critical or acute care.

Medications are administered by Wellpath Medical Services nursing staff, with a few specific exceptions as specified in Wellpath policy and procedure. Custody staff will accompany the nurse while the nurse is delivering medications. Custody staff does not

administer or dispense medications. No incarcerated person shall administer, dispense, or deliver medications.

Incarcerated persons must be positively identified according to Wellpath policy prior to receiving any medications, which include, at a minimum, utilizing the wristband to identify the incarcerated person.

Single Cell incarcerated persons will be fully dressed in the dayroom or at their cell door to receive medications.

## **J147.76 - INVOLUNTARY ADMINISTRATION OF PSYCHOTROPIC MEDICATION DELIVERING/ADMINISTERING MEDICATIONS**

The Sutter County Board of Supervisors passed Resolution No. 21-003, designating Sutter County Jail as a treatment facility, as defined in Penal Code 1369.1.

### **Emergency Circumstances**

Psychotropic medication may be administered involuntarily to an incarcerated person in emergency circumstances, as described below, or as otherwise allowed by law and only with a physician's order following a clinical evaluation. The medication administered shall only be what is required to treat the emergency condition and administered only if the emergency continues to exist.

The medication should only be involuntarily administered when there is a marked change in an incarcerated person's mental condition so that action is immediately necessary for the preservation of life or the prevention of serious bodily harm to the incarcerated person or others, and it is impracticable to first gain consent. It is not necessary for harm to take place prior to treatment. A court order shall be sought, or legal consent shall be obtained if the responsible physician anticipates further dosage will be necessary or beneficial (Penal Code 2603 (d)(1)(A); 15 CCR 1217).

### **Non-emergency Circumstances**

In cases of non-emergencies, and not pertaining to Penal Code 1369 and/or Penal Code 1370 incarcerated persons, certain conditions must be met as described in Penal Code 2603(c), prior to the involuntary administration of the psychotropic medication; this will include a documented attempt to locate an available bed in a community-based treatment facility in lieu of seeking to administer involuntary medication. If community-based treatment is not available, contact the County Counsel office to request a court order to administer psychotropic medications. The reason medication was involuntarily administered shall be documented in the incarcerated person's health care record.

When medication is administered to incarcerated persons who are designated under Penal Code 1369 or Penal Code 1370, the maximum period of the time an

incarcerated person may be treated in the jail shall not exceed six months (Penal Code 1369.1)

When the requirements have been met and a physician has ordered involuntary psychotropic medication, Wellpath will notify the lieutenant or jail commander. The jail commander must review the case with medical and ensure the steps have been taken in order to legally administer the medication involuntarily. If the commander is not available, the lieutenant will review the case. The administration of psychotropic medication is not allowed for disciplinary reasons.

Once Wellpath and jail administration agree the medication should be administered, the incarcerated person will be escorted to a safety cell. Officers will handle the incarcerated person in a demeanor that is as calm as possible, utilizing de-escalation techniques. The incarcerated person will be given one opportunity to take the medication voluntarily. If the incarcerated person refuses, the incarcerated person will be placed on the floor and immobilized or placed in a safety restraint chair for his or her safety, so the medication can be administered (Reference Policy J104.35).

After the medication is administered, the incarcerated person will remain under observation as determined by a qualified medical professional.

## J147.80 – MENTAL HEALTH - SUICIDE PREVENTION

### **POLICY STATEMENT**

The Sutter County Sheriff's Office recognizes every life is important and has value, therefore there is no higher priority than the preservation of life. To protect the health and wellbeing of all incarcerated inmates, 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 inmates 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 inmates at risk for self-harm.

The Jail Division recognizes the prevention of inmate suicide requires effective communication between all individuals who have direct contact with inmates, and that it is everyone's job to help prevent inmate suicide. Jail staff understand and have been trained that some suicides can be prevented by staff who establish trust and rapport with inmates, gather pertinent information, and refer any inmate they identify at a risk of suicide to a mental health clinician.

### **DEFINITIONS**

**Acutely Suicidal Inmates** An Inmate who engages in self-injurious behavior or

	threaten suicide with a specific plan are considered acutely suicidal.
<b>High Suicide Risk Inmate</b>	An inmate 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.
<b>Observation Cell/Step</b>	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.
<b>Down Cell</b>	
<b>Safety Cell</b>	A padded cell of at least 48 square feet with a clear ceiling height of at least eight (8) feet designed to minimize the risk of accidents and injuries, and to reduce the possibility of self-inflicted injuries.
<b>Suicide</b>	The act or an instance of taking one's own life voluntarily and intentionally.
<b>Suicide Ideation</b>	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.

## **MANDATES**

12525 California Government Code  
 5150 Welfare and Institutions Code  
 Title 15 Standards: 1052, 1055, 1205, 1207, 1207.5, 1208, 1209, 1210, 1217 and 1219  
 IMQ Health Care Accreditation Standards 204, 301, 302, 311, 312 and 316  
 Prison Rape Elimination Act of 2003  
 Department of Justice National PREA Standard 28 CFR 115.15  
 Title II of the Americans with Disabilities Act (ADA) 1993  
 Americans with Disabilities Act Amendments Act of 2008

## **GENERAL INFORMATION**

- A. Correctional Staff shall act to prevent inmates from self-harm and suicides with appropriate sensitivity, supervision, medical and mental health referrals, emergency medical procedures and appropriate suicide prevention strategies.
- B. All identified acutely suicidal inmates or high suicide risk inmates shall receive preventative supervision, treatment and therapeutic follow-up in compliance with the policies and procedures of the Jail Procedures Manual, 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.
- C. The downgrading and/or discharging of an inmate from suicide precautions is a clinical decision. Correctional Staff shall not pressure to downgrade and/or discharge an inmate 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.

- D. Some inmates 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.
- E. All inmates have access to a Jail Inmate Handbook which provides suicide prevention information to inmates in Spanish and English, which advises inmates what to do if they feel suicidal and/or what to do if they believe another inmate may be suicidal.
- F. The Jail Division shall provide communication assistance to inmates with disabilities. Refer to: Disability – Accommodations policy.
- G. The Jail Division shall provide communication assistance to inmates who are limited in their English proficiency by utilizing the many translation services that are available to the Sheriff's Office.
- H. All inmates at a high suicide risk and/or acutely suicidal shall be housed in cells specifically designed to reduce the opportunity of an inmate being able to cause self-harm, and/or offer more visibility for staff monitoring of the inmate.
- I. While it is impossible to create a “suicide proof” cell environment within any correctional facility, given the fact that most inmate suicides occur by hanging, significant efforts have been employed to house inmates at a high suicide risk, and/or acutely suicidal, in cells that are free of obvious protrusions.
- I. All completed suicides will be reported to the Attorney General within 10 days by submitting a California Department of Justice (DOJ) form BCIA 713.
- J. The mental health and medical vendors and Jail Staff are responsible for identifying, managing and stabilizing suicidal inmates in custody. This responsibility shall not be delegated in any form to any inmate.
- K. The Jail Division does not recognize that a lack of inmates on suicide precautions is a measure of sound suicide prevention practices. The goal is not to have a “zero” number of inmates on suicide precautions, but rather, the goal is to identify, manage and stabilize suicidal inmates in custody.
- L. An inmate’s verbal agreement to not harm oneself and/or to notify staff if they later feel like inflicting self-harm shall not be the sole criteria used when evaluating appropriate suicide precautions.

## **PROCEDURES**

### **SUICIDE PREVENTION COMMITTEE**

- A. The Jail 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.

B. The Suicide Prevention Committee will generally meet monthly and quarterly in the Quality Assurance meeting.

1. The Suicide Prevention Committee is chaired by the Jail Division Commander or his/her designee.
2. The Suicide Prevention Committee is comprised of representatives from the medical vendor, mental health vendor, Jail Management and the Mental Health Therapist.

C. The Suicide Prevention Committee meets to provide input regarding all aspects of the Jail Division's suicide prevention and intervention strategies. The following topics may be discussed:

1. Staff training
2. Identification
3. Policies and procedures
4. Referral
5. Evaluation
6. Treatment
7. Housing
8. Monitoring
9. Communication
10. Intervention
11. Notification and reporting
12. Any other pertinent information

D. The Suicide Prevention Committee shall review any completed suicide or attempted suicide requiring off-site medical care or hospitalization within thirty (30) days and, if necessary, assist in the implementation of corrective actions.

1. Additionally, an administrative review will be conducted by the Sheriff's Office for all completed suicides. The Suicide Prevention Committee shall be made aware of any corrective actions recommended because of this review.

## **STAFF TRAINING**

A. All Staff who have direct contact with inmates shall receive suicide prevention training.

B. 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.

C. The Jail Division's Training Unit shall ensure all Sheriff's Office staff training hours are documented.

## **COMMUNICATION**

- A. All Staff Members who receive any information from an inmate or from any other source that indicate an inmate has recently engaged in suicidal behavior, or in behavior which may deem an inmate at risk, or observe any behavioral signs exhibited by an inmate that may be indicative of suicidal behavior, must immediately communicate those concerns to a Correctional staff member or medical/mental health staff member 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.
- B. Medical staff will be notified anytime an inmate is suicidal and/or at a high risk of suicide.
- C. Any communication received from family or friends who are concerned for the safety of any inmate shall be immediately communicated to a mental health clinician and appropriate jail 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 inmate.

## **BOOKING AND INITIAL SCREENING**

- A. At booking, Staff Members are trained to identify suicidal inmates 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:
  1. Affirmative answers to mental health screening questions;
  2. Currently intoxicated or in withdrawal from alcohol and/or other substances;
  3. First incarceration;
  4. Age related concerns;
  5. Legal problems (e.g., new charges, types of charges, additional sentences, institutional proceedings, denial of parole);
  6. Receipt of bad news regarding self or family (e.g., serious illness, loss of a loved one.);
  7. Suffering humiliation (e.g. sexual assault, holding a position of status within the community, etc.) or rejection;
  8. Staff observations and/or concerns;
  9. Knowledge of past incarcerations;
  10. Unsolicited input from other inmates;
  11. Input from family members or friends;
  12. Any other relevant information
- B. All arrestees charged with homicide, arson, vehicular manslaughter, child endangerment, or sexual abuse shall be referred to a mental health clinician for evaluation.
- C. All arrestees shall be asked the medical and mental health screening questions on the Intake Screening Form by a Wellpath Nurse.

- D. Correctional Officers 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.
- E. Correctional Staff shall ensure all inmates that will be housed have had been asked suicide prevention questions by Wellpath.
- F. If Correctional Staff Members receive any information from an arrestee or from any other source that indicates 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 Qualified Healthcare Professional/Qualified Mental Health Professional QHCP/QMHP shall be immediately be notified. A Correctional Officer shall maintain a line of sight observation of the arrestee until a qualified mental health or healthcare clinician can assess the arrestee to determine whether a suicide safety cell placement; an observation cell placement; or, any other type of intervention strategy is necessary.
- G. Signs are posted in the booking area and in all common areas except for the Safety Cells, notifying inmates to contact a Staff Member for any mental health concerns.
- H. 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.

#### **ONGOING IDENTIFICATION**

- A. The Jail Division recognizes the assessment of suicide risk should not be viewed as a single opportunity at Booking, but rather, as an ongoing process. Inmates may pose a risk of suicide at any time while in custody. Awareness, interaction, monitoring and observation of inmate behavior (expressed or displayed) are used to identify suicidal inmates until they are released.
- B. Correctional Staff will refer an inmate 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 inmate.
  - 1. Correctional Staff are highly encouraged to trust their own judgement and inmate observations of risk behavior and refer all inmates to a mental health clinician when they have such concerns and complete and submit a Classification/Health Services Input form.
  - 2. Civilian Staff are also highly encouraged to trust their own judgment and inmate observations of risk behavior and refer all inmates when they have such concerns, to a Correctional Officer who in turn will immediately make a referral to a Qualified Healthcare Professional/Qualified Mental Health Professional. QHCP/QMHP and complete and submit a Classification/Health Services Input form.

C. Correctional Staff identifying any inmate with possible suicide ideation shall immediately refer the inmate to a QHCP/QMHP. A Correctional Officer shall maintain a line of sight observation of the inmate until mental health staff can assess the inmate to determine whether a safety cell placement, an observation cell placement or any other type of intervention strategy is necessary.

## **REFERRAL AND EVALUATION**

A. All inmates 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. Suicidal statements, perceived depression, despondence, recent notification of a significant sentence, or bad news are factors to consider in deciding if an inmate is at risk for self-harm. Until this evaluation takes place, a Correctional Officer shall maintain a line of sight observation of the inmate until mental health staff can assess the inmate to determine whether a safety cell placement, an observation cell placement or any other type of intervention strategy is necessary. If the mental health clinician is not on duty, the on-duty nurse or staff member will place inmate in a safety cell or step-down cell.

B. 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 inmate to an inpatient mental health facility. The evaluation shall be documented in the medical record of the inmate.

C. Court Bailiff or Transportation Officers will refer any inmate whom they observe to be depressed, despondent and/or receives a significant sentence and/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 Bailiff or Transportation Officer must notify the responsible Sergeant and the housing officer at the jail.

D. Medical staff will refer any inmate to a mental health clinician for a mental health evaluation when they have concerns for the mental health and/or welfare of the inmate.

E. Medical staff will make a referral to the mental health vendor when an inmate delivers a baby while incarcerated.

## **HOUSING, PLACEMENT, AND RESTRICTIONS**

A. Inmates 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 inmate. Every inmate 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 inmate being the paramount concern.

- B. The Jail Division recognizes inmates may be discouraged from expressing any suicidal intentions if the consequences of reporting those intentions are unpleasant and/or believed by the inmate 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 inmate.
- C. Housing options for inmates 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 inmate is isolated and/or feels isolated in their cell.
  - 1. Inmates identified at a risk of suicide may be housed in a cell with another inmate to reduce or eliminate the degradation that can occur when inmates feel isolated. Housing inmates with another inmate has proven to be an effective suicide prevention tool, because inmates are less likely to successfully harm themselves when housed with another inmate.
  - 2. The Jail Sergeant or OIC will work collaboratively with Correctional Staff and the mental health vendor to maximize the amount of time inmates 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 inmates and staff be unduly compromised.
- D. Acutely suicidal inmates may be placed in a Safety Cell with concurrence from mental health and medical staff to prevent an inmate from causing-self harm. Refer to: Safety Cell Use policy.
- E. Inmates identified as being at risk of suicide may be placed into an Observation Cell. Refer to: Observation Cell Use policy.
- F. Only a mental health clinician has the authority to release an inmate from a Safety Cell or an Observation/Step Down 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. This will include a follow up interview with the inmate, which must be completed within 48 hours to assess for any residual level of suicide ideation.

## **MONITORING DEPENDING ON LEVEL OF SUICIDE RISK**

- A. An acutely suicidal inmate and/or an inmate at risk of suicide placed in a Safety Cell or an Observation Cell requires intermittent direct visual observation rounds completed by Correctional Staff at least two times every 30 minutes, with rounds being completed at least 10 minutes apart. Refer to: Use of Safety Cell and/or Observation Cell Use policies.
- B. The mental health/medical vendor tracks all inmates identified at a heightened risk of suicide and will ensure the necessary level of follow up interviews and treatment are provided.

- C. The mental health vendor is responsible to ensure clinicians perform wellness checks at least three times per week of the Administration Segregation Modules, and that the checks are documented.

## **TREATMENT**

- A. The mental health vendor is responsible to ensure all inmates receive mental health services to address the underlying reasons for their suicide ideation to include a treatment plan when an inmate is at a heightened risk of suicide, as well as follow up treatment interventions and monitoring strategies to reduce the likelihood of a relapse.
- B. Inmate programming has proven to be therapeutic, therefore every effort will be made to ensure inmates at risk of suicide will be provided with the fullest opportunity to participate in such programs. However, it is not uncommon for some inmates, based on legitimate safety and security reasons, to be denied participation in some or any programming.

## **HYGIENE AND PRIVACY**

- A. Inmates 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.
- B. Although Correctional Officers of the opposite gender are assigned to monitor inmates in Safety Cells and Observation Cells, officers have been trained on the procedures to be utilized to provide the above-mentioned privacy, without creating a safety risk for the inmate or compromising the safety of staff. Any non-incidental cross-gender observations by staff shall be documented in an incident report.

## **HANDLING A SUICIDE OR AN ATTEMPTED SUICIDE**

- A. When a Staff Member becomes aware an inmate is attempting suicide or appears to have committed suicide, he/she will immediately announce over the radio, or by any other communication method at their disposal, the exact location of the incident.
- B. Available back-up officers, the Sergeant responsible for the area and Medical Staff shall immediately respond to the area of the incident.
- C. When an appropriate number of back up officers have arrived for an inmate who has attempted suicide, and the inmate is under control, Correctional Staff and/or Medical Staff will immediately begin providing medical aid and/or life saving measures.
- D. The Sergeant will contact a QHCP/QMHP and advise them of the incident. A mental health clinician will immediately respond to the incident.

- E. If the inmate requires hospitalization, the Sergeant will make the appropriate arrangements. (Refer to: Medical - Hospitalization/Emergency Treatment)
- F. The Jail Sergeant or OIC will notify the Jail Lieutenant of all attempted suicides that require off site hospitalization and/or a completed suicide with all pertinent information. The Jail Lieutenant shall notify the Jail Commander who in turn shall notify the Undersheriff and/or Sheriff.
- G. The Supervisor in the jail may contact Sheriff's Dispatch and request a Deputy respond, take a report and gather any necessary evidence. Refer to: Critical Incident-Injury, Death and Notification Procedures policy.
  - 1. 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 Supervisor on duty in the Jail to resume normal operations only after all necessary evidence has been collected.
- H. If an inmate attempts suicide, and does not require hospitalization, the inmate will be placed in a safety cell until cleared by mental health.
- I. The officer who first arrived at the scene of the incident will write a Jail 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.
  - 1. If the Staff Member discovering the incident is a civilian Staff Member, he/she shall be directed to write a jail medical/incident report.
  - 2. A non-involved Correctional Officer must write the face page of any completed suicide.
- J. The Sergeant will make entries in the appropriate Activity Logs.

#### **CRITICAL INCIDENT DEBRIEFING/FOLLOW UP**

- A. A critical incident debriefing following a completed suicide will be offered to all affected inmates within 24 to 72 hours after the critical incident.
- B. A critical incident debriefing following an attempted suicide may be offered to all affected inmates within 24 to 72 hours after the incident, at the discretion of the Jail Sergeant, Supervisor of the jail and/or the Jail Commander or a designee.

#### **TIME SERVED RELEASE OF A SUICIDAL INMATE**

- A. If an inmate on suicide observation becomes eligible for release from custody the inmate must be evaluated by an authorized mental health clinician or Deputy Sheriff to determine whether the inmate meets the criteria for a Welfare and Institutions Code section 5150 ("5150") designation. If the inmate meets the 5150 criteria the inmate must be transferred to an appropriate psychiatric facility or medical facility on a 5150 hold, after custody has completed the release process of the inmate.

B. Any inmate eligible for release from custody where staff have concerns for the safety of the inmate from self-harm, staff shall notify the QHCP/QMHP of those concerns before the inmate is released. A Classification/Health Services Input form must be completed and submitted, and the inmate must be evaluated by the mental health clinician or Deputy Sheriff before the inmate is released from custody to determine if he or she meets criteria for 5150.

## J147.85 - COMMUNICABLE DISEASE

**PURPOSE:** This policy is in place to prevent communicable diseases, including but not limited to tuberculosis and Covid-19, from causing an outbreak in the jail and to mitigate exposure to communicable diseases during a pandemic.

### **DEFINITIONS:**

**Asymptomatic:** refers to an inmate who *does not* show signs or symptoms of illness.

**Close Contact:** When a person has been exposed to another person who has been diagnosed with a communicable disease. It is considered a close contact when that exposure was within a specific time period and distance of space, as determined by Center for Disease Control (“CDC”) guidelines.

**Communicable Disease:** an infectious disease that is transmittable by contact with infected individuals or their bodily discharges or fluids or by contaminated surfaces or objects.

**Face Covering:** Cloth face coverings are not surgical masks or N-95 respirators. A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels and may be washable.

**Isolation:** refers to the procedure of separating a person who is already sick from others who are not ill in order to prevent the spread of disease.

**N-95 Mask:** Disposable respiratory protective device designed to achieve a close facial fit and efficient filtration of airborne particles. The edges of the respirator are designed to form a seal around the nose and mouth.

**Outbreak:** disease outbreak is the occurrence of disease cases in excess of normal expectancy and may refer to the community spread of disease throughout several housing units within the facility.

**Quarantine:** refers to the procedure of separating and restricting the movement of persons who were exposed to a contagious disease in order to quickly identify those who will or may become sick. The term *quarantine* is distinct from the term *isolation*.

**Symptomatic:** refers to inmates displaying symptoms of illness.

**Surgical Mask:** Loose-fitting disposable device that creates a physical barrier between the mouth and nose of the wearer and potential contaminants in the immediate environment. A surgical mask is meant to block large particle droplets, splashes, sprays or splatter that

may contain viruses or bacteria.

## **INMATES:**

### Intake

At the time of intake into the facility, all inmates will have their temperature checked in the sally port before entering the facility. A nurse will ask health screening questions during this time, questions to include asking the inmate if he or she has a communicable disease or other special medical issues. The inmate's response shall be noted on the booking form and /or screening form. A nurse will determine if the inmate needs to be medically cleared at the hospital.

### Isolation and Quarantine

If an inmate is symptomatic of a communicable disease, has tested positive for a communicable disease or is considered a close contact, the person will be held in a negative pressure cell for isolation, if available. If the negative pressure cell is unavailable, a single cell will be used.

When recommended by CDC or State or local public health officials, every effort will be made to quarantine new intakes. Isolation and quarantine periods shall be determined by CDC guidelines but may be altered by command staff due to limitations in single cell housing or security reasons.

### Face Coverings and Social Distancing

When face coverings are recommended by CDC, officers and inmates will wear face coverings while inside the jail. Normally, inmates will not be required to wear face coverings inside their cells or dayrooms; however, if a contagious disease outbreak should occur, inmates will wear face coverings at all times unless they are bathing or in their bunks. When recommended by the CDC, officers and inmates are encouraged to social distance 6-8 feet.

## **STAFF:**

### CDC Recommendations

When recommended by CDC, all staff will be screened for communicable diseases before entering the jail facilities. When recommended by CDC, all staff shall wear a face covering, surgical mask or N95 mask during intakes and while inside the jail facilities.

### Recognizing Signs and Symptoms of Communicable Diseases

Staff are trained to recognize communicable diseases and shall report to a supervisor or medical staff anytime they suspect someone is exhibiting signs or symptoms of having a communicable disease. This action shall be reported on a Sutter County Jail Incident/Medical Report Form as well.

If an inmate is suspected of having or being exposed to a communicable disease, staff should wear an N95 mask and shall wear full PPE during the intake process or while in contact with the inmate.

### Possible Exposure to a Communicable Disease

At any time, during the course of a work assignment, when an employee has direct contact with blood or other bodily fluids or is unsure whether an occurrence constitutes an exposure, the following steps should be taken:

- A. Cleanse the exposure area with soap and water for at least three minutes, and then rinse with copious amounts of warm water.
- B. If the exposure includes contamination of clothing, put on gloves and then remove the soiled clothing and properly dispose or rinse with soapy water. Then remove gloves and wash hands thoroughly with warm soapy water for at least three minutes. Finally redress with clean clothes.
- C. Report the incident to a supervisor.
- D. Seek medical attention for any injuries received. If there is probable cause to believe there has been a blood transfer from an inmate to a staff member, a petition should be filed with the Superior Court by the Jail Facility Manager or designee to test the inmate for HIV, Hepatitis B and Hepatitis C per Health and Safety Code section 121060 as soon as possible. It is important to do this quickly as some exposures require medication right away.
- E. Fill out an Incident Report of possible communicable disease contact and submit it to your immediate supervisor as soon as possible, as further described below.

An employee should fill out an Incident Report of possible communicable disease contact which will be reviewed by the jail Health Services Administrator, or his/her designee, and the Jail Facility Manager, and be included in the employee's personnel file. The report should include the time and date of exposure and the type and length of exposure. The report of a possible communicable disease contact incident should be submitted to a supervisor as soon as possible. Sutter County Public Health may be consulted for assistance in evaluation of the risk for exposure and guidance.

An exposure to blood-borne pathogens occurs when an individual has a parenteral (through the skin as in a needle stick or cut) or mucous membrane (splash to eye or mouth) exposure to blood or other body fluids or has a cutaneous (skin) exposure involving blood - especially when the exposed skin is chapped, abraded or affected with dermatitis. An exposure may also be through respiratory contact as in the case of some types of pneumonia, tuberculosis, or Covid-19. The level of risk for exposure and illness varies widely with the type of exposure and the type of bacteria or virus.

If a staff member is exposed to an airborne disease such as tuberculosis or Covid-19, that staff member may be required to be quarantined, in accordance with CDC guidelines.

#### **SUPERVISORS:**

A supervisor receiving a communicable disease contact Incident Report shall immediately ensure the inmate is segregated and custody staff members are advised of the medical hazard. The supervisor should attempt to identify and contact other employees who may have had contact with the same inmate. The supervisor shall also immediately notify the Jail Lieutenant or Jail Commander.

If the exposure is to blood, the officer and inmate should be sent to the emergency room immediately where blood can be drawn from the inmate, and the officer can be treated if necessary. The Jail Commander should be notified and determine if a petition pursuant to Health and Safety Code section 121060 should be filed with the courts in order to obtain the inmate's blood results for HIV, Hepatitis B and Hepatitis C.

The supervisor shall fill out appropriate worker's compensation forms and forward them to jail administration. The Jail Lieutenant or Jail Commander shall contact Human Resources to advise them of the exposure and to determine if treatment is recommended for the affected staff members. When treatment is recommended, all affected staff shall be referred to their healthcare providers, or as directed by Human Resources.

The supervisor will provide the jail Health Services Administrator with a copy of the completed Jail Incident/Medical Report of possible communicable disease contact.

The supervisor will ensure a copy of the Jail Incident/Medical Report of possible communicable disease contact is forwarded to the Jail Facility Manager and placed into the employee's personnel file.

Finally, in HIV related exposures, the supervisor will complete the first section entitled "Incident Information" on the State of California, Department of Health Services "Report of Potential HIV Exposure to Law Enforcement Employees" Form #DHS8479 (online) and forward this form to jail medical staff for completion and submission to the State pursuant to section 7554 of the California Penal Code.

#### **HEALTH SERVICES ADMINISTRATOR:**

Upon receiving notice of a communicable disease contact or receiving a Jail Incident/Medical Report of possible communicable disease contact form, the jail Health Services Administrator, or his/her designee shall contact the source patient and determine, if possible, if the patient has a communicable disease and provide testing according to Wellpath policy and procedure.

#### **J147.90 - INMATE ACCESS TO PRIVATE MEDICAL/DENTAL SERVICES**

Any inmate of the Sutter County Jail will be allowed access to private medical or dental services at their request subject to the following:

- [1] Medical or dental appointments must be made through the Wellpath Medical Services in conjunction with the Jail Facility Manager and with regard for manpower and staffing availability.
- [2] Incarcerated persons have the right to summon and receive the services of any physician, nurse practitioner, certified nurse midwife, or physician assistant of their choice in order to determine whether they are pregnant. If found to be pregnant, incarcerated persons may use the provider of their choice to determine the extent of services needed and receive services at their own costs.
- [3] Billing and payment for private medical or dental services must be arranged for by the inmate. Billing may not be to or through any Sutter County Sheriff's Office.
- [4] The inmate must pay transportation costs including salaries for personnel transporting them to their requested appointments with private physicians or dentists and mileage or transportation charges directly related to the transportation. The Jail Facility Manager will be the final authority on the number of personnel required for security on such transports and the selection of such personnel. Payment for transportation to personal physicians or dentists must be made to the Sutter County Sheriff's Office prior to the day of the appointment.

[5] The patient must be informed that any recommendations for treatment, including medication, will be subject to review by the healthcare providers at Wellpath Medical Services for medical necessity and appropriateness in the Jail setting and the policies and procedures in effect in the Sutter County Jail.

#### **J147.95 – INMATE MENTAL HEALTH SOCIALIZATION PROGRAM**

Our Mental Health Medical Therapist deals with inmates that have mental health issues. Our Therapist works mainly with inmates housed in our Single Cell units who are housed separately because of behavior type issues. Inmate(s) are escorted to interview room and allowed to have one hand un-cuffed so they can do the skills if the Officer and Therapist feel that the inmate is not a threat.

**SUPPLIES:** All supplies will be inventoried and re-inventoried with each use (count pencils, crayons, etc.) The following consist of: colored pencils, crayons, color pages, plain paper, puzzles (e.g. Crossword, mazes, Sudoku, word search) Magazines (No addresses, conducive for women and men), Playing card, Simple games (e.g. Old Maid, Fish, checkers, etc.)

#### **J150.00 - ADMISSIONS (RECEIVING AND BOOKING)**

Custody staff should recognize that the admissions process is often accompanied by anxiety in an arrest and detention situation. It is a potentially dangerous and crucial time for both jail personnel and incoming inmates. It is during the admissions phase that jail personnel are faced with more emergency situations (i.e., substance abuse problems, physical/mental health problems, legal and security problems) than at any other period of detention.

It is essential jail personnel are prepared for and capable of taking responsible and professional action to provide safe, legal and secure detention for all prisoners received.

The admissions process has been developed to provide jail personnel with a process which, when applied according to policies and procedures, will ensure that Sutter County Jail fulfills its legal obligations to the community and any prisoners received through:

- [1] Providing a systematic and operational approach for managing staff and inmates without violating individual constitutional rights, endangering prisoners and staff, or breaching the security of the jail.
- [2] Identifying needs and arranging services for prisoners with special needs.
- [3] Providing safe and secure housing in the least restrictive manner possible, in accordance with Sutter County Jail's classification system.
- [4] Providing a system of gathering information, within legal restraints, to assist jail staff in making initial decisions regarding prisoners received.
- [5] Providing a system of gathering data to assist the Jail Facility Manager in identifying, evaluating, and planning for future admissions.

#### **J150.10 -JAIL FACILITY MANAGER RESPONSIBILITY (ADMISSIONS)**

The Jail Facility Manager will ensure the admissions process at the Sutter County Jail provides safe, legal and secure detention of prisoners received.

- [1] The Jail Facility Manager will keep informed of local, state and national standards

pertaining to admissions to ensure standards compliance at the Sutter County Jail.

- [2] The Jail Facility Manager will review admissions records and data on a regular basis to ensure correct admissions procedures are used by all staff.
- [3] The Jail Facility Manager will meet with staff on a regular basis to discuss and resolve any problems or needs regarding the admissions process.
- [4] The Jail Facility Manager will maintain and review all information and data collected through the admissions process to identify and plan for changes in admission trends.
- [5] The Jail Facility Manager will provide for the training of all jail staff in all the various aspects of admissions.

#### **J150.20 - RECEIVING PRISONERS**

The Sutter County Jail, in conjunction with criminal justice agencies delivering prisoners to our jail for admissions, is responsible for ensuring all prisoners are received at the Sutter County Jail in a manner which is systematic, safe and secure.

All criminal justice agencies in the Sutter County area have been informed of the receiving procedures that must be followed when delivering prisoners for admission to the Sutter County Jail.

#### **J150.30 - TRANSPORTING OFFICER RESPONSIBILITY**

- [1] Transporting agency or officer should notify Sutter County Jail of prisoner in custody to 11-01 (sally port gate).
- [2] Prisoner will remain in vehicle until receiving officer authorizes entry into booking area.
- [3] The transport officer and inmate will enter the jail through the sally port door.
- [4] Transporting agency or officer should provide Sutter County Jail with the following information:
  - Shall fill out blue slip containing the following:
    - Name, DOB or other identifying information of the prisoner
    - Charges or status of prisoner.
- [5] No weapons of any kind are allowed within the jail perimeter. Officers with weapons, including chemical agents, will be asked to immediately leave the building and to place these items in their vehicle or the weapon lockers provided.
- [6] Illegal items in the prisoner's possession will be retained by the transporting officer and dealt with according to their department policy. Interviews and blood alcohol tests will be administered when needed by the transportation officer.
- [7] It is the responsibility of the transporting officer to provide jail staff with fully completed, necessary forms (i.e., pre-booking forms (blue slips) that include a Probable Cause Declaration, warrants or warrant abstracts, medical clearances, etc.).

#### **J150.40 - RECEIVING OFFICER RESPONSIBILITY**

The following procedures will be followed when receiving prisoners at the Sutter County Jail:

- [1] The receiving officer will proceed to the sally port area to receive the prisoner and transport officer.
- [2] The receiving officer will ensure that all areas the arrestees is about the enter are secure and free of contraband and other inmates.
- [3] The receiving officer will notify the transporting officer when booking area is clear to

bring the prisoner into the booking area.

- [4] If the transporting officer is not known to the receiving officer, the transporting officer will be required to produce valid identification verifying he/she is an official representative of an agency authorized by law to have a prisoner detained. For obvious security reasons, establishing the transporting officer's ID must be done prior to allowing him/her entry into the jail through any exterior door (i.e., sally port, lobby).
- [5] Generally, the receiving officer will not assist the transporting officer in removing the inmate from the transport vehicle, unless an emergency situation exists whereby the arresting officer needs assistance (such as in the event of a physical altercation with the arrested inmate).
- [6] The receiving officer will meet prisoner at the sally port door. The receiving officer will visually inspect the arrestee for signs of injury or illness, and ensure the arrestee is able to walk into the jail under his/her own power and is not in need of immediate medical attention.
- [7] If the prisoner appears to be injured or ill, the receiving officer will make immediate notification to the shift sergeant. The booking officer will document the illness or injury. The sergeant will refuse to accept an injured or ill arrestee. All seriously injured or ill arrestees must be cleared by a doctor or by ellpath Medical Services prior to housing.
- [8] It is the responsibility of the receiving officer to thoroughly perform a clothed pat search, and to receive and secure the prisoner's property. Arrangements shall be made for a female officer to perform a clothed pat search on female arrestees. In the event Sharps are found they will be handed over to the Transporting officer to log into arresting agencies property system. If found during a walk-in commit they shall be told that no Sharps are allowed inside the jail.
- [9] The receiving officer must make sure all necessary paperwork is completed, coupled with the correct personal property, and handed over to the control room for booking. This includes checking to see that pre-booking forms (blue slips) are filled out completely (front and back), the backs of warrants are signed by the arresting officer, medical clearances are provided when necessary, etc.
- [10] On court-ordered transports, staff should ensure the prisoner is accompanied with an official order from a court having jurisdiction in Sutter County. The order is signed and dated by an official of the court and the order has the official seal of the court attached.
- [11] When all requirements are met, the prisoner may be moved out of booking area to a holding cell. When custody staff has cleared the prisoner the transporting officer may be released.

*NOTE: Unless authorized by the Sheriff of Sutter County, staff will not accept custody of a prisoner unless the appropriate and complete documentation is provided by the transporting officer or agency as required.*

#### **J150.50 - BOOKING OFFICER RESPONSIBILITY**

- [1] The booking officer will raise the sally port gate if available when requesting transport officer arrives.
- [2] The booking officer will notify the receiving officer when the transport unit enters the gated sally port parking area.
- [3] The booking officer will not open the sally port door until the sally port gate has been

closed, and the receiving officer has indicated it is clear for the arrestee to be escorted from the transport vehicle into the booking area by the transporting officer.

- [4] The booking officer, using existing guidelines and bail schedules, will determine the charges warranting detention at the Sutter County Jail, and will process the arrestee accordingly. (Refer to Jail Policy Manual Section regarding “Release Options” beginning at J111.00)

## J150.60 - BOOKING PROCEDURES

Booking will be conducted with respect and professionalism. The booking officer will try to lessen an inmate's anxiety by answering questions and explaining what will be expected from them.

Booking is computerized. Enter booking information into the Central Square system. Follow this checklist:

- [1] Determine whether the inmate has a prior booking or Sutter County SC #. If so, enter the pre-existing number into the first screen. If not, the system will automatically assign a number.
- [2] Enter the inmate's personal information as the system screens prompt you. Get this information from the inmate.
- [3] Assign housing according to classification requirements and the charges against the inmate.
- [4] Deposit the inmate's cash in an envelope.

If the amount is in excess of \$25.00, the booking officer will label a money envelope with the inmate's name, date, dollar amount and Sutter County SC #. The dollar amount will be entered into the computer, and a commissary account opened for the inmate. The inmate will be given a copy of the computer-generated banking receipt. The receipt number will be noted on the envelope, and the envelope will be deposited into the locked cash drawer.

If the inmate is leaving the facility (Bailed or OR'd, etc.) and the inmate's cash is \$25.00 or less, two officers will count the money in the presence of the inmate (when practical), and place the money into a money envelope labeled with the inmate's name, date, Sutter County SC # and dollar amount. The envelope will be placed inside the inmate's small property bag and the bag then placed on the shelf under the color printer in the main jail control room. This will be given to the inmate upon release.

- [5] Complete the computer's charge screen.
- [6] Complete the Inmate Classification Questionnaire and issue them an I.D. wrist band.
- [7] Inventory all of the Inmate's personal property and enter the inventoried items onto the Inmate Property Sheet. A copy of the completed property sheet will be placed in the inmates' property bag per Penal Code Section 4003. The inmate and officer will sign the property sheet to attest to the completed inventory. This property sheet will then be placed in the inmate file for release purposes later.
- [8] Allow them to make up to three (3) telephone calls. If they do not exercise this right, note it in the activity screen.

- [9] Take appropriate photographs using the facility's camera system.
- [10] Turn the inmate over to the processing officer who will take finger and palm prints using the Identix Fingerprinting Machine.
- [11] Direct copies of all documents to their proper location.
- [12] Document warrant check with positive or negative results.
- [13] Since the RAP Sheet from DOJ is a "living document," there are on-going changes on the RAP Sheet. The booking officer may run a RAP Sheet on screen or on paper for classification. The booking officer/shift supervisor will then make their assessment, take notes and any necessary information, and document it on the Jail Classification Form. Once completed, the RAP Sheet will be destroyed by shredding and the destruction will be noted on the Jail Classification Form. Otherwise, the RAP Sheet can be reviewed electronically on the computer screen where the record is tracked and kept by CLETS and the document will be removed from the screen review. If another RAP Sheet is needed for further reason, it can be reviewed on the computer screen. RAP Sheets will no longer be filed in the inmate's file folder.

#### **J150.70 - TELEPHONE CALLS AT BOOKING**

All arrested persons (felony, misdemeanor or civil) are entitled by law, without exception, to three (3) completed telephone calls. Local calls are provided without charge. Out of local dialing area calls are collect.

Penal Code Section 851.5 requires the opportunity to make the calls "immediately upon being booked, and, except where physically impossible, no later than three (3) hours after arrest". The three (3) calls may be made to any of the following:

An attorney of choice or public defender  
A bail bondsman  
A relative or other person

Additionally, Penal Code Section 851.5(c) requires that any arrested person who is identified during booking as a caretaker or custodial person/parent of a minor child shall be entitled to two (2) additional phone calls at no expense.

#### **J150.80 - TELEPHONE CALLS: BOOKING OFFICER RESPONSIBILITY**

Booking Officers shall ensure mandated phone calls are completed within the three (3) hour time limit set forth by Penal Code Section 851.5.

**NOTE:** The requirement is no later than three (3) hours *after arrest*, NOT three (3) hours *after arrival at the jail*.

During the booking process officers shall document all completed calls, or the opportunity to make calls if the calls are declined. When an inmate is unable to complete their calls due to conditions affecting the safety and security of inmate, staff and/or facility, (i.e., inmate is intoxicated or combative) they shall be provided with the opportunity to complete their calls as soon as practical.

## **J150.90 – PROCESSING FOREIGN BORN INMATES/ICE POLICY /CONSULAR NOTIFICATION AND ACCESS**

A percentage of persons who commit crimes in Sutter County and who are arrested/serving commitments are foreign born, are in the United States illegally or have been convicted on deportable charges.

### **REFERENCES:**

AB4 California Trust Act  
AB4 California Trust Act Qualifications (B-011 APX)  
AB2792 California Truth Act  
Article VI, clause 2 Constitution of the United States  
Consular Notification and Access 3<sup>rd</sup> Edition  
Consular Notification and Access Reference Card  
G.O. A-016  
Government Code § 7282  
Government Code § 7282.5  
Government Code § 7283  
Government Code § 7283.1  
Government Code § 7283.2  
Government Code § 7284  
Penal Code § 834c(c)  
SB54 California Values Act  
United States Code, Title 8, §§1325 & 1326  
Vienna Convention on Consular Relations

### **FORMS:**

TRUTH Act Forms 1, 2 or 3

### **POLICY:**

The purpose of this Policy is to establish procedures to ensure that the Sutter County Jail and facility personnel are in compliance with the legal requirements of Article 36 of the Vienna Convention on Consular Relations, which sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this Country, the AB4 California Trust Act (Government Code §7282, *et. seq.*), and the AB2792 California Truth Act (Government Code § 7283.). The regulatory authorization for a jail to detain a person based on an immigration hold comes from the Code of Federal Regulations (8 C.F.R. § 287.7(d)).

This Policy identifies those prisoners who are under arrest or returning to serve sentences and who are foreign born and to notify the arrest to Immigration and Customs Enforcement (ICE) immediately.

### **DEFINITIONS:**

**Consular Officer** – A foreign official authorized by the Department of State to provide assistance to the foreign government's citizens in the United States.

Foreign National – Any person who is not a United States citizen; same as “alien.” Aliens who are lawful permanent residents and who have a resident alien registration card (“green card”) are foreign nationals. Undocumented aliens that are in the United States are foreign nationals.

Mandatory Notification – Consular notification procedures that apply to an in-custody foreign national from any of the 57 countries that have agreed to special rules with the United States. For such a foreign national, the consular officer must be notified regardless of whether the foreign national requests or wants notification.

Judicial Warrant – A warrant based on probable cause for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge that authorizes a law enforcement officer to arrest and take into custody the person who is the subject of the warrant.

ICE Interview/Requests and Admonishments –

1. TRUTH Act Form #1 – A written consent form provided to an inmate in advance of any interview between ICE and the inmate regarding civil immigration violations that explains the purpose of the interview, that the interview is voluntary, and that the inmate may decline to be interviewed or may choose to be interviewed only with his or her attorney present. (Government Code § 7283.1(a).)
2. TRUTH Act Form #2 – A written notification form provided to an inmate informing the inmate that the local law enforcement agency has received an ICE hold, notification, or transfer request relating to the inmate and whether the local law enforcement agency intends to comply with the ICE request. (Government Code § 7283.1(b).)
3. TRUTH Act Form #3 – A written notification form provided to an inmate informing the inmate that the local law enforcement agency has provided ICE with notification that the inmate is being, or will be, released on a certain date; this written notification form shall also be provided to the inmate’s attorney or an additional person who the inmate designated. (Government Code § 7283.1(b).)

Secure Communities – An immigration enforcement program administered by ICE that relies on partnership among federal, states, and local law enforcement agencies, that helps identify in-custody foreign nationals without imposing new or additional requirements on state and local law enforcement.

**GENERAL INFORMATION:**

1. All foreign nationals are entitled to consular notification and access, regardless of their visa or immigration status in the United States.
2. All foreign nationals when arrested or detained must be advised of the right to

have their consular officials notified. This notification is to be done by the arresting officer prior to booking into the Sutter County Jail. In some cases, consular notification of the arrest or detention of a foreign national is mandatory, regardless of the foreign national's wishes. Mandatory notification, if necessary, will be completed by Sutter County Jail Correctional Staff.

3. The list of mandatory notification countries and jurisdictions is listed in the Consular Notification and Access booklet. This booklet is located on the Supervisor's desk in Booking.
4. Suggested statements to arrested or detained foreign nationals are in the Consular Notification and Access booklet. Translations of the statement into selected foreign languages are also available in the booklet.
5. The Sutter County Jail shall not transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or in accordance with Government Code Section § 7282.5.

#### **PROCEDURE: Consular Notification and Access**

1. Correctional Staff will determine the foreign national's country. In the absence of other information, assume this is the country on the passport or other travel documents carried by the foreign national. **(The Consular Notification and Access Reference Card shall be available in the booking area for reference)**
2. If the foreign national's country is not on the mandatory notification list, Correctional Staff shall:
  - a. Offer, without delay, to notify the foreign national's consular officers of the arrest / detention.
  - b. Make a note in the foreign national's decision in the case file.
  - c. If the foreign national asks that consular notification be given, notify the nearest consular officers of the foreign national's country without delay.
  - d. Never tell the consular officers that the foreign national has requested asylum. If the consular officer insists on information the foreign national does not want disclosed, contact the Supervisor or the Department of State at (202) 485-7703.
  - e. Make a note of the completed notification in the case file and keep the fax and fax confirmation, or the sent email.
3. If the foreign national's country is on the list of mandatory notifications, Correctional Staff shall:
  - a. Notify the nearest consular officers of the foreign national's county, without delay, of the arrest/detention.
  - b. Never tell the consular officers that the foreign national has requested asylum. If the consular officer insists on information the foreign national does not want disclosed, contact the Supervisor or the Department of State at (202) 485-7703.

- c. Inform the foreign national that you are notified their consulate.
  - d. Make a note of the completed notification in the case file and keep the fax and fax confirmation, or the sent email.
4. Notifications made in procedure 2 and 3 shall be done by using the Consulate Notification FAX sheet in the Consular Notification and Access booklet. Fax numbers to foreign embassies and consulates in the United States are found at the following website: <https://travel.state.gov/cna>. At that page type the “name of the country” in the “Foreign Consulate Office” block then enter “Go” to obtain the FAX number and information about the country. When notification is made, the FAX will be placed in the foreign national’s booking file.

**PROCEDURE: Notification to the Department of Homeland Security/Bureau of Immigration and Customs Enforcement**

1. Identification at Booking/Commitment: During the booking/commitment process the booking officer will determine the country in which the person was born and if it is outside of the United States and is a foreign national.
  - a. If applying for Outside Work Release (OWR), the Sutter County Jail will not contact ICE to determine the inmate’s immigration status when they arrive for final processing, which includes an updated photo, fingerprints and to pay any fees for the program.
  - b. If it’s determined the inmate is a foreign national who is either undocumented/illegal or convicted of a deportable offense and ICE states they want to transport, OWR will not be approved, the inmate will stay in-custody for their court ordered time and any monies will be credited to their account.
2. Foreign National – DHS/ICE questionnaire: When the arrested/committed person is identified as foreign national, the booking officer will have the inmate complete a TRUTH Act Form #1.
3. Foreign National – Contacting DHS/ICE: The booking officer will call the DHS/ICE agent assigned to Sutter County or if it is after hours or a weekend, officers will contact the on-duty agent, for the foreign national inmate to be interviewed. All communications with DHS/ICE and all records relating to ICE access requires an entry to be made on the ICE Hold and Information Release Log located on the “P” Drive in the Jail Division folder.
  - a. All foreign nationals shall be fingerprinted to ensure verification through Secure Communities and the Live Scan response shall be maintained in the booking file. The Secure Communities response are automatically routed to DHS/ICE.
  - b. Prior to allowing any representative from DHS/ICE to conduct an interview, whether in person or telephonically, the inmate shall be promptly given a TRUTH Act Form #1, advising them of their rights. A copy of this form will be placed in the inmate’s file and a copy will be forwarded to the Jail Lieutenant.

- c. Once a valid federal arrest warrant or court order that has been signed by a magistrate or judge is received, the individual can be held for immigration as long as the hold does not violate any federal, state, or local law & the inmate has been convicted of a federal crime that meets the definition of aggravated felony as set forth in 8 USC § 1101.
- d. Upon receiving a federal arrest warrant or court order, a copy of the warrant shall be made for the Sutter County Jail Transportation Officers and the original shall be stapled on the left side of the booking folder. In addition, an ICE hold alert will be entered into Central Square.
- e. The Shift Supervisor or designee shall book the foreign national on the 8 USC §§ 1325 or 1326 warrant and notify our Transportation Officers who will then coordinate the Foreign Nationals transport with DHS/ICE. In the event that DHS/ICE identifies an individual as being eligible for deportation but does not provide a federal arrest warrant or court order, the individual will be released.
- f. Upon receiving any DHS/ICE hold, notification, or transfer request for an inmate of the Sutter County Jail, Correctional Staff shall provide a copy of the DHS/ICE request to the inmate, inform the inmate whether the Sutter County Sheriff's Office intends to comply with the request, and promptly provide the inmate with a completed TRUTH Act Form #2. A copy of this form will be placed in the inmate's file and a copy will be forwarded to the Jail Lieutenant. Any information provided to DHS/ICE shall also be provided in writing to the inmate and to his or her attorney or to one additional person who the individual shall be permitted to designate.
- g. If the Sutter County Sheriff's Office provides ICE with notification that an inmate is being or will be released on a certain date, the inmate shall be promptly provided TRUTH Act Form #3, providing the inmate the same notification in writing. A copy of this form shall also be provided to the inmate's attorney or an additional person who the inmate designated. A copy of this form will be placed in the inmate's file and a copy will be forwarded to the Jail Lieutenant. DHS/ICE will be allowed to pick up those individuals, in the front lobby, who are subject to deportation and meet the qualification of AB4 California Trust Act who do not have a federal arrest warrant or court order.
- h. Under no circumstance shall an individual subject to deportation, absent a federal arrest warrant, be held past their release date or prevented from posting bail.

4. Foreign National – Ready to be Released After Serving Sentence: When the foreign national inmate has completed their court ordered sentence, the inmate will be released.
5. Foreign National – Released on Local Charges Other Than Completing a Sentence: When the foreign national inmate has been released from local custody, the Sutter County Jail will contact an ICE agent to advise of the imminent release of the

subject. It is up to ICE to come to the jail and pick up the subject in the front lobby.

**Note: Effective Immediately, The Sutter County Sheriff's Office will no longer hold inmates or intakes based solely on Immigration Customs Enforcement (ICE) holds or detainees.**

- a. ICE can also serve a Warrant of Arrest in person, which will extend pick up time. Sutter County Jail employees cannot serve ICE Warrants.
6. ICE Interview  
Before an individual in custody at the Sutter County Jail is made available for an interview with ICE for questioning, whether in person or by phone, and including by being located in an area of the jail where ICE has the ability to approach the individual:
  - a. The individual shall be provided with a TRUTH Act Form #1, which explains that the purpose of the interview is to investigate potential immigration violations, that the interview is voluntary, that he or she may decline to be interviewed, and that he or she may request to have an attorney present during the interview.
  - b. The TRUTH Act Form #1 shall be provided in the individual's preferred language, as indicated by the individual.
  - c. The individual may indicate whether he or she consents to the interview by marking the TRUTH Act Form #1 .
  - d. If the individual does not affirmatively consent to the interview by signing the TRUTH Act Form #1, the individual shall not be made available for an ICE interview.
  - e. If the individual indicates that he or she is only willing to speak to ICE with an attorney present, the individual shall not be made available for an interview until ICE has scheduled a meeting with the individual's attorney, and the attorney is present.
  - f. The Jail Officer who provided the individual with the TRUTH Act Form #1 must also sign and date the form, indicating that it has been provided to the individual in his or her preferred language and when this occurred.
  - g. A copy of the individual's TRUTH Act Form #1 will be placed in the individual's Inmate file and a copy will be forwarded to the Jail Lieutenant.
7. ICE Hold, Notification, or Transfer Requests, including DHS Forms 1-247, I-247D, I-247N, and I-247X

Upon receiving an ICE hold, notification, or transfer request for any individual in the Sutter County Jail:

- a. The individual shall promptly be given a copy of the request without delay and informed whether the Sheriff's Office intends to comply with the request. The booking officer will attach the detainer on the left inside of the inmate's jail file.
- b. The individual shall be promptly provided the TRUTH Act Form #2, indicating in writing the nature of the ICE request and whether the Sutter County Sheriff's Office intends to comply with the request.
- c. Any decision to comply with the ICE request shall be made in conformance with Sutter County Sheriff's Office policy, the California TRUST Act, Government Code §§ 7282-7282.5, and the California Values Act Government Code §7284. If the Sutter County Sheriff's Office has not yet made a decision about whether it intends to comply with the ICE request, it shall so inform the individual, and shall also inform the individual when it expects to make a decision and the criteria it will use in making that decision.
- d. If the Sutter County Sheriff's Office intends to comply with an ICE notification request, or has not yet made a decision about compliance, the individual shall be given the opportunity to complete the notification section in TRUTH Act Form #2 with contact information for his or her attorney or any other individual the inmate chooses to designate.
- e. If the Sutter County Sheriff's Office notifies ICE that an individual is being, or will be, released on a certain date and time, the officer providing that information to ICE shall promptly provide the same notice, using TRUTH Act Form #3, to the individual. The Sutter County Sheriff's Office also shall notify the individual's attorney or other designee, using the contact information provided by the individual on TRUTH Act Form #2. If notification to the attorney or designee is provided by phone, the Department shall subsequently provide, by email, the attorney or designee with a written copy of the notice given to the individual on TRUTH Act.

8. Public Access to Records

Upon receiving any request pursuant to the California Public Records Act, Government Code §§ 6250-6276.48, for information related to ICE's access to individuals, responsive records shall be produced consistent with the California Public Records Act's requirements.

9. If the individual has a complaint regarding the detainer or violations of civil rights or civil liberties connected to DHS activities, he or she should contact the ICE Joint Intake Center at 1-877-2INTAKE (877-246-8253).

10. When an inmate has a federal judicial warrant Immigration detainer and gets sentenced to prison, Correctional Staff will notify ICE as soon the inmate is sentenced.
11. If an inmate arrives into Sutter County Jail from another facility and has a federal judicial warrant, Correctional Staff will notify ICE as soon as they arrive for tracking purposes. The inmate shall be promptly given a TRUTH Act Form #1, advising them of their rights. A copy of this form will be placed in the inmate's file and a copy will be forwarded to the Jail Lieutenant.

#### **J150.95 - DNA SAMPLE COLLECTION POLICY**

The correctional facility shall establish a procedure for the timely submission of palm prints, blood, saliva and buccal swab samples to the California Department of Justice, pursuant to section 296 of the Penal Code. This section requires the collection of finger/palm prints, blood, saliva, and/or buccal swab samples from persons arrested on any felony, convicted of a felony/s and convictions of certain misdemeanor crimes. These samples are then used to establish a DNA database in the State of California.

Reference: P.C. sections 290, 295(e)(i)(1), 296(a), 296.1(a), 298.1

Title 15 section 1059, and Information Bulletin 04-BFS-03 – date 1/11/05 (Prop 69 – DNA Fingerprint, unsolved Crimes & Innocence Protection Act, effective November 3, 2004).

#### **GUIDELINES/ PROCEDURE**

Sheriff's Office personnel shall refer to the most current testing requirements provided in the Department of Justice Information Bulletin and the associated DNA Bank Collect Data Sheet. Information and updates regarding DNA testing requirements can be obtained by accessing the Department of Justice Website ([Http://Justic.doj.ca.gov//clew](http://Justic.doj.ca.gov//clew)). For further instruction, Sheriff's Office personnel should refer to the corresponding procedure's section of this Policy.

Starting January 1, 2009, California Law required the following persons to submit DNA samples to the Cal-DNA data Bank:

- Any adult arrested for a felony offense, especially for murder, voluntary manslaughter, any PC 290 felony sex offense, or an attempt to commit any of these crimes
- Any conviction including misdemeanors, after a prior felony conviction in the entire criminal history
- Adults convicted of any past or present felony (296.1(a) or found not guilty by reason of insanity of any felony).
- All registered sex, arson or drug offenders (both felonies and misdemeanors).
- Juveniles adjudicated for or convicted of any felony.
- Adults and juveniles housed in mental health/sex offender treatment programs for felony offenses.
- Any person required to provide DNA samples as a condition of a plea.

- Any in custody offenses
- Any out-of-state offenders accepted into California under interstate compact
- Federal prisoners with a California or out-of-state qualifying offense

Because Proposition 69's Data Bank Program requirements are fully retroactive, any person newly convicted, presently confined, incarcerated, on probation/parole following conviction or juvenile adjudication for any crime (felony or misdemeanor) must provide DNA samples if he/she has a past qualifying offense (296.1(a)).

Note: Do not collect another sample if the rap sheet (CII) indicates that a collection already has occurred. Questions on previous collections can be confirmed with the CAL-DNA Bank Program staff if the CII is questionable.

Department of Justice Contact Information: Jan Bashinski - DNA Laboratory, Richmond, CA 94804

1 (510) 620-3300 (for collection confirmation press "1-1" in the automated answering system; for other inquiries, contact Stacy Fox at ext. 3372)

Fax (530) 231-8744 or e-mail to: PC296.PC296@doj.ca.gov

**A. Confirming an inmate's identity and qualifying status**

Corrections personnel shall collect DNA samples from those inmates with such a notation (DNA flag). Below is a list of common CII DNA flags:

- Collect DNA if currently held on or arrested for any felony
- Collect DNA if PC 290 sex or PC 457.1 arson registrant
- Collect DNA if incarcerated, confined, or on probation or parole following any misdemeanor or felony conviction.
- Collect DNA. The DNA sample previously supplied is inadequate.
- Collect DNA if ordered by the courts

Corrections personnel shall not collect DNA samples from those inmates with such a notation (DNA flag). Below is a list of common CII DNA flags:

- Samples verified by submitting agency received.
- DNA samples have been received, typed, and uploaded.
- Verified DNA samples are on file.

**B. Timing of collection and disposition of sample.**

Samples, specimens, and print impressions must be collected reasonably, promptly or as soon as administratively practicable after arrest (i.e. during booking), conviction or adjudication, and in any event prior to release on bail, pending trial, any physical release from confinement or custody (295(i)(1); 296.1 (a).)

**C. Collection Mechanics/Methods**

Sample, specimens, and print impressions must be collected using DOJ-Approved collection Kits, and in accordance with DOJ's instructions (295(i) (2); 298(b) (4)).

- a. Unless otherwise noted, DNA collections will include the collection of the buccal swab sample (inner cheek scrap), right thumbprint, and full palm prints from each hand of the person.
- b. The withdrawal of blood, when requested by DOJ, must be done in a medically approved manner by trained and certified health providers in accordance with

specific instructions obtained in the DOJ “blood withdrawal” DNA supplied kit (298(b)(2).)

c. By statute, buccal swab samples may be collected by law enforcement, correctional staff or others property trained to do so in accordance with specific instructions obtained in the DOJ “buccal” DNA supplied kit 298(b)(3).)

The DOJ DNA Laboratory may request collection of blood specimen(s) where buccal swab is insufficient (295(e).)

The preferred method for collecting and processing DNA will be by using the DNA Live Scan Machine and Barcode Reader outlined below. If it becomes necessary, officers may resort to using the manual processing method.

Live Scan method - Utilizes electronic finger prints and buccal swab collection to expedite submissions—

- a. Log into the Live Scan machine and choose the DNA submission option
- b. Enter the person’s CII number, booking number and identification number (submit)
- c. A report will come up and notify you to proceed with collecting DNA or not
- d. If DNA collection is needed, complete the Buccal collection process
- e. Using the barcode reader, scan bar code on the collector
- f. Choose a reason code for collection from the menu options
- g. Add qualifying charges in the “comment” box (submit)
- h. Submit the electronic DNA record information

#### D. Buccal collection kits and collection process

There are two different buccal collection kits: Live Scan and Manual

Buccal collection is the same using each kit, although the difference is the manner in which the submission is completed.

Each Live Scan collection kit contains the following items:

- Plastic storage envelope
- 1 buccal DNA collector
- 1 transport pouch
- A set of plastic gloves

#### Buccal collection process –

- a) The testing Officer will remove the buccal DNA collector from the pouch and hold the thick portion of the handle at the base.
- b) The testing Officer will write the inmate’s name and CII # (SID#) in the space provided on the collector’s handle.
- c) The testing Officer will remove the collector from the package, hand the collector to the inmate and instruct the inmate to hold the collector with their thumb on the area marked “Thumb” on the backside of the collector.
- d) The testing Officer will make sure the inmate removes any gum, candy, or other such objects from their mouth prior to the collection. (Dental appliances and piercing do not need to be removed.)
- e) The testing Officer will instruct the inmate to open their mouth and place the collection paper side of the collector flat against the inside of their cheek.

- f) The testing Officer will ask the inmate to firmly drag the paper against the cheek towards the lips and out of their mouth. The inmate should swab the mouth for a total of 8 times. (Note: Do not allow the inmate to rub the collector back and forth against their cheek; the collector is not a toothbrush.)
- g) When the inmate has completed 8 swabs with the collector, the testing Officer will retrieve the collector from the inmate. While holding the collector handle, the testing Officer will close the slider cover over the collection paper carefully.
- h) The testing officer will take care not to fold or bend the paper backwards while replacing the cap.
- i) The testing Officer will also need to avoid sample contamination by not touching the collection paper with his /her hands.
- j) The testing Officer will place the completed kit in the self-addressed DOJ provided pouch. The pouch shall be placed in the outgoing mail to be sent to
 

DOJ DNA Databank Program.  
 State of California  
 Department of Justice  
 DNA Data Bank Program  
 1001 W. Cutting Blvd., Suite 110  
 Richmond, CA. 94804-2028
- k) After the testing and mailing is completed, the testing Officer shall make the appropriate entry in the Central Square computer system. The entry should be under comments in the activity screen stating the “DNA” test has been completed, date, and mailed.

Each manual buccal collection kit contains the following items:

- Plastic storage envelope
- 1 buccal DNA collector
- 1 paper transport pouch
- 1 specimen information card
- A set of plastic gloves

#### E. Disposition of completed samples

There are two methods of DNA submission of a buccal swab after collection:

Live Scan – preferred method (for Live Scan processing, see section “C. Collection Mechanics/Methods” above.)

Manual (hand written submission)

Manual submission -

Once the buccal collection process has been completed, the specimen identification card must be filled out. All cards must be filled out in black ink using block letters. (Do not detach card at perforation, this will be done by DOJ  
 Side “A”

- a. All available information should be completed – inmates CII# (SID), name and date of birth are required.
- b. The inmate’s thumbprint must be collected.
- c. The person researching the qualification information must complete the section inside the lower box.

- d. Specimen identification card side "B"
- e. The signatures of the inmate and the person performing the DNA collection must be collected.
- f. The thumbprint must be completed on this side also.
- g. Any additional information not requested on side "A" can be included in the comments section if necessary.
- h. If the inmate does not have CII # (SID #), write no CII# (SID #) in the comment area.
- i. Check the box that indicates which method was used to verify the identity of the inmate.

#### F. Refusal to give samples

California Law continues to authorize a collection agency to use reasonable force to collect DNA samples and specimens from a qualifying offender (PC 298.1(b) and (c).) There is no need for a court order.

Any Person who refuses to give the required samples is guilty of a misdemeanor (Penal Code Section 298.1)

- a. Separate offenses could result in both a fine of five hundred dollars (\$500) and imprisonment of up to one year in the county jail.
- b. Each refusal is a new misdemeanor charge

If an inmate refuses to provide a buccal sample, a blood sample can be collected.

Use of reasonable force by law enforcement is authorized in collecting required samples from inmates who, after written or oral request, refuse to provide such samples (Penal Code 298.1)

Refusals should be video recorded. The video recording will then be forwarded to the evidence officer who will convert the recording to CD.

- a. If the video recording refusal is not needed as evidence in a criminal case, it shall be retained for archiving for current year plus one.
- b. Use of force to obtain a DNA sample must be approved, in writing, by a sergeant.
- c. The use of force must be consistent with the authorized Sheriff's Office general orders
- d. Title 15-Section 1059 "Use of reasonable force to collect DNA Specimens, Samples and Impressions"
- e. California Code of Regulations – Title 15, Article 1.4 "Crime Prevention and Corrections"
- f. Jail medical staff should not be utilized in any collection of requisite specimens. Therefore, the inmate should be transported to Ride-out Hospital to force collection of blood and/or saliva samples.
- g. In the event an inmate refuses to submit to a DNA sample as required by law, a jail sergeant will be notified to respond to the area.
  - 1. The jail sergeant will advise the inmate of his/her legal obligation to provide the required specimen sample.
  - 2. If the inmate still refuses, the sergeant will notify dispatch, which will have a deputy respond to the jail.
  - 3. The correctional officer will write an incident report. Any use of force will be documented in accordance with Department policies.

4. The deputy will complete the 298.1 Admonishment form and write a criminal report seeking a criminal filing. The charge will be listed as 298.1 (a) PC – refusal to provide specimens.
5. Copies of all reports and video recording shall be forwarded to the Jail Facility Manager or his/her designee.

**G. Tampering with samples or collection**

Tampering with a sample or the collection of is a felony, punishable by imprisonment in state prison for 2, 3, or 4, years (PC 298.2)

- a. To knowingly facilitate a misattributed sample collection with intent to deceive government, or to tamper with a sample with the same intent. This includes blood specimens, buccal swabs, thumb or palm print impressions.

**H. Test Kits**

The Department of Justice DNA databank program distributes DNA sample collection kits at no cost to the submitting agency.

The jail will be responsible for ordering and maintaining their supply of DNA collection kits from DOJ.

To order collection kits contact the California Department of Justice via email at [PC296.PC296@doj.ca.gov](mailto:PC296.PC296@doj.ca.gov) (or) [palm.print@doj.ca.gov](mailto:palm.print@doj.ca.gov)

**J151.00 - COURT PAPERWORK PROCEDURES**

The Jail Sergeant shall be responsible for the update and completion of all Court Disposition Documents requiring signatures/initials from arraignment, and any required signatures on probationary documents. This shall include processing of any other court related documents for that day. The Sergeant shall also be responsible for the jail computer updates to include all new bail amounts and next court dates based upon the court documents and for computing all sentencing and outdates from that day. When the document is completely updated, the person processing the document shall place their initials and date at the top of the completed Court Disposition document and place the document in the inmates file folder. The Jail Lieutenant shall randomly audit these documents to ensure compliance.

**J151.10 - DECLARATION FOR WARRANT**

A Declaration for Warrant is a formal, written request asking the courts, via the Jail Facility Manager, to issue an arrest warrant for a specific person. Listed on the Declaration is the reason(s) why the jail is seeking the warrant.

Common reasons for submitting a Declaration include failing to report to jail on time to begin a court ordered jail sentence or failing to complete any Alternative Sentencing Program. (Alternative Sentencing Programs include, but are not limited to, Outside Work Release and Electronic Monitoring.)

Declarations for Warrants involving new commitments are not to be filed with the Jail Facility Manager until thirty (30) days after the scheduled report date.

Declarations for Warrants involving Alternative Sentencing Programs are not to be filed with the Jail Facility Manager until thirty (30) days after the inmate's missed report date, return time, etc.

## **J152.00 - RELEASE PROCEDURES**

After the terms of an inmate's sentence are entered in the computer, a release date is calculated. A computer generated "Due for Release" (DR) report provides a list of inmates scheduled for release that day. Time-served inmates will be released from the jail at approximately 1100 hours each morning.

It is important to provide a copy of the daily release list to the Wellpath Medical Services staff, as early as possible in advance, so they can prepare paperwork (referrals, written prescriptions, etc.) and medications (psychotropic meds, antibiotics, etc.) which are given to inmates at the time of release. This will help prevent unnecessary lapses in an inmate's ongoing treatment.

Inmates who are eligible for release upon their return from court, either by O.R. or time served, will be processed for release as soon as practicable. Inmates posting bail may do so at any time of the day or night.

### **Before release, follow these steps:**

[1] Review the inmate folder and ensure:

- \* Time on all cases and charges has been served, and/or
- \* All O.R. forms/bail documents have been completed properly,
- \* There are no holds, from other agencies, or pink detainers
- \* All dispositions have been posted in the computer, and
- \* Any early release date has an approved request form and it is calculated properly
- \* Update all personal information in Computer File #16, and
- \* The release date is correct for all cases.

[2] If a hold is pending from another agency, notify the agency via teletype the inmate is ready for pickup. Hold the inmate until the other agency assumes custody or responds in writing they will not pick up. Place a copy of this teletype in the inmate's file folder. Follow all procedures and steps in section J111.35.

[3] Once the inmate is cleared to leave our facility, enter into the computer information about the release (i.e., how, when, time served, release under own recognizance or to another agency, etc.).

[4] Check with Wellpath Medical Services whether the inmate will need any documents or medication from them.

[5] Check the inmate's commissary account. If funds are left, write them a check from the inmate's commissary account to bring the balance to zero (0).

[6] Place the booking sheet on top of all correspondence taken from the inmate folder and file in permanent inmate record jacket in the basement after release.

### **While the release paperwork is being prepared, the Floor Officer will:**

- [1] Direct the inmate to collect and return to the laundry all jail-issued clothing and bedding items.
- [2] Move the inmate from the housing area to a dress-out room. Log out and give the inmate their personal clothing and allow them to change clothes. Escort the inmate to the booking area, keeping their small bag of property under control. Turn their small bag of property over to the releasing officer.
- [3] The inmate will inventory all of their property items with the releasing officer, sign all appropriate documents and receive a check for any cash due the inmate upon release. They will also receive any medications or paperwork left for them by the nursing staff.
- [4] Release the inmate.

#### **J153.00 - CONTROL ROOM STATION ORDERS**

The Main Jail Control Room is the center of the Sutter County Jail. It is from here that all intakes and releases occur. This control room has video surveillance of security areas inside and outside the jail. It also has direct visual observation of the Observation and Holding Cells, the Intake Sally Port, the Officers' Break Room, the Court Transportation Holding area and the Jail Lobby.

The control room officers will be responsible for the completion of all necessary paperwork associated with the booking and release of persons from the Sutter County Jail.

During visiting hours, one of the control room officers will be required to assist with visiting. This officer will sign-up visitors, check IDs, and direct members of the public to the appropriate locations for their visits.

The control room is a two (2) person post when staffing permits.

All alarms, door indicators and electronic doors within that immediate area are connected to the Control Room's main control panel. Due to the critical function and nature of this post, the following procedures will be maintained without exception.

#### **J153.10 - CONTROL ROOM SECURITY**

Each control room is a highly secured area. Inmates will not be allowed into the control room unless all of the following apply:

2. A supervisor has specifically assigned a low risk inmate to perform a task in the control room and
3. The inmate is escorted and monitored at all times by a staff member, and
4. The control board computer screens and anything else that displays confidential information is secured while the inmate is within sight of such things.

#### **J153.30 - DOOR OPERATION**

The Control Room Officer is responsible for the operation of the electronic doors within the area to which they are assigned.

Prior to admitting any person or inmate through an electronic door, all personnel will first ascertain the identity and purpose of the person requesting or attempting to pass.

All Control room doors in the jail shall only be opened long enough to pass through. They shall never be left open for convenience.

Access doors to each individual Single Cell Pod shall only be opened long enough to pass through and then will be locked and secured. They shall never be left opened for convenience.

Unless opened to pass through, exterior and interior doors will remain closed and locked on all shifts. Generally, if two doors need to be passed through in succession, the first door will be closed and locked before the second door is opened.

Perimeter gates shall only be opened when necessary, and only for as long as necessary. Never leave gates opened for convenience. This includes indoor hallway gates, outdoor fence gates and the sally port gate.

The sally port gate and sally port door shall not both be open at the same time, unless an emergency exists.

#### **J153.40 - INTERCOM OPERATION**

The Sutter County Jail is equipped with intercoms in the Single Cells Unit and other areas throughout the Jail.

The Single Cell Officer should make every effort to respond to inmate requests by intercom in a timely manner. Requests for toilet paper, other supplies or for information by inmates should be referred to the staff member assigned as rover. The Single Cell Officer should not allow himself or herself to be distracted by long discussions with an inmate over the intercom system.

Misuse of the intercom by an inmate is a minor violation of jail rules. (J135.10 [32]) Three (3) minor violations during an inmate's incarceration may be considered a major violation. Inmates should be advised anytime they misuse the intercom system they are in violation and any further misuse will be reported in writing for discipline. It is important staff react to intercom misuse by implementing facility discipline processes rather than just ignoring the intercom.

Additionally, the intercom system may be used to monitor any cell area, day room area or area served by the intercom system. Staff should be aware there is no expectation of privacy within a custody setting and inmates and staff may be overheard from control boards through the intercom system without their knowledge.

#### **J153.50 - VISUAL SUPERVISION OF INMATES BY CONTROL ROOM OFFICERS**

Staff assigned to any Control Room may be of either gender and will be assigned to visually supervise both male and female inmates.

Facility rules state inmates shall be fully dressed except when in their sleeping quarters. Privacy screens have been installed at toilet and shower facilities. Staff may, however, be exposed to a certain amount of nudity during their duties in control.

It is imperative staff conducts themselves in a professional manner while working in the Control Room. Staff should neither ignore their duties of supervision when exposed to inmate nudity nor overtly focus on such occurrences. Staff is reminded they are under inmate observation while working in the Control Room. Unprofessional behavior will result in inmate complaints, grievances, behavior problems and unrest.

Male staff members may supervise from the control room while female staff members deal with male inmates on the floor. Female staff members may supervise from the control room while male staff members deal with female inmates.

#### **J153.60 - FACILITY SUPPLIES AND EQUIPMENT**

Certain items are allowed to inmates only for a specific purpose and a specific time. These items will be stored and maintained in the Control Room and issued to the assigned floor officer. The officer will log the time these items are allowed in and returned from a housing area.

#### **J154.00 - SUPERVISION OF INMATES BY FLOOR OFFICERS**

The Floor Officer is responsible for the direct visual observation and supervision of all inmates detained in the Observation, Safety and Holding cells and assigned housing units. All floor officers should be familiar with the Title 15 requirements and the Jail Operation Manual Policy regarding the use and observation of each of these types of cells.

Additionally, the floor officer will be responsible for the observation of inmate work crews, court lines or other inmates held in the transportation holding area.

The Main Jail Floor Officers will carry a current cell and/or name listing and will verify the inmate's picture armband against the list before placing an inmate into a cell.

Supervisors will be responsible for providing training to all officers on these amended procedures. Officers will be instructed to focus more on their duties and confirm an inmate's housing prior to putting an inmate into a cell or tank. Officers will not consult with an inmate in determining his/her proper housing location. In all cases, the Correctional officer will positively verify an inmate's status **PRIOR** to placing them into a cell.

The Main Jail Dormitory Officer will verify each inmate by his/her picture armband before allowing entry to the dormitory against the current cell or name listing.

#### **J154.10 - FLOOR OFFICER STATION ORDERS**

All Floor Officer activities will be conducted pursuant to Penal Code Section 4021, which reads as follows:

4021(a) Whenever any female prisoner or prisoners are confined in any local detention facility in the state there shall be an appropriately trained female custodial person assigned, available, and accessible for the supervision of the female prisoners.

(b) It shall be unlawful for any officer, station officer, jailer, or custodial personnel to search the person of any prisoner of the opposite sex, or to enter into the room or cell occupied by any prisoner of the opposite sex, except in the company of an employee of the same sex as the prisoner.

The Floor Officer is responsible for all inmate movements within the Sutter County Jail and all direct contact with inmates in the various housing areas. Although the floor officer will be under the direct visual observation of the Control Room during most inmate movements, they should be extremely conscious of officer safety and facility security during the performance of their duties. In the absence of extreme emergencies, no inmate movements are so critical or rushed that staff cannot wait for the assistance of a second staff member if they deem a second person necessary.

Anytime an inmate is removed from, and returned to, their housing unit, he or she will be thoroughly pat searched.

The floor officer will supervise the delivery of food, laundry items and other materials to the housing areas of the Sutter County Jail. They will escort inmates to sick call, visits and other services as needed. They will escort inmates going to court, medical appointments, work crews or other outside assignments to the Booking/Release area. The floor officer will supervise the movement of inmates to the exercise yard, multipurpose room, hair care and any other movements necessary.

Because the security of all doors is critical within the jail, floor officers shall pay close attention when closing all doors to make certain the doors are, indeed, secure. For example, push a cell door closed and then pull on it to ensure it is closed properly. Do not become complacent and rely on the mere "sound" of a door closing and assume it is secure. Also, never assume the officer on shift before you has properly closed all doors.

Lastly the floor officer will collect and deliver mail and request slips and provide necessary supplies (toilet paper, library carts, etc.) to inmates in their various housing areas.

## J155.00 - INMATE MOVEMENTS

### COMMAND ORDER #2-2010, #14-2013

The Main Jail Floor Officers will carry a current cell and/or name listing and will verify the inmate's picture armband against the list before placing an inmate into a cell.

Supervisors will be responsible for providing training to all officers on these amended procedures. Officers will be instructed to focus more on their duties and confirm an inmate's housing prior to putting an inmate into a cell or tank. Officers will not consult with an inmate in determining his/her proper housing location. In all cases, the Correctional officer will positively verify an inmate's status **PRIOR** to placing them into a cell.

The Main Jail Dormitory Officer will verify each inmate by his/her picture armband before allowing entry to the dormitory against the current cell or name listing.

Anytime an inmate is removed from, and returned to, their housing unit, a thorough complete pat search will be conducted. Inmates being escorted from their housing units will walk with their hands behind their backs at all times.

When possible, sick call should be handled one inmate at a time, so the jail nurse is not distracted by a second inmate while attending the first. The Correctional Officer assigned as Medical Officer for sick call will not mix classification of inmates.

Inmates will walk single file during movements, followed by their escorting officer. When two officers are present, one officer should lead the file of inmates with the second officer following.

Inmates should be directed to face the wall whenever there is a delay in their movement, such as to allow for the operation of gates, or to allow others to pass.

All high-risk inmates requiring movement within the jail will be moved with two staff members escorting.

Inmates being transferred or escorted from the Medium Custody Facility to the Main Jail for Video Arraignment or in cases where the inmate needs to go to medical will always have belly chains or handcuffs placed on them, in addition to leg shackles. When two or more inmates are being escorted the belly chains or handcuffs will be hooked together placing the inmates in tandem. Males and females may not be taken together in tandem.

The inmate worker performing car wash duties may be sent out when cleared by the Medium Control Room Officer to wash vehicles. This inmate will not be required to be in belly chains. The officer will closely monitor the Jail Camera system overlooking the car wash rack to ensure the inmate is present until completed with the car wash.

#### **J155.10 - MOVING LARGE GROUPS OF INMATES**

All inmates will be thoroughly pat searched when removed from, and upon return to, their housing unit.

There should be two (2) staff members present when multiple inmates (i.e., six [6] or more) are being moved at any one time.

The officer overseeing the move will inform the officers posted in the affected housing unit(s) as to the names of each inmate being moved and the total number of inmates to be removed or re-housed.

A security check will be conducted to ensure no items are present along the route, especially those which could be taken by an inmate and used as a weapon or with which to take a hostage.

Affected areas, regardless of location, will be on lockdown status until the movement is completed. Inmates not involved in the move will be directed to remain on their beds as long as the area is affected by the move. Likewise, activities such as attorney visits, probation visits, feeding, haircuts, visiting and other movements will be restricted and/or stopped until the mass movement of inmates is completed, and the inmates are secured at the next location. All doors along the route will be secured after the inmates pass through them. There are not to be two doors left open at the same time along the route of the movement.

Additionally, when removing inmates from their housing units for prison runs, the telephones and televisions in the tanks, pods or dormitory will be turned off until the inmates are completely removed from the area.

When a large group goes to the Recreation Yard, the escorting officers' primary goal is to get the inmates moved without interruption or hindrance.

#### **J157.00 - PHYSICAL INMATE COUNT**

A physical inmate count will be made at least once each hour by the floor office and noted on the Inspection Log. All physical inmate counts will be conducted with the lights on and are to include the direct visual observation of an inmate's hair, face, or other identifiable body part; or by physically touching the inmate's shoulder or head. Simply walking through an inmate housing area cannot be considered a physical head count.

The shift going off duty will not leave the building until the inmate count is completed by the shift coming on duty. There will be no exceptions to this rule.

#### **J158.00 - OFFICIAL INMATE COUNTS/GUARD ONE PLUS PIPE SYSTEM/CELL AND HOUSING AREA INSPECTIONS/SAFETY CHECKS**

The Sutter County Jail maintains safe and secure institutional operations through twenty-four [24] hour per day inmate accountability procedures that include counts, record keeping, and other supervision efforts.

#### **PROCEDURE:**

The Sutter County Jail uses an organized system of information storage, retrieval, and review, which includes use of the Guard One Plus Pipe system. This information system is an important part of an overall decision-making process.

Inmate accountability procedures are the backbone of good correctional facility management. All inmates are subject to count procedures regardless of when and how the count is called. Inmates are not to be permitted to participate in the preparation, documentation, or conduct of any count process.

#### **Official Counts:**

Official counts are organized and conducted at specific and random times of the day or night. All inmates are counted consecutively, including those out of the facility on *work detail, court appearance, or other categories of temporary absence*. All inmate movement

will cease before a count begins and remain suspended until the total count is completed and verified as correct. Nothing short of a *bona fide emergency* will distract officers from performing and completing a count.

The floor officer will walk through each cell hourly and perform a visual inspection of each cell and living area. Each of these inspections will be logged using the "Pipe". A supervisor will visually inspect each cell and living area at least once each shift. The supervisor's inspection will be logged using the "Pipe". Problems noted, security violations and cleanliness or violations of inmate rules will be noted, documented when necessary and corrected at the first opportunity.

During cell checks, medical complaints from inmate(s) will not be ignored and will result in a notification to the jail nurse. Annotate the reason and the name of the nurse contacted on the cell inspection log. The officer will immediately notify the Jail Supervisor. The Jail Supervisor will respond to the housing location, assess the situation and if necessary, have the inmate transported to the Emergency Room for further medical evaluation. Refer to J147.25.

**Count Times:**

Inmate counts are made in a manner to ensure there are at least two official headcounts during the day shift and two official head counts during the night shift. Count times are arranged to provide as little interference as possible with daily work and activity schedules.

**General Count Guidelines:**

Each count must be made as reasonably accurate and prompt as possible. If there is any doubt as to the correctness of a count, a recount will be taken.

A report of each count is given to the Jail Sergeant/supervisor. All reports are then checked and compared to Central Square to verify that the total count is correct, and all inmates are *present or accounted for*. An inaccurate or confused count from an officer results in an order for a recount from the officer coordinating the count. The institutional count is not accepted until all inmates are *present or accounted for*. No inmate movement is permitted until the coordinating officer announces the count is *correct and clear*.

**Count Records:**

Count records are maintained and documented on the Shift Inspection Sheet and submitted with daily paperwork. Count records aid in inmate tracking and enable staff to determine the location of all inmates. The Jail Sergeant/Supervisor is responsible for maintaining the *master accurate count* which includes current information regarding all inmate housing moves, work assignments, temp releases, admissions to hospital, commitments, final releases, and any other changes that affect inmate accountability. Count records are sufficiently detailed to enable reconstruction of any count for up to thirty [30] days after the count was taken.

**Housing Unit Procedures:**

Inmates are ordinarily counted in their housing areas. If an inmate is in the wrong count

area, the inmate will be escorted to the correct location before the count continues. In single cell units, the inmate is to be locked in the cell. Officers must be positive they see a live human body before counting an inmate as *present*.

When making night counts, flashlights should be used judiciously, but enough light should be thrown on the inmate to ensure that a living, breathing inmate is being counted.

**Census Checks:**

Official Counts are periodic, informal counts that are normally done each morning and afternoon to determine inmate accountability. An unannounced, census check may be used periodically to determine the location of all inmates in the facility. Any officer, at any time, may conduct a census check of the area and inmates under their supervision. No written record is maintained of census checks, unless an inmate is missing.

**Safety and Security Checks:**

All areas where inmates are housed will have hourly Safety and Security checks documented using the Guard One Plus Pipe System indicating the current status of the unit by the assigned officer. "Safety and Security Checks" will be documented using the Guard One Pipe system which notes the time of day of the check and the identifying staff member doing the check.

**Emergency or Extra Counts:**

An *emergency or extra count* is an official count taken at other than one of the times specified for an *official count*; when an inmate is suspected of being missing, or other purposes. In such a count, all inmates will be returned to their assigned housing units to be counted.

After a disturbance is under control, an emergency count must be taken to ensure that no inmate has escaped, is in hiding, or has been seriously injured. For that reason, the Jail Sergeant /Supervisor must maintain count records that reflect the unit assignments of all inmates.

**Direct Supervision:**

Direct staff supervision is critical to facility security, safety, and discipline. Staff members tour and inspect the housing areas and other critical areas on a twenty-four (24) hour per day basis. During these tours, officers supervise, observe, and interact with inmates. Officers are to be active in patrolling housing units, be alert to unusual incidents, changes in types of inmate interaction, or other signs of unusual activity. During normal operations in general population an officer is available *within sight or sound* of inmates at least every thirty to sixty [30-60] minutes. Some inmate areas require checks twice every thirty minutes or more frequently as determined by the Jail Sergeant/Supervisor.

Other employees, such as medical and maintenance personnel may also provide interaction and indirect supervision of inmates. In addition to providing positive reinforcement, these employees are important elements of a comprehensive supervision system.

## **GUARD 1 PLUS PIPE SYSTEM**

Monitoring system pipes used in conjunction with strategically placed buttons, which identify locations for documenting Correctional Officer welfare and safety checks of inmates.

The “Pipe” will be used to record the checks of direct supervision of the inmates by pressing the “Pipe” to the button next to the door or where located regardless if the inmate is in the cell or not. Inmate counts, meals, laundry exchange, medication rounds and commissary events shall be recorded with the “Pipe”. The event buttons will be located outside the slider door. Any other activity that cannot be recorded by the “Pipe” shall be written on the Daily Log Sheets.

The officer completing safety checks will physically observe each individual cell, and all inmates housed in the facility.

Safety checks for all housing units are conducted continuously under the direct supervision philosophy. Officers will record the safety checks using the “Pipe” at designated checkpoints. Visual checks of inmates on both upper and lower tiers of A and B Pods shall be conducted by walking each tier and recorded with the “Pipe” at designated checkpoints. There is a separate “Pipe” downloader for use at the Medium Facility Dormitories.

Direct observation is such that all inmates in a particular location or housing area have been observed in person by the witnessing officer. Any occasion that would direct an officer from their posted position of providing direct observation of inmates should additionally be noted and logged on the Daily Log Sheet. It is understood that on occasion, an officer assigned to a housing unit will be required to leave their posted position in the performance of their duties. This activity is to be done under the supervision and direction of the Jail Sergeant/Supervisor and noted on the Daily Log Sheet. Officers are to rely on each other in a team effort and assist in direct supervision when a staff member is directed away from their post.

Safety Cell placements or Observation Cell housing that requires elevated or 15 or 30-minute notations of direct observation, fall under different guidelines. These areas utilize a separate “Pipe” for use in those areas. Refer to appropriate sections below under Observation Cell, Observation Cell level checks, and step down from Observation Cells or from Safety Cell.

### **Holding Cells:**

Direct visual observation shall be conducted at least once every sixty (60) minutes whether an inmate is in the cell or not. Not to exceed (60) minutes.

Officers observing the inmate will record their observations on the “Observation Log” posted outside of the cell. The observation noted shall reflect the specific physical activity presented by the inmate.

Officers will record the safety check using the “Pipe” at designated checkpoints.

**Single Cell Housing Unit:**

Direct visual observation shall be conducted for single or double-celled housing at irregular intervals, at least once every sixty (60) minutes. Not to exceed sixty (60) minutes.

Officers will record the safety check using the “Pipe” at designated checkpoints.

As soon as practical, any officer relieving the housing unit officer shall make a safety check of the housing unit regardless of the time of the last check.

Relieving officers will record the safety check using the “Pipe” at designated checkpoints.

**Safety Cell:**

Direct visual observation shall be conducted at least twice every thirty (30) minutes.

Officers observing the inmate(s) will record their observations on the “Observation Log” posted outside of the cell.

The observation noted shall reflect the specific physical activity presented by the inmate.

Officers making the safety check will record the check using the “Pipe” at designated checkpoint.

**Observation Cells:**

Direct visual observation shall be conducted at least twice every sixty (60) minutes.

Officers observing the inmate(s) will record their observations on the “Observation Log” posted outside of the cell.

The observation noted shall reflect the specific physical activity presented by the inmate.

Officers making the safety check will record the check using the “Pipe” at designated checkpoint.

**Medical Cell:**

Direct visual observation shall be conducted at least once every sixty (60) minutes.

All Safety Checks are to have notations of unusual events, inmate counts, meals, laundry exchange, medication rounds, commissary, and any other activity that cannot be recorded by the “Pipe”.

**General Population/ Medical Cell / Main Jail Block:**

Direct visual observation shall be conducted at least once every sixty (60) minutes.

Officers will record the safety check using the “Pipe” at designated checkpoints.

As soon as practical, any officer relieving the housing unit officer shall make a safety check of the housing unit regardless of the time of the last check.

**General Equipment Checks:**

It will be the responsibility of each officer using the “Pipe” to download the “Pipe” in the control, room at the beginning and end of their shift.

In the event the “Pipe” fails to function, a memo shall immediately be written, and the “Pipe” will be turned into the Jail Sergeant/Supervisor. The memo shall include the description of the problem, time of the last function, serial number of the “Pipe” and the name of the officer who last used the “Pipe”.

The Jail Sergeant/Supervisor will complete an investigation of the circumstances and the incident of the “Pipe’s” failure to function and forward a memo with the findings to the Jail Lieutenant or Facility Commander. Tampering or damage to any metal touch memory buttons will also result in a memo to the Jail Sergeant/Supervisor. Inability to utilize the pipe shall result in use of Daily Cell Logs to be used for documenting safety checks again.

Under no circumstances shall Correctional Officers attempt to open or tamper with the “Pipe”. “Pipe” repairs and battery replacements are conducted by Time Keeping Systems only. Time Keeping Systems also has the ability to determine whether the PIPE has been opened and/or tampered with. All Officers shall exercise care to protect any county property entrusted to them and to use it in a manner for which it was intended. Opening or tampering with the “Pipe” can be considered vandalism under 594 of the California Penal Code,

Daily Cell Logs, Observation Logs and the “Pipe” are designed to comply with documentation guidelines set forth by Title 15, Section 1027, concerning direct supervision of inmates.

**J159.00 - MORNING CLEANING**

At approximately 0600 hours each morning the assigned floor officer will direct assigned hallway workers to place the required janitorial items into each cell. The assigned floor officer will direct all occupants within the cell to participate in cleaning of the common day room areas and also their own personal areas.

The floor officer will ensure all cells are properly cleaned, beds made and the cell is in inspection order for the shift Sergeant’s inspection which will be conducted at approximately 0800 hours daily.

If the cell area is not cleaned and ready for inspection, the floor officer will direct the televisions and phones be turned off within the cell until the inmates are in compliance.

**J162.00 - LAUNDRY EXCHANGE**

The assigned duty Officer will escort the clothes cart to each cell along with the help of the

floor workers. All inmates will be required to line up within the cell to exchange their desired clothing items. Each piece of clothing will be exchanged on an "item for item" basis. It will be the responsibility of the assigned Officer to make certain this procedure is followed and to ensure the inmates receive the proper size clothing they need. No inmate will be allowed to get additional clothing items for another inmate. Inmates must receive their own clothing issue. Blankets will be exchanged twice per month. The daily Laundry Schedule will be followed by the floor officers.

Male Block, Female Block – Mondays and Thursdays

Females – Sundays and Thursdays

Single Cells, A Pod, B Pod, D Sep – Tuesdays and Fridays

Max Dorm – Wednesdays and Saturdays

#### **J163.00 - COMMISSARY PROCESS**

This facility provides a commissary service to inmates. This service makes available the purchase of personal hygiene items and acceptable food stuffs. All profits are deposited into the "Inmate Welfare Fund" and are expended solely for the benefit and welfare of all inmates.

Inmates will be allowed to order items from commissary via tablet within the established limits, and as their personal funds allow. Commissary is held once a week. For example, orders taken Wednesday are delivered on Friday. Commissary orders must be submitted via tablet no later than 0700 hours on ordering day. Paper commissary order forms/bubble sheets will be provided to inmates only if approved by the sergeant if tablets are unavailable for use. No commissary order forms, or changes to those forms, will be accepted after that time. Balances on inmate commissary accounts are available upon request. Orders for commissary items are limited to \$75.00 per order, not including tablet time or phone time; this amount is subject to change. For security reasons, not all items are available in every housing unit.

Inmates without funds will be provided "welfare packs", consisting of various toiletry and stationery items, once per week upon request.

On commissary delivery day the Commissary Officer, or their designee, will deliver to each housing area the commissary items ordered by each inmate. Commissary items must be checked and signed for by the inmate receiving the items. This must be done in the presence of the Commissary Officer or their designee. Incomplete orders should not be signed for and should be returned to the Commissary Officer. Claims for missing items will not be accepted after the inmate has signed for the issue and/or left the officer's presence. The commissary officer should ensure **all slips are signed** and returned.

#### **J164.00 - DELIVERY PROCEDURES FOR EQUIPMENT AND SUPPLIES**

Delivery of equipment or supplies to the Sutter County Jail and Sheriff's Administration Facility will be received in the following manner:

- [1] All persons making deliveries or picking items up must first check them through the main lobby. They will identify themselves and describe the items being picked up or delivered.

- [2] Staff will determine which facility locations are involved in the pickup or delivery. Items will be counted to ensure they match the invoice or packing slip and then moved to the appropriate location within the facility. Special items should be referred when possible to the person either ordering or responsible for such items.
- [3] All signed invoices will be routed to the appropriate unit secretary for bookkeeping purposes.

Small items and items for the administration wing may be delivered to the jail secretary.

Large items and all bulk food items will be received at the back door area to the kitchen facility.

It will be the responsibility of the Food Service Supervisor to receive these items and acknowledge receipt as required and then make notification to the responsible persons to obtain those items in that area.

*NOTE: It will be required that either the Food Service Supervisor or a member of the Security Staff be present at all times when the back door to the kitchen area is opened and items are being received. At no time will this door be left open and unattended.*

## J180.00 - JAIL TRANSPORTATION GUIDELINES

### **Authority**

The authority by which a correctional officer is provided peace officer status while on duty is derived from Penal Code section 830.1(c) P.C., which states:

Any deputy sheriff of the County of Los Angeles, and any deputy sheriff of the Counties of Butte, Kern, Humboldt, Imperial, Inyo, Kings, Mendocino, Plumas, Riverside, San Diego, Santa Barbara, Shasta, Siskiyou, Solano, Sonoma, Sutter, Tehama, Tulare, 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.

Correctional officers may not carry or possess firearms in the performance of their duties, except while under the direction of the Sheriff when they are transporting or guarding prisoners.

Correctional officers have no general peace officer powers and will not engage in traffic enforcement or traffic stops at any time. Staff may use the unit radio to notify Operations personnel in the area or dispatch of the observed violations.

## J180.05 - TRANSPORTATION ASSESSMENT

### **Security level**

Determine the security level of the transportation detail: Is it minimum, medium or maximum security in nature?

### **Destination**

Is the destination a secured facility such as a prison; or is it unsecured and subject to hard to control variables, such as public hospitals and dental clinics?

### **Number of officers needed**

The number of officers needed to safely transport the inmate should be based on the security level.

### **Communications**

Keep the home office apprised of your itinerary and know the limitations of your communications equipment.

### **Prisoner Classification**

Always operate with an awareness of with whom you're dealing.  
Know your inmates!

### **What You Should Know About Inmates Prior to Transporting**

- > Current charges
- > Criminal history
- > Behavior in custody
- > Crime partners
- > Relatives in custody
- > Enemies in custody
- > Protective custody
- > High security
- > Gang affiliations
- > Homosexuality
- > Medical problems
- > Sexual Predator
- > Pregnant Female (See J104.20)

## J180.10 - LOCAL TRANSPORTS

In all cases, transport inmates at a security level appropriate to their classification.

Be certain to take appropriate forms and documents with you on these transports, as well as bring necessary forms and documents *back* to the jail when you return.

Inmates are to be fully dressed prior to any transportation. Fully dressed includes pants, shirt, socks, shoes (not shower shoes or flip-flops), underwear and bra (if applicable).

Inmates are not allowed to have any property in their possession during transports except

for a single pair of eyeglasses and those papers necessary for the inmate's court or medical appearance.

Inmates are not allowed to make phone calls or to have visitors while in transit. Unauthorized communication with an inmate is a misdemeanor crime (PC 4570). Persons attempting to visit with any inmate during transportation should be advised they might be subject to arrest.

While on transports inmates are subject to the same rules that apply inside the jail.

As a general rule there should be two staff members present anytime five or more inmates are being transported at one time.

It is essential to inspect the inside and outside of a vehicle for safety prior to each transport. Alert a supervisor when repairs are needed. If a safety hazard exists, do not drive the vehicle.

### **Courts**

Upon arrival, radio to the bailiff supervisor to make him/her aware of your presence and to get confirmation that it's safe to offload the inmates. Determine if inmates are to be taken to the holding area or directly to a courtroom.

The bailiff takes responsibility for security of the prisoner while in the courtroom, unless special circumstances exist that require the transport officer to stay with the inmate.

If a defendant is remanded to the custody of the sheriff, and transportation is present at the courthouse, the bailiff will handcuff the subject and turn him/her over to transportation to be transported to, and booked at, the jail.

**(Court-Specific Guidelines for Transportation Officers detailed in section J180.90)**

### **Hospital/Doctor/Mental Health Appointments**

Search the inmate prior to leaving for, and returning from, the appointment. Inmates, especially those who were out of your line of sight even momentarily, are subject to search upon return to the facility.

Do not disclose to the inmate the time or place of the appointment.

Every effort should be made to be prompt and on time when transporting to medical appointments. Notify the affected medical office in advance if there will be a delay.

Keep the inmate as restrained as possible during any appointment and/or procedures. Restraints may be removed or repositioned at the direction of the medical staff during examination and treatment, and replaced as soon as possible thereafter.

Be certain to take all medical records necessary for treatment or exam along with the inmate

to the appointment. Medical documents should be in a sealed envelope addressed to the receiving facility or healthcare provider.

Immediately upon return, hand carry all written instructions and prescriptions from the treating physician to the Wellpath Medical Services clinic and hand it to a Wellpath staff member.

If hospitalization or any other immediate treatment is recommended, contact the on duty Jail Sergeant or OIC for instructions.

Be in immediate physical custody at all times.

Officers are often exposed to privileged or confidential information while conducting medical transport assignments. Such information should remain confidential.

An incarcerated pregnant person shall not be shackled to anyone else during transport. An incarcerated pregnant person in labor or presumed to be in labor shall be treated as an emergency and shall be transported to the hospital, accompanied by jail staff, in the least restrictive way possible.

### **Dentist Appointments**

Many facilities contract with particular dentists in their area and as such develop a long-standing, good rapport. However, as a newly assigned transport officer, don't assume anything. It is prudent to contact the dentist office and ask that the staff not divulge inmate appointment information to anyone.

Given the dangerous nature of dental procedures (sharp tools used in close proximity to the patient), the inmate should remain fully restrained.

Follow all guidelines listed above for Hospital/Doctor/Mental Health Appointments.

### **Emergency Transport to Hospital**

In life threatening medical situations it is preferable to have an ambulance transport the inmate.

Based on the inmate's charges and classification, a supervisor will determine whether staff will ride in and/or follow the ambulance in a chase car.

Chase cars will not drive code-3 and will not follow the ambulance closer than the minimum required distance of 300 feet per C.V.C. 21706.

Ambulance staff will be instructed to pull over anytime they need assistance from the escorting officer traveling in the chase car.

Officers required to ride in the ambulance must be conscious of officer safety and weapon retention at all times.

Inmates transported in an ambulance will be minimally restrained by handcuffs and waist restraints or one wrist handcuffed to the gurney.

If hospitalization or any other immediate treatment is recommended, contact the on duty Jail Sergeant or OIC for instructions.

All other general procedures listed above for Hospital/Doctor/Mental Health Appointments will continue to apply.

### **Funeral Details**

Pursuant to Penal Code section 4018.6:

“The sheriff of the county may authorize the temporary removal under custody or temporary release without custody of any inmate of the county jail....for family emergencies. ...the sheriff may require the inmate to reimburse the county, in whole or in part, for expenses incurred by the county in connection therewith.”

In the case of funerals, the inmate is to observe only; they are not to participate in the ceremony or have contact with anyone there.

The transporting officers have absolute discretion as to how the detail is to be accomplished. This includes the authority to terminate the detail at any time for security reasons.

The number of officers necessary for each detail shall be determined on a case by case basis, by the Jail Facility Manager after consulting with the Jail Lieutenant and Jail Sergeant(s).

The inmate should be restrained pursuant to normal transportation procedures and the officer(s) will remain with the inmate at all times.

The inmate and his/her family are to be advised in advance of the ground rules that will apply.

## **J180.15 - TRANSPORTING ILL OR INJURED INMATES**

### **Appropriate restraints**

Inmates should be restrained in a manner that is appropriate to their classification and security level, taking into account the nature of the injury.

For example, a casted arm can still be cuffed above the elbow with cuffs, or over the cast with plastic cuffs or leg shackles. Likewise, an inmate with an injured leg can still have a security brace on their good leg.

### **Methods of transportation**

If an inmate is ambulatory, the inmate should not be made to walk any great distances.

If the inmate is non-ambulatory, a wheel chair should be used both in the jail and at the destination. It is appropriate to handcuff an inmate to the wheelchair.

If the inmate's injury creates too many concerns for the transport officer, the inmate should be transported by an ambulance or a non-emergency transport vehicle.

### **Contagious inmates**

Pursuant to Title 15, section 1206.5, each jail should have policies and procedures in place that require medical staff inform custody staff of any special housing needs for medical reasons. Although the jail manager must be advised, custody staff may or may not be aware of the specific diagnosis of any individual inmate requiring such special housing. Custody staff should, however, be aware that certain individuals need particular levels of care. Additionally, custody staff must be informed of any precautions they need to take for their own protection or that of others. Standard (universal) precautions should be used at all times with all inmates, as outlined in standard workplace blood-borne pathogens training. The Wellpath Medical Services RNs or providers may be asked for guidance on protective measures to be taken when transporting an ill inmate.

For transportation purposes, these guidelines apply to contagious inmates:

- All inmates should be treated using universal precautions.
- Inmate should wear a disposable mask, if applicable.
- Isolate the inmate from other inmates, staff and public.
- Handle all inmate clothing in a medically approved manner.
- All leftover food, utensils, plates and cups used at meal time should be properly disposed of.
- After the inmate has worn restraint gear, properly clean and sanitize it.

### **Non contagious inmates**

Ill or injured inmates who do not suffer from contagious conditions should be made as comfortable as possible within security limits. This means do not deprive the inmate of whatever their condition calls for. This may include extra blankets, clothing, food, water or medication.

### **Medical confidentiality**

It is an inmate's right to keep their medical information confidential. Although there are systems in place intended to make you aware of communicable diseases, there may be times when an inmate's contagious condition is not immediately known. Therefore, it is important to always operate using universal precautions with all inmates.

## **J180.20 - GENERAL AGENCY TO AGENCY TRANSPORTS**

Inmates are not allowed to have any property in their possession during transports other than a property receipt and a single pair of eyeglasses.

### **Personal Property**

When transferring an inmate to another facility, personal property and clothing should travel with them so as not to get left behind or lost between facilities. These items are to be secured by custody staff during travel and the inmate is not allowed to physically possess them while in transit. All personal property and clothing is handed over to the receiving facility for proper inventory and distribution.

### **Valid Identification**

As a transportation officer you shall always carry two forms of photo identification with you – valid California driver's license and valid Sheriff's Office identification card. Many facilities will not let you drop off or pick up inmates without these two proofs of identification.

### **Estimated Time of Arrival**

When picking up an inmate at any facility, you need to call ahead and tell them when you will be arriving so that the inmate is ready for pick up. In many instances inmates must be transferred to the designated pick up area from satellite housing areas.

### **Appropriate Paperwork**

Successfully moving inmates from one facility to another involves having the proper paperwork in order. This can include, but is not limited to:

- Booking sheet
- Original warrant or warrant abstract
- Medical transfer information prepared by Wellpath Medical Services in a sealed envelope and addressed to medical staff in the receiving facility
- Order for Removal prepared by the courts
- Inmate Welfare Fund check, if applicable

### **Confidential Medical Transfer Documents for the receiving facility**

Wellpath Medical Services will be notified in advance of inmate transports to facilitate documenting their Medical Histories. Medical staff requires a minimum of 30 minutes advance notice for each inmate to be transported, but should be given 12-24 hours' notice so that the medical information documents may be prepared. The documents should be placed in a sealed envelope addressed to the medical staff of the receiving facility.

## **J180.25 - COUNTY JAILS**

### **Legal Time Limits**

There are primarily two penal code sections that pertain to legal time limits in transporting a wanted subject from one county jurisdiction to another. They are:

#### **Section 821 P.C. (Felony)**

“...When a person arrested in another county is unable to post bail on a felony warrant the arresting officer shall immediately notify the law enforcement agency requesting the arrest that the defendant is in-custody, and, thereafter such law enforcement agency shall take custody of the defendant within five days, or five court days if the requesting agency is more than 400 miles from the county in which

the defendant is held in-custody...”

#### Section 822 P.C. (Misdemeanor)

“...Requesting agency must take custody of defendant in the county in which he was arrested within five days (after) date of notification...”

### J180.30 - STATE PRISONS

Ensure you have your valid work ID prior to transport. The prison will turn you away without it.

#### **Pick Ups**

Prisons will not release an inmate to transport officers without a valid Order for Removal prepared by the courts. Upon obtaining an OFR from the court, attempts will be made to contact the appropriate prison where the inmate is housed and coordinate a video appearance when applicable.

#### **Paperwork**

Prisons will not accept inmates without proper paperwork in hand, such as:

- Medical information from nursing staff
- Prison commitment packet prepared by the courts
- Photograph confirming identity of prisoner

#### **Personal Property**

Prisons will not accept any inmate personal property, with the exception of a few designated items. (Refer to current prison guidelines for specifics.) Therefore, inmate personal property should be released to a friend or family member, according to your facility guidelines, prior to transport to prison. Any personal property not released will be transported to prison along with the inmate and disposed of according to prison guidelines.

### J180.35 - STATE MENTAL HOSPITALS

#### **Drop Offs**

State mental hospitals will not accept court ordered commitments until they have bed space available for them. The waiting period for an available bed can be anywhere from several weeks to months.

Typically, most commitment paperwork (such as that listed above for state prisons) is mailed to the facility well in advance of the inmate’s arrival.

#### **Pick Ups**

Committed inmates usually return to county facilities upon completion of 30, 60 or 90 day mental health evaluations performed at state hospitals.

Inmates often return for further court action or to stand trial after having been restored to competency.

## J180.40 - FEDERAL FACILITIES

### **Paperwork**

Federal institutions will not accept inmates without proper paperwork in hand, such as:

- Medical information from nursing staff
- Federal commitment orders
- Inmate fingerprint cards
- Photograph confirming identity of prisoner

### **Drop Offs and Pick Ups**

To drop off or pick up a federal inmate you must schedule an appointment and you must be on time.

Only the officers listed ahead of time will be allowed to pick the inmate.

United States Marshals will often transport inmates to and from federal facilities.

Inmates designated for deportation are typically picked up at county jails by U.S. Immigration and Customs Enforcement (I.C.E.) representatives.

## J180.45 - CROSS GENDER TRANSPORT/CUSTODY

Use the same sex transport officer if available; however, understand that staffing constraints don't always allow for this. When same sex transportation is not available, contact dispatch upon departure and advise of starting time and mileage. Advise dispatch of all stops and road detours during transportation and upon arrival at destination.

## J180.50 - INMATE RESTROOM USE WHILE IN TRANSIT

It is preferable that inmates use the jail toilets prior to departure. If a public restroom must be used while in transit, ensure the following:

- There are two officers present, and the escorting one is of the same sex as the inmate using the toilet.
- Secure the restroom to ensure no one else is inside.
- Thoroughly search the restroom – under sinks, in toilet tanks, in trash containers (lifting out liners), and under trash containers.
- Allow only one inmate out of the van at a time.
- Maintain direct visual observation of the inmate at all times.
- If the inmate is to be considered “high risk,” the transporting officer should consider contacting the nearest county jail for the inmate to use the restroom if the situation permits.

## J180.55 - FEEDING INMATES WHILE IN TRANSIT

Whenever possible, inmates should be fed prior to transportation or upon completion of the transport. If the transport will continue through a meal period and it is necessary to

feed inmates, arrangements should be made in advance for the kitchen to provide sack lunches. Inmates should be fed in a secure area where they can be monitored and kept separate from the public and controlled. Inmates should remain in restraints unless it is possible to feed in a cell area.

#### **J180.60 - WEAPONS AND NECESSARY EQUIPMENT**

In order to successfully fulfill the duties as transportation officer it is critical to be equipped with the necessary weapons and tools, as authorized by the Sheriff's Office.

- > Badge
- > Notebook
- > Handcuffs, Case and Keys
- > Flashlight
- > Issued I.D. Card
- > Bullet Proof Vest
- > Nameplate
- > Radio
- > California Driver's License
- > AMBU Bag
- > Firearm, Ammo and Holster
- > Narcan

Optional equipment that may be carried while on duty includes:

- > Chemical Weapons (OC Pepper spray)
- > Electronic weapons (Tasers)
- > Sunglasses, as approved by the Facility Manager
- > Folding Knife

Specifics regarding authorized duty weapons can be located within the Sutter County Sheriff's Office Operations Manual, beginning in Chapter 4.

#### **J180.65 - LICENSE NECESSARY TO OPERATE TRANSPORT VEHICLES**

Staff must possess a valid California Driver's license of a class appropriate for the vehicle which they are to drive. The standard Class C driver's license is the one most commonly held by officers. For transportation purposes this means an officer with a Class C license can operate any passenger vehicle, including sedans, SUV's, minivans and vans up to 15 persons (including the driver).

#### **J180.70 - SEATBELT USE**

Sutter County Sheriff's Office Policy regarding use of seatbelts is as follows (Reference Executive Order # 2-2000, dated January 21, 2000):

Sheriff's Office members who are driving or are riding as a passenger in any county owned vehicle shall wear a safety belt, except in an emergency situation where the use of a safety belt would be impractical or jeopardize their safety.

All prisoners will be secured with a seat belt prior to being transported, unless the act of fastening the seat belt would pose a danger to the deputy. Under no circumstances shall a deputy jeopardize his or her own safety to fasten a prisoner's seat belt.

## J180.75 - EXTRADITION

### **Definition**

The legal surrender of an alleged criminal to the jurisdiction of another state, country, or government for the purpose of standing trial.

### **How it works**

By signing a waiver of extradition, an inmate in one state agrees to be transported, or extradited, back to another state to face charges. The demanding county has ten (10) days in which to pick up the inmate after the waiver is signed.

If the inmate refuses to sign a waiver of extradition, the district attorney of the demanding county, or his representative, must direct an extradition package to the governor of the asylum state, via the attorney general's office. Each state varies on the time limit associated with this process.

Generally, there is little paperwork with which the transportation officer must contend, other than that involving arrangements to physically move the inmate.

### **Who transports the inmate and how**

Depending on the distance, transportation officers may travel by vehicle or airplane to pick up an inmate.

### **Use of private transport companies**

Private companies are often contracted by peace officer agencies to act as their agents in transporting prisoners; especially over long distances.

Their authority is derived from the following Penal Code section:

- 831.6 (a) A transportation officer is a public officer, not a peace officer, appointed on a contract basis by a peace officer to transport a prisoner or prisoners.
- b) A transportation officer shall have the authority of a public officer, and shall have the right to carry or possess firearms, only while engaged in the transportation of a prisoner or prisoners for the duration of the contract.
- (c) Each person described in this section as a transportation officer shall, prior to the transportation of any prisoner, have satisfactorily completed the training course specified in Section 832.
- d) A transportation officer may use reasonable force in establishing and maintaining custody of persons delivered to him or her by a peace officer.

## J180.80 - GENERAL GUIDELINES FOR ALTERNATE TRAVEL

When using alternative methods of travel, take into account:

- Time and distance factors
- Seasonal and pertinent weather conditions
- Special circumstances
- All available alternatives

### **Commercial Airlines**

Commercial airlines will generally accept armed officers with inmates as long as the inmate is under control and not violent. Depending on the airline they may or may not allow the inmate to be visibly restrained. Ask the airline for their policy and procedures regarding in custody transport.

Airlines should be notified at the time of making reservations, and again at each check-in counter, that the officer is armed and transporting a prisoner.

By FAA regulation the officer(s) must identify themselves by Sheriff's Official photo identification card that has:

- Full frontal photo of the officer
- Officer's signature and descriptors on it
- Signature of appointing authority (Sheriff's Office head)

The officer must also present, at each check-in counter, a letter written on Sheriff's Official stationery stating the need to have the weapon in flight. The letter should include:

- Name of officer and inmate involved in the transport
- Travel itinerary, including flight numbers
- Signature of appointing authority (Sheriff's Office head)
- Sheriff's Office telephone number for 24 hour verification purposes

The airlines will notify the flight crew of the officer's armed status. They will, in turn, notify the office of any other armed passengers onboard and where they are seated. (The exception may be Federal Sky Marshals who may not be known to the crew.)

The officer and inmate should be boarded first and disembark last. Seating should be at the rear of the plane, with the inmate next to the window and the officer on the aisle, with an empty seat between.

Flight attendants should be asked not to give anything to the inmate without first clearing it with the transport officer.

Officer will escort the inmate to and from the lavatory.

Do not get involved in in-flight passenger disturbances unless asked to do so by a flight crew member.

Neither officer nor inmate is allowed to consume alcohol.

### **Trains**

Generally use the same guidelines as travel by commercial airlines.

Attempt to book a private car and have all meals delivered there.

Use only as a last resort or under special circumstances.

### **Ships**

Generally use the same guidelines as travel by commercial airlines.

Attempt to book a private cabin and have all meals delivered there.

Use only as a last resort or under special circumstances, such as because of weather affecting air travel.

The Captain of an airliner or ship has absolute authority over their vessel and everyone on it. Therefore, if he asks you to restrain or unrestrain your prisoner or gives you any other lawful order, you are required to comply.

## **J180.85 - SPECIAL TRANSPORTATION SITUATIONS**

### **Providing Roadside Assistance**

#### **Non-Emergency Situations**

Officers who are transporting inmates are encouraged not to stop to provide assistance to motorists who appear to be broken down along the highway due to the high risk of ambush, lynching or escape. Instead, radio or phone the need for assistance to dispatch and indicate this to the motorist by P.A. or other means.

#### **Emergency Situations**

The transport officer must make a judgment between the severity of the accident and possible injuries to those involved in the accident, and the seriousness of their current assignment to safeguard and secure their prisoners. Remember, you will be torn between two duties, which may conflict. You are not only a peace officer at the scene of an accident, but also a custodial officer responsible for the safety and security of inmates.

If officers determine the need to stop at the scene of a traffic accident or other incident, they should advise dispatch of the situation and their location before stopping. Request emergency response from California Highway Patrol, Sheriff's Deputy if available and closer, ambulance, and the fire department if it appears necessary.

If two officers are present, one should stay with the transport vehicle and inmates. Where this is not possible, the officer should lock the vehicle and take the keys, leaving the transported inmate(s) within the vehicle. The officer should never lose visual contact with their vehicle.

The transport officer's first priority should be to the safety of their vehicle and its occupants. Never leave an occupied vehicle in an unsafe location or use an occupied vehicle to protect an accident. Do not trust emergency lights for vehicle safety.

Duty to treat life threatening injuries and/or the protection of persons from additional injuries may temporarily outweigh the officer's custodial duty. Staff should, however, never allow themselves to be distracted to the point where they do not keep the safety and security of persons in their custody in mind.

### **Traffic Accidents Involving County Transport Vehicles**

If involved in a traffic accident, transport officers will take the following actions:

- Stop immediately, turn on vehicle emergency lights, ascertain injuries and confirm prisoner security.
- Notify dispatch and request an ambulance and other emergency responders as needed. Request an accident investigation unit from the agency having jurisdiction (i.e., Yuba City Police Department or California Highway Patrol). Request assistance for prisoner security or transportation if the vehicle is disabled.
- Render first aid as needed with consideration for safety and security of inmates, as well as weapon retention.
- Set out reflectors or flares as necessary to protect vehicles and passengers. Direct traffic as needed.
- Follow the Sutter County Policy for accidents involving county vehicles. Complete the insurance and accident forms located in the glove compartment of the transportation vehicle.
- Obtain the names, driver's license numbers, vehicle license numbers and insurance information from all persons involved in the accident.
- Provide similar information to those persons involved in the accident.
- Do not make statements regarding the cause of the accident or make any admissions of responsibility. Causes and factors will be established by investigation.

### **Escapes**

If faced with an inmate escape while in transit, transport officers will take the following actions:

- Remember the first duty is to ensure the security of the remaining inmates.
- At least one staff member must remain with any inmates still in custody. This person will, as soon as possible, notify dispatch of the escape, name and physical description of the escapee, clothing worn by the escapee and the direction and mode of travel. If a second staff member is pursuing the escapee, dispatch should be notified of the identity of the staff member in pursuit.
- Dispatch will request all available units to assist and will notify the

affected surrounding agencies of the escape and suspect description.

- Dispatch will notify the on duty Jail Sergeant who will, in turn, contact the Jail Lieutenant.
- Dispatch will also notify the Jail Facility Manager who will, in turn, contact the Undersheriff and the Sheriff.
- The transport officer will make contact with the on duty Jail Sergeant or OIC as soon as practicable.

### **Hostage situations**

If you or your partner are taken hostage remember the following.

- Try to relax and stay calm.
- Don't take sides if there are factions among the hostage takers.
- Try to stay in a position of cover in case of a SWAT action.
- Attempt to wait the situation out; statistically the longer it goes on, the better your chances of survival.

### **Ambush**

If you are driving and experience an outside surprise attack you should remember the following:

- Continue to drive, either around or through the ambush.
- Call for help via radio or cell phone.
- Don't stop until you are in a secured position, such as yours or another law enforcement station.

### **Lynching**

The definition of lynching is “to execute without due process of law”. If a person, or persons, attempts to lynch one of your inmate passengers you should:

- Fall back and get help
- Maintain the security of any remaining inmates, if you are able to do so safely.
- As soon as possible, dispatch an all-points bulletin on the missing inmate. Be sure to include information such as the weapons and force used to take the inmate.

## **J180.90 - COURT-SPECIFIC GUIDELINES FOR TRANSPORTATION OFFICERS**

- Provide the list of inmates you intend to transport to court that day to the bailiffs, allowing the bailiffs enough time before court to check the list and make sure all the necessary inmates will be transported to court. This list should also be sent to all jail sergeants, OICs, medical and kitchen staff. If the bailiffs find any inmates missing from the transportation court list, the court sergeant or OIC will contact transportation to ensure the inmate is added to the list.

- Identify high-risk inmates on your daily court list (as well as inmates who are 5150, 11550 or who simply don't get along with other inmates).
- Deliver inmates to the lower level detention area at least 15 minutes prior to the start of their scheduled court appearance. This allows defense attorneys a chance to meet with their clients prior to going in to the courtroom. This is the time when deals are usually made and cases resolved.
- Attorneys have a right to talk with their clients outside of the hearing of law enforcement personnel. Whenever possible, such consultations should be made within the line of sight of the transporting staff.
- Officers are reminded they are often exposed to privileged or confidential information while conducting court transport assignments. Such information should remain confidential.
- Use two (2) officers when moving high-risk inmates (i.e., gang members, violent offenders, inmates who are a danger to themselves or others, escape risks, some protective custodies, cases with a lot of media attention, defendants with crimes against children).
- Check elevator interior handrails for contraband every time you move an inmate up or down. It is not uncommon to find contraband taped to the backside of the handrails.
- Apply waist chains snugly and carefully. Do not let waist chains hang loosely off the inmates' backsides. If an inmate has a large stomach, place the chain *above* their stomach, not below it.
- Every inmate who comes to court should be fully restrained - which includes leg irons and waist chains. Any exceptions to this rule must be agreed upon between the jail sergeant and the court sergeant. When in doubt - ask about it.
- When stationed in the lower level detention area, stay off the phone unless its work related. This will help you stay tuned to important radio traffic, as well as keep the phone available for incoming calls.
- When a bailiff brings an inmate back to you (from a courtroom) the rover/transportation officers are responsible for placing them in the proper holding cell. The bailiffs aren't as knowledgeable about an inmate's current classification, and therefore don't know where to properly place them in the holding area.
- Remands and counter arrests should be processed by the transportation officers whenever possible. If a bailiff delivers a remand or counter arrest to the basement holding area, the transportation officer should ensure the inmate is

thoroughly patted down, swapping out the bailiff's handcuffs for waist chains, and placing their small property (including applicable court paperwork, warrants and blue slip) in a plastic bag.

- When both transportation officers are in the basement holding area, appoint just one to be the radio spokesperson for all radio traffic. This will keep you from "walking" on one another's radio traffic.
- One officer should be responsible for doing all the scheduling work (i.e., OFRs, pick-ups on warrants, child custody stuff, and extraditions). Otherwise, one of you may think the other has handled it and that's not the case.
- It is standard operating procedure for you to walk behind an inmate, not in front of them, when escorting them to and from a courtroom.
- If two officers are available to move multiple inmates, make the best of your manpower by positioning one officer to lead the single file line, and one to follow up. (officer----inmate--inmate--inmate--inmate--inmate----officer)
- The rover officer is in charge of placing inmates into their seats in a courtroom. Don't count on a bailiff being available to take them from you. Bailiffs are often already busy and distracted with court paperwork and concentrating on judicial security.
- Stay in a courtroom when you've brought up multiple inmates.
- Stay in a courtroom when you've brought up high-risk inmates
- Stand near the inmates. Make them aware of your presence. Don't let a pony wall within a courtroom separate you from a potentially problematic inmate
- Don't let the inmates and audience members talk to one another. If it happens, address it (either with a stern look or a quiet "Shhh" to both the inmate and the audience member). Such communication will not be tolerated; however, addressing it should not be disruptive to court proceedings, either. Either way, do not let it go unaddressed. Remember, you have the authority to tell disruptive audience members to leave the courtroom.
- Once court is finished for both the morning and afternoon sessions, the transporting officer(s) shall check the interior of the transport vehicle(s) and ensure all inmates have been returned to the jail.
- Transportation is responsible for picking up Orders for Removal (OFRs) and prison packets from the courthouse. You will find these documents within a box created specifically for transportation. The box is located inside the criminal clerks' office. You must sign the log book acknowledging receipt of

every OFR and prison packet that is picked up. This box should be checked on a daily basis when possible by the transportation officers, or the rovers in their absence.

#### **J180.95 - WEEKLY COURT CALENDAR SCHEDULE**

Generally speaking, the following is representative of the court proceedings that occur each week at the Sutter County Superior Courts. These proceedings often require the presence of jail inmates who must be transported by the jail transportation officers. When the assigned transportation officers are absent, the rovers should be assigned to transport the required inmates.

Monday: General court proceedings in the morning (09:00) and afternoon (13:30).

Tuesday: Occasional Juvenile cases (in the mornings); or the start of jury trials. (Absent the above activities, transportation is often able to travel out of the area on Tuesdays.) 08:30 hours Morrissey Hearings.

Wednesday: First Wednesday of month Drug court. General court proceedings in the afternoon (13:30). (Transportation is often available to travel out of the area on Wednesday mornings.)

Thursday: General court proceedings in the afternoon (13:30). Occasionally there are Juvenile cases in the mornings, occasional child support hearings in the morning and afternoon, and 08:30 Morrissey Hearings. Be mindful to keep juvenile inmates away from all adult inmates; this includes sight and sound contact.

Friday: Preliminary Hearings in the morning (09:00) and Trial Readiness Conferences in the afternoon (13:30).

#### **J200.10 - SINGLE CELL CONTROL ROOM OPERATIONS**

The Single Cell Unit is designed to hold top security risk inmates and those inmates who need administrative segregation for any number of reasons. Access to and exit from the unit is closely monitored by the Single Cell Control Room Officer via camera and intercom. The single cell control room officer controls all electronically locked doors within the unit from control panels located inside the Single Cell Control Room. All alarms, intercoms and door indicators annunciate and terminate on the control panels.

The control room officer can use the intercom system to communicate with inmates and/or floor officers within the single cell dayrooms, cells, hallways or recreation yard.

From within the control room the control room officer has direct visual observation of each of the Pods' dayrooms and all cells located in the single cell unit. There is also a view of the outside recreation yard.

The control room officer will maintain records of all inmate movement to and from the unit

during their tour of duty. An ongoing logbook in the Single Cell Control Room will list in chronological order any incidents that take place (by name of inmate involved and circumstances), all inmate movement (such as visitation, recreation, medical visits), and all routine counts conducted on a random hourly basis.

One operational set of keys is maintained within the single cell unit control room. The keys are issued on an as-needed basis, and the floor officer must return them to the single cell control room prior to leaving the unit.

## **J200.15 - SINGLE CELL CONTROL ROOM OFFICER RESPONSIBILITIES**

### **GENERAL:**

The general and routine duties of the unit Control Room Officer is to monitor all security elements of the unit to include doors, locks, cell doors, alarm systems and assigned personnel and to ensure unit security is never jeopardized.

A Floor Officer will always be located at the A,B, C or D Pod door when an inmate is entering or exiting a pod. That officer will have the responsibility for controlling the inmate(s) movement in or out of a pod. An officer will always clear the inmate status with the Single Cell Control Room Officer and verify the inmate by his/her picture armband before allowing entry to a pod. The Floor Officer will visually check the pod dayroom and clear it of all inmates prior to having the Control Room Officer open the pod door (The only exception will be D Pod). The Floor Officer will physically open the pod door and allow the inmate to enter or exit the pod. The Floor Officer will physically close the door after an inmate has entered or exited the pod and will ensure the door is locked.

### **DUTIES:**

- [1] Perform all required administrative functions of the Single Cell Control Room such as maintaining logbooks and necessary reports.
- [2] Supervise inmate recreation through visual observation and cameras.
- [3] Monitor all control panels for potential breaches of security, such as unsecured doors (both to the main unit and individual cells).
- [4] Assist the floor Officer in visually supervising dayroom areas, shower areas and inmate movement within the unit.
- [5] Make all necessary computer entries of new inmates assigned, discharged and moved within the unit.
- [6] Record all inmate activities (such as outside recreation, visitation, clothing exchange, attorney visits, etc.) in the computer system and/or appropriate logbook.
- [7] Keep the master inmate cell assignment sheet updated at all times. Be certain that any special notations listed on the cell assignment sheet are accurate and written in widely recognized terms (i.e. mental problems, Sureno, violent, etc.).
- [8] Make verbal announcements to the inmate population using the intercom system to indicate the beginning/end of unit activities.
- [9] Provide a current population roster and complete briefing to the relieving control room officer, including all events/incidents that occurred during the tour of duty.
- [10] Prepare reports and completed forms for transmittal to shift Sergeant and Facility

Manager.

## J200.20 - SINGLE CELL UNIT KEY CONTROL /SECURITY/ PERIMETER DOORS

The Control Room Officer has the ability to operate any electric door within the unit. All exterior and interior doors will remain closed and locked on all shifts unless needed for passage. At no time will two (2) separate doors to the unit be open at the same time.

The Single Cell control room door shall only be open long enough to pass through. It shall never be left open for the sake of convenience.

Access doors to each individual Pod shall only be opened long enough to pass through and then will be locked and secured. They shall never be left opened for convenience.

Prior to admitting any person into the unit, the Control Room Officer will ascertain the identity and purpose of the person requesting entry or exit to the unit. All unit keys will be maintained within the unit control room and it will be the responsibility of the Control Room Officer to issue these keys on an as needed basis and to make certain keys are returned to the control room prior to allowing an Officer to leave the unit. A complete key inventory will be conducted at the beginning and end of each shift by both Officers involved. This will be included on the Sergeant's Daily Inspection Report.

A master set of keys to the single cell unit will be maintained within the Main Jail Key Control box and will be used for emergency purposes only.

## J200.25 - SINGLE CELL UNIT FLOOR OFFICER RESPONSIBILITIES

### GENERAL:

The general and routine duties of the unit floor Officer assigned to the single cell unit is to ensure the safe custody and control of all assigned inmates while maintaining their rights and privileges as outlined in the Minimum Jail Standards of Title 15.

The Single Cell Control Room Officer will not open the door to A, B, C or D Pod without first obtaining visual contact with the Floor Officer and only after gaining verification that the dayroom for the specific cell is cleared of other inmates (the only exception is D Pod).

At that point, the Control Room Officer will manually open the switch cover on the control panel board and push the button to allow access to a pod.

Access doors to each individual Pod shall only be opened long enough to pass through and then will be locked and secured. They shall never be left opened for convenience.

### DUTIES:

- [1] Receive and inspect all persons and items prior to allowing entry into the single cell unit.
- [2] Make random physical hourly checks of all cells and inmates to ensure the health and safety of inmates, and document those checks in the appropriate required logbook.
- [3] Assist and supervise the feeding process to all inmates.
- [4] Escort and supervise medical staff in performance of their duties while delivering

medications.

- [5] Conduct daily inspections of all cells, dayrooms, storage areas and recreation areas for cleanliness and detection of contraband.
- [6] Maintain logbooks for individual pods, as well as assist control room officer in maintaining the control room log of events.
- [7] Properly apply mechanical restraints on all inmates and escort outside of the unit for medical appointments, attorney visits, visitation and court proceedings.
- [8] Thoroughly pat search all inmates prior to entering or leaving the single cell unit.
- [9] Be knowledgeable of all general orders of the unit and perform any required administrative duties regarding documentation of incidents and inmate movement.
- [10] Provide an accurate count and thorough briefing to the oncoming Correctional Officer when properly relieved. This is to include any events/incidents that occurred during the shift.

#### **J200.30 - SINGLE CELL UNIT HOURLY COUNTS PROCEDURE**

The Floor Officer assigned to the unit will conduct a formal physical head count at the beginning and end of each shift, and random hourly head counts throughout their tour of duty. These counts will be recorded in the Control Room Log of events and in the logbooks for the individual pods. The Control Room Officer will be responsible for maintaining the ongoing single cell unit inmate cell count sheet and will note any housing changes as they occur. The Control Room Officer will be responsible for knowing the exact location of all inmates assigned to the unit at all times. The unit floor Officer will use direct visual observation to conduct health and safety checks on the inmates. Additionally, regular and intermittent fire safety checks will be conducted by the floor officer. Intermittent supervisory checks will be conducted by the Shift Supervisor throughout the shift.

#### **J200.35 - SINGLE CELL UNIT CELL INSPECTIONS**

The unit will be inspection ready at all times. Inmates will keep their individual living areas including bunks, cells, day rooms and all other areas neat, clean and orderly. Inmates will keep themselves neat, clean and groomed at all times. Regular and unannounced inspections of each individual cell will be conducted by the floor Officer. Shakedown inspections of the unit will be conducted on a random but regular basis. Cells will be inspected by the floor officer each day during headcounts. All inmates will be up, beds made in the prescribed manner and all personal property stored in areas provided. At no time will an empty bunk be used as a storage area. All items not stored properly will be considered contraband and will be removed from the cell by the inspecting Officer. The beds will remain made until after the evening meal.

#### **J200.40 - SINGLE CELL UNIT FEEDING PROCEDURES**

Meals will be delivered to the unit by the Main Jail hall workers and the Floor Officer. The food cart will stop at the door to the single cell unit for inspection for contraband prior to entering the unit. Custody staff will secure the cart inside the unit doorway where the assigned inmate pod workers will accompany the food cart into the Pods.

The inmates assigned to the bottom tier will be fed first by placing the food trays through the food pass doors. After all bottom tier inmates are fed, the officer will make certain all food

pass doors are secured prior to the feeding of the top tier inmates. The second level cell food pass doors are opened, placing the food tray through the food pass door and then secured. Food pass doors will always remain locked and secured unless feeding, passing items to inmates or during officer safety cuffing of the inmate.

Food carts will be circulated to all Pods and Housing Units to feed the inmates. During the feeding process in all individual cell doors will be closed and remain closed until such time as all kitchen items have been picked up and accounted for by the officer. The food service cart is then removed from the unit and returned to the kitchen.

## J200.45 - SINGLE CELL UNIT SUPERVISION OF INMATES

### GENERAL:

Inmates assigned to the single cell unit will not be deprived of any privileges unless there is a clear serious threat to the security of the unit, or the health and welfare of the inmates or whenever these rights and privileges have been suspended or denied for documented disciplinary reasons. The documentation of loss of privileges will be forwarded through the shift Sergeant to the Jail Lieutenant on a daily basis.

All inmates assigned to the unit will receive the same meals as inmates within the general population unless on medically restricted diets or disciplinary isolation diets. Cell doors will be locked and inmates secured at all times. Control over inmates out of their cells is the responsibility of the floor officer and they will make certain every inmate is returned to their cell as soon as possible after removal for medical, visitation, recreation, etc.

All inmates removed from their cells to be taken from the secured unit area will be restrained by a minimum of waist restraints. There will be no exception to this policy whatsoever.

Anytime an inmate is removed from, and returned to, their housing unit, the inmate will be thoroughly pat searched. There will be no exception to this policy whatsoever.

Once an inmate is taken from the unit they will be escorted and closely supervised by an Officer at all times. This ensures the subject does not obtain contraband which might be taken back into the unit.

The Floor Officer will supervise the delivery of food, laundry and other materials to the unit using the main jail hall workers. The inmate pod workers will take charge of these items once inside the unit. Main jail workers are not allowed into single cell units. All items entering the unit will be searched prior to entry by the Floor Officer.

The floor officer will search and escort all inmates leaving the unit going to and from court, medical appointments, sick call, library, visitation and intake/discharge operations. The Floor Officer will supervise the movement of inmates to the exercise yard, hair care, etc., and any other movement necessary within the unit. It will be the floor officer's responsibility to deliver all mail, request forms, commissary slips and medical slips to each cell in the unit. Under no circumstances are the inmate pod workers ever allowed to handle the above mentioned items.

It is also the floor officer's responsibility to provide the necessary supplies (toilet tissue, cleaning materials, etc.) to each cell in the unit. Inmate pod workers will never be allowed to place anything inside the cells.

The process for passing toilet paper will be A and C Pods every even day, and B and D Pods every odd day of the month. Toilet paper pass will be during the evening, at night, all at one time for each pod. Each inmate will receive one roll of toilet paper. A log of toilet paper disbursement can be completed on the Shift Log. Additional toilet paper will be passed in emergency situations.

In the event an inmate refuses to leave his assigned cell after being ordered to do so, the Single Cell Unit Floor Officer will notify the Jail Sergeant. The Sergeant will determine if the situation warrants deploying on-duty jail staff.

#### **J200.50 - SINGLE CELL UNIT CLASSIFICATION PROCEDURES**

Classification of an inmate into the single cell unit will be made by the Jail Sergeant or supervisor or the Jail Classification Supervisor.

[A] Inmates are housed in the single cell unit based on many factors, including their ability to interact with other inmates in a safe manner during inmate visiting, recreation time, day room activities, etc. Other factors taken into consideration are:

- (1) Inmates with like charges
- (2) Medical/Mental Handicaps
- (3) In-custody behavior
- (4) Administrative Protective Requirements
- (5) High Security Risks

Floor Officers will familiarize themselves with the inmate cell assignment sheet and be able to easily determine which inmate belongs in which section of the pods. Inmates from A Pod, B Pod and C Pod inmates will always be separated from one another. Inmates considered HIGH RISK by the Jail Classification Supervisor will be housed in the bottom tier of the single cell and remain in lock down status except for their mandated recreational periods. All recreation time and/or refusals will be documented on the Dayroom/Yard schedule in the control room.

[B] Inmates placed into segregation due to treatment for minor medical or psychiatric reasons will be reviewed daily by both medical and security personnel to determine the need for continued segregation. The removal of segregation will be documented in the computerized events file.

[C] If an inmate requests to be placed on Administrative Segregation, such request must be submitted in writing, signed and dated by the inmate. The signed request will be delivered to the Shift Sergeant or the Jail Classification Supervisor, who will take any action deemed necessary.

[D] The thirty (30) day Administrative Segregation Policy will apply in accordance with Minimum Jail Standards, Title 15.

- [E] Inmate reclassification will be determined based on a ten (10) day review period by the Classification Supervisor for possible placement back into general population.
- [F] Single cell inmates who no longer need to be segregated will be reclassified by the Jail Classification Supervisor, which may include removal to a general population housing unit.

The Jail Classification Supervisor reviews all inmates' records within the unit on Administrative Segregation a minimum of every ten (10) days. The Classification Supervisor will determine if the initial reasons for placement on segregation status still exist and will consider the following conditions:

- [A] Officers' observations of the inmate's behavior and attitude during the segregation.
- [B] Any change in the risk presented to the inmate by replacement back into general population.
- [C] The presence or absence of continued risk to the population if the inmate is removed from segregation.

#### **J200.55 - SINGLE CELL UNIT SCHEDULED ACTIVITIES**

##### **SINGLE CELL UNIT DAYROOM:**

Dayroom activity time will consist of one hour per cell.

##### **SINGLE CELL UNIT VISITATION:**

Inmate visitation will be conducted on Sundays and Mondays, between the hours of 0830-1030 and 1230-1430 hours. Each inmate will be afforded one-half (1/2) hour of visitation each day, for a total of one (1) hour each week, pursuant to Minimum Jail Standards, Title 15. Inmates from A, B, and C Pod visits will be held separately from one another.

##### **SINGLE CELL UNIT SHOWERS:**

There are showers located on the upper and lower tiers in each of the pods. The inmates will use their free time in the dayroom to shower and tend to personal hygiene.

##### **RECREATION TIME:**

Each inmate will receive three (3) hours of recreation time per week, weather permitting, in accordance with Minimum Jail Standards, Title 15.

#### **J200.60 - SINGLE CELL UNIT VISITATION PROCEDURES**

All single cell inmates who are eligible for visitation will be provided the opportunity in the manner described above. If an inmate refuses a visit, or if exigent circumstances prevent a visit, that information will be entered into the computer for future reference.

Visitors will sign up for inmate visiting at the Main Jail Information Window on the prescribed day. All standard visitor rules and regulations apply.

Inmates from the single cell unit will be thoroughly patted down going to and from the visiting area. Each inmate will be restrained by a minimum of waist restraints, and escorted to the Main Jail Visiting Room for the visits. Inmates delivered to visiting will have one handcuff

removed so they may use the phone during visiting unless that inmate is classified as a security risk, has a history of, or is assaultive to staff or other inmates.

All single cell inmates will be kept separate from main jail population inmates. Also, inmates from A, B, C Pods will be kept separate during their visits.

## **J200.65 - SINGLE CELL UNIT DELIVERING MEDICATIONS**

A Floor Officer shall escort the Jail Nurse at all times while within the single cell unit for the purposes of delivering medications. Single Cell inmates will be fully dressed in the dayroom or at their cell door to receive medications.

## **J300.00 - ALTERNATIVE SENTENCING PROGRAMS**

COMMAND ORDER #12-2012

The following sections regarding *General Conduct, Classification Requirements, Appeal Rights, Program Participant Files, Return to Custody, Good Time/Work Time Credits, and Loss of Credits Earned* apply to all alternative sentencing programs, and are therefore stated at the beginning of this section.

Sutter County Jail allows sentenced felony inmates under the state's realignment for qualification to the Alternative Sentencing program. The program qualifications will be for the same or similar type of inmate who would have otherwise qualified for the program while serving a pre-realignment county jail sentence. The gang member clause will be eliminated as a disqualifying factor if it is determined that the inmate's level of involvement in the gangs is not such that it would be a problem if on the alternative sentencing program.

The reasons for denial will be limited to:

1. Type of current and past Violent convictions
2. Current and past Sexual Misconduct charges
3. Validated "Active" gang member or "Drop Out" ONLY
4. Cannot be a current registrant (290PC, 186.30PC, and 186.22PC)
5. Failure to complete any alternative sentencing program anywhere in the state.
6. All cases must be adjudicated
7. Number and severity of in custody/Parole violations
8. No "flash incarcerations" will be allowed

The sentencing criteria are now less than ninety (90) days (actual time in custody). The number of times an inmate can participate in alternative sentencing will now be 4 previous successful alternative sentencing cases. In the event of a failure in the program, the inmate will be returned to custody and be automatically denied from any subsequent applications for alternative sentencing during future incarcerations. Any exception to this would be at the discretion of a Jail Commander or above.

Medical clearance for participation will be required.

## **J300.10 - GENERAL CONDUCT**

Participants in any Alternative Sentencing Program are expected to conduct themselves in a

professional manner when dealing with Alternative Sentencing Program staff. They shall not, through word, gesture or action, be intentionally rude, curse, swear at, make obscene gestures toward, or use any derogatory language to any officer or civilian employee of the Sheriff's Office, or any other person to whom they have been assigned for work purposes.

Participants will not lie or falsely represent the truth to any officer or civilian staff member.

Participants will not violate any city, county, state or federal code or law. They shall not conspire, assist or counsel another person to violate any city, county, state or federal law.

Participants are required to inform Alternative Sentencing Program staff of any contact with law enforcement, including traffic citations. Failure to do so may result in disciplinary action that may include removal from the program and return to custody.

All participants must have and always keep with them, a picture identification such as a driver's license or identification card issued by a government agency.

#### **J300.20 - CLASSIFICATION REQUIREMENTS**

All applicants for Alternative Sentencing Programs must meet the classification requirements for the Medium Jail Facility.

#### **J300.30 - APPEAL RIGHTS**

Anyone denied participation in any of the Alternative Sentencing Programs will be given the reason(s) for denial in writing. An individual who has been denied may submit a written appeal along with any new or additional information after they have been processed into the Sutter County Jail.

The Sutter County Jail Administrator will then make the final decision.

#### **J300.40 - PROGRAM PARTICIPANT FILES**

Each participant shall have an information file located in the Work Programs' Office. It will contain information as to the identity of the inmate, home address, length of sentence, court and commitment number, out date, application form, inmate agreement and any other relevant information.

All information files will be maintained for a minimum of three (3) years after the participant leaves the program.

#### **J300.50 - RETURN TO CUSTODY**

Alternative Sentencing Program participants who are removed from a program for any reason shall be returned to the jail facility to complete their sentence. All participants who are returned to custody will have the circumstances noted in their individual file, along with a recommendation regarding future participation.

Failure to report as ordered to the Sutter County Jail will result in a Declaration for Warrant being completed and forwarded to the Sutter County Courts for issuance of a warrant.

## **J300.60 - GOOD TIME - WORK TIME CREDITS**

Pursuant to Penal Code Sections 2900.5 and 4019, prisoners confined in or committed to a county jail will be credited with one half time work credits

Allowable credits, pursuant to Penal Code Sections 2900.5 and 4019 will be deducted from the inmate's period of confinement upon receipt of the commitment order at the jail.

## **J300.70 - LOSS OF CREDITS EARNED**

Work performance time credits awarded to an inmate may be deducted for refusal to work or for violation of conduct leading to their removal from work status. Good behavior credits awarded may be taken away from an inmate only in accordance with established procedures.

## **J310.00 - WORK FURLough PROGRAM (EDUCATION FURLough)**

We currently are not allowing this program but in the event we start again we will abide as follows:

### **J310.10 - WORK FURLough PARTICIPANT CRITERIA**

To be considered for the Work Furlough Program an inmate must submit a Work Furlough application to the Alternative Sentencing Program Staff once he/she is processed into the Sutter County Jail. The application will be subject to verification and approval by the Alternative Sentencing Program Staff, Jail Sergeant, Jail Lieutenant and Jail Facility Manager.

- [1] To be considered for the work/education furlough program, an inmate must be employed or in school on a full-time basis.
- [2] An eight-hour (8) day is considered standard. Night shift work is not accepted in the work furlough program unless approved in advance by the Jail Facility Manager. No other jail employee is authorized to approve alternate shift work.
- [3] A five-day (5) work week is considered standard. Saturday work may be approved by the Alternative Sentencing Program Staff, Jail Facility Manager, and, in the absence of the Jail Facility Manager, Jail Lieutenant. Sunday or Holiday work must be authorized in advance by the Jail Facility Manager or Jail Lieutenant.
- [4] The hourly rate of pay must meet Federal minimum wage criteria.
- [5] Dependable transportation to and from work must be arranged. An inmate may not drive him/herself.

### **J310.20 - WORK FURLough EMPLOYER CRITERIA**

- [1] The employer must be advised the inmate is in jail and be willing to accept the conditions of the work furlough program.
- [2] As part of the application process, the employer must be willing to come to the jail for a brief interview with the Alternative Sentencing Program Staff or Jail Facility Manager between the hours of 0800 to 1700, Monday through Friday. Phone interviews will not be accepted.
- [3] The employer or the school program must lend itself to periodic unannounced supervision of the furloughed inmate.

- [4] The employed must provide proof of Workman's Compensation Insurance for the inmate at the time of application. The insurance must be maintained while the inmate is employed and participating in the work furlough program.
- [5] Approval for additional work hours must be made before 1500 hours, Monday through Friday, by the Alternative Sentencing Program Staff, Jail Facility Manager, or, in the Jail Facility Manager's absence, by the Jail Lieutenant.
- [6] Questions regarding applications for the work furlough program will be answered between the hours of 0800 to 1700, Monday through Friday, by the Alternative Sentencing Program Staff or the Jail Facility Manager, or, in the Jail Facility Manager's absence, by the Jail Lieutenant.
- [7] Shift Correctional Officers are not authorized to approve any work furlough applications, nor additional work hours.

#### **J310.30 - WORK FURLOUGH PROGRAM FEES**

- [1] The inmate's failure to keep their fee current will result in termination from the work furlough program.
- [2] Fees will be collected every Monday for the prior weeks' work, between the hours of 0800 and 1630, by the Alternative Sentencing Program Staff, Jail Facility Manager, Lieutenant, Jail Sergeant or Jail Secretary.
- [3] Work Furlough Program fees are non-refundable. They are as follows:

\$50.00 for each completed W/F program application.

\$15.00 for each day worked.

#### **J310.40 - CONDITIONS FOR PARTICIPATION IN WORK FURLOUGH**

A Work Furlough Program participant must adhere to the following rules:

- [1] Not possess or consume any alcoholic beverage or drug, nor enter any establishment where such beverage is available or sold.
- [2] Go to and return from work directly, unless otherwise permitted in writing. If for any reason the inmate is delayed and cannot return at the designated time, they shall notify the Alternative Sentencing Program Staff immediately, and obey their instructions.
- [3] While on furlough, not make any telephone calls other than those required by the inmate's job duties, unless authorized by the Alternative Sentencing Program Staff.
- [4] Obey all City and County ordinances and State and Federal laws and follow all of the directives of the Alternative Sentencing Program Staff or their agent.
- [5] Not operate any motor vehicle on a public street or highway.
- [6] Submit to random urine tests when asked. A positive test result shall eliminate the inmate for the Work Furlough Program.
- [7] A program participant shall be allowed one hour before work, and one hour after, to go home and change clothes.

#### **J310.50 - WORK FURLOUGH REASONS FOR DENIAL**

Participation in the Work Furlough Program shall be denied for any of the following reasons:

- [1] A prior sex offense conviction.
- [2] A prior conviction for possession for sale, or sale, of drugs or narcotics.

- [3] The job requires an inmate to work in their home or in the home of a family member.
- [4] The job relates to the current offense or pattern of last offenses.
- [5] The job requires the use of firearms.
- [6] There are ongoing labor disputes.
- [7] Employment precludes effective supervision (i.e. door-to-door sales, canvassing). Employment must provide a work location or job site.
- [8] Employment outside Yuba or Sutter Counties is prohibited.

## **J320.00 - OUTSIDE WORK RELEASE PROGRAM**

### **J320.10 - WORK RELEASE PROGRAM POLICY**

It is the policy of the Sutter County Sheriff's Office to provide an inmate program for work release. The objective of the Outside Work Release Program (OWR) is to provide a more productive approach to the physical incarceration of low risk offenders, while at the same time providing benefits to the community. This alternative program also provides relief for the overcrowded conditions at the jail.

### **J320.20 - WORK RELEASE GENERAL INFORMATION**

The OWR Program allows eligible low risk offenders the opportunity to help prepare for re-entry into the community as a productive citizen. Participants contribute hours to the betterment of the community while remaining out of custody and completing their sentences in a structured work program. The program allows gainfully employed participants the ability to continue their employment, which helps keep them from being burdened with the financial problems that come with unemployment. Student participants get to continue their education which may prepare them for employment, and learning the responsibility of complying with the program's rules and regulations.

### **J320.30 - WORK RELEASE PROGRAM ELIGIBILITY**

All persons sentenced to county jail are considered for the OWR Programs. The person must volunteer for the program and certain criteria are necessary for acceptance.

### **J320.40 - WORK RELEASE PARTICIPANT CRITERIA**

This program allows individuals to serve sentences by working on City, County, or State property instead of serving time in jail. Each eight (8) hour work day counts as one day served in jail.

- [1] Your total number of work days cannot exceed ninety (90) days.
- [2] You must be physically able to perform manual labor or assigned tasks. A medical and/or psychiatric clearance by jail medical staff may be required based on information received during the application or evaluation process.
- [3] You must pass a classification screening, not have been convicted of a violent crime, not be a registered offender as described under sections, 290 PC, and 186.30 PC, or 186.22 PC, or have a prior failure to report or failure to complete O.W.R.
- [4] If you are employed and working 40 hrs. per week, you must commit to working a minimum of 2 days per week, and show proof of employment (i.e., payroll check).

[5] If you are not employed, a regular work week for the OWR program is 4 days per week.

## **J320.50 - INTER-COUNTY TRANSFER AGREEMENTS**

The Sutter County OWR Program does not have reciprocal inter-county agreements in effect with other counties for the mutual transfer of inmates. However, such requests are evaluated on a case-by-case basis when presented to Jail Administration.

## **J320.60 - WORK RELEASE APPLICATION PROCESS**

### **OUT OF CUSTODY**

An individual who has been sentenced and assigned a report date must bring their court paperwork to the Work Release Program office at least ten (10) days prior to the report date in order to allow enough time for the application process. The application process involves an eligibility screening conducted by the Work Release Staff; then the specific work dates are agreed upon; finally, the individual is sent to the Sutter County Jail to pay all applicable fees.

If an out of custody individual is denied participation in the Work Program, he/she shall report to the Sutter County Jail on or before the report date as ordered on their court paperwork. An appeal of the denial may be submitted to the Sutter County Jail Administrator once the inmate is processed into the Sutter County Jail.

## **J320.80 - WORK RELEASE REASONS FOR DENIAL**

Participation in the Work Release Program shall be denied for any of the following reasons:

- [1] Failure to report for processing within required time frame.
- [2] Failure to report for commitment/jail time as ordered by sentencing Judge.
- [3] Disqualifying current conviction charge.
- [4] Disqualifying prior criminal history or registrant requirement.
- [5] Validated gang membership, associations, affiliations or self-admitted gang member.
- [6] Prior participation in Sutter County OWR, Education Furlough, Work Furlough or any other outside program on four or more occasions.
- [7] Prior participation in an OWR program (sometimes called Adult Work Programs or Sheriff's Work Alternative Programs) in any other California county. Waiver of this limit requires Jail Facility Manager approval prior to acceptance into the program.
- [8] Failure to complete any alternative sentencing program (i.e., OWR, Weekender Program, Work Furlough, etc.) on current or previous commitments, either locally or in any other California county.
- [9] Pending cases in this or any other county in California

## **J330.00 - ELECTRONIC MONITORING PROGRAM**

### **J330.10 - ELECTRONIC MONITORING PROGRAM POLICY**

The Electronic Monitoring Program is administered by the Sutter County Sheriff's Office with the authorization of the Sutter County Board of Supervisors, and pursuant to Sections 1203.016 and 1208.2 of the California Penal Code.

The Sutter County Sheriff's Office has the overriding responsibility of providing the appropriate levels of public protection to the community while also charged with the responsibility to offer alternative sentencing programs. The applicant may be denied program placement if investigation discloses that they have been convicted of, have admitted to, or have a history of violence or non-compliance with parole/probation or while in custody. However, all facts will be carefully and individually evaluated during the application process. Other facts that will be considered are residence location, employment location, and method of transportation, accessibility of job site for officer contact with applicant, employer cooperation, roommate cooperation, applicant attitude and sometimes medical necessity.

#### **J330.20 - ELECTRONIC MONITORING GENERAL INFORMATION**

- [1] The Electronic Monitoring Program combines the use of an electronic monitor, alcohol and drug testing and frequent field checks to ensure compliance with program rules and regulations.
- [2] The Electronic Monitoring Program is supported with fees paid by program participants. Inability to pay shall not preclude participation in the program.
- [3] Only participants that are classified as minimum security/low risk inmates may participate in the Electronic Monitoring Program. Minimum security/low risk status will be determined by the Alternative Sentencing Program Staff after a background investigation and, if necessary, an in-person interview is conducted.

#### **J330.30 - ELECTRONIC MONITORING PARTICIPANT CRITERIA**

To be considered for the Electronic Monitoring Program an offender must submit an *Electronic Monitoring Program* application to the Alternative Sentencing Program Staff. The application will be subject to verification and investigation and will include:

- [1] Prior record checks - CII & DMV
- [2] Sheriff's Office records (booking, jail and arrest)
- [3] Current charges
- [4] Terms and conditions of the sentence
- [5] The applicant's emotional stability and medical condition, drug/alcohol use, residence, family, financial status, employment, history of court appearances, previous success/failure on alternate sentencing programs, and any documents or information pertinent to the application.

A personal interview will be conducted with each applicant that has been approved for the Electronic Monitoring Program. An orientation to the Electronic Monitoring Program will take place at the interview. This will consist of a review of the program rules and regulations, as well as scheduling the installation of the home monitoring unit if the applicant is acceptable.

The background investigation and interview should be sufficient to make a final decision. The predominant factor in determining eligibility is the degree of risk the applicant presents to the community, their family and/or themselves. If the applicant is rejected there should

be specific, articulate reasons for doing so. Rejection from participation in the Electronic Monitoring Program shall not prohibit an applicant from applying for other Sheriff's Alternative Sentencing Programs.

- [1] If an applicant is denied participation in the Electronic Monitoring Program, they may appeal the decision using the Inmate Grievance process. Applicants will be told of their right to appeal pursuant to this procedure and will be provided with appeal forms upon request.
- [2] The Jail Administrator (Sheriff) has sole discretionary authority for placement and removal of individual participation as an alternative to physical custody.

All applicants for Alternative Sentencing Programs must meet the classification requirements for the Minimum/Medium Jail Facility.

#### **J330.40 - ELECTRONIC MONITORING PROGRAM FEES**

State legislation allows the County to charge fees to cover the administrative costs and other operating costs of this program. Fees shall be charged as authorized by the County Board of Supervisors. An applicant's inability to pay will not be considered in the decision to accept or deny participation in a program.

For clarification of Home Detention Program payment, if a person comes in for commitment and requests Home Detention, that person must pay in the following manner:

- [1] Applicants will pay a \$50.00 administrative processing fee.
- [2] Participants must pay a fee of \$15.00 per day.
- [3] There is no maximum allowable number of days for Home Detention.
- [4] The person must pay the administrative processing fee plus the first ten (10) days in advance. All fees after the initial payment will be made in ten (10) day increments. All fees must be paid in full prior to release from the Electronic Monitoring Program.
- [5] If a person has less than ten (10) days, they must pay the entire amount up front.
- [6] If a person is already in custody and wants to buy out to the Home Detention Program, the person must pay the entire amount up front before release.
- [7] All fees are non-refundable.

#### **J330.50 - GUIDELINES SPECIFIC TO ELECTRONIC MONITORING**

##### **[1] CONTROL AND SUPERVISION**

To ensure compliance with Electronic Monitoring Program rules, frequent personal contacts at the home, place of employment, program office and by telephone will be conducted. Should the need arise, surveillance may be utilized.

##### **[2] DISCIPLINARY ACTIONS**

All program participants are expected to follow the rules of the program. In the event of a violation of these rules, disciplinary action will be taken. Rule violations will fall into three different categories:

Category 1 (CAT 1)

Minor Offense – May result in verbal counseling and/or loss of errand time. A repeat CAT 1 offense could result in removal from the program and return to custody.

Category 2 (CAT 2)

Major Offense – May result in the loss of Good Time – Work Time (4019 PC) credits and/or removal from the program and return to custody.

Category 3 (CAT 3)

Criminal Offense – Will result in the immediate removal and return to custody, as new charges will be pending making participant ineligible for the program.

Any participant removed from the program will be advised, in writing, of their non-compliance with program rules and their rights to an appeal hearing. The Alternative Sentencing Program Supervisor will forward a notice to the Probation Department and sentencing court advising that the participant has failed to comply with program rules.

### [3] GENERAL RULES

The following is a list of general rules and the category of the violation that may result in disciplinary action taken against the participant.

- Failure to keep appointments (CAT 2)
- Refusal to follow program directives whether written or verbal (CAT 2)
- Willful failure to pay program fees (CAT 1/2)
- Late curfew returns (CAT 1 / 2)
- Filing and making false reports (CAT 3)
- Bribing staff (CAT 3)
- Interfere with staff duties/responsibilities (CAT 2 / 3)
- Making, possessing or using alcohol, drugs, narcotics, drug paraphernalia (CAT 2/3)
- Possession and/or control of weapons (CAT 2/3)
- Alcohol in participant's residence (CAT 2/3)
- Refusal to submit to drug test (CAT 2/3)
- Providing a positive drug test (CAT 1/2/3)
- Threatening a staff member (CAT 2/3)
- Fighting (CAT 3)
- Wearing/displaying clothing or paraphernalia representing gang affiliation (CAT 2/3)
- Affiliating with crime partners or people on probation/parole (CAT 2/3)
- Unexcused absence from work (CAT 1 / 2)
- Using abusive or obscene language with staff at any time (CAT 1 / 2)
- Violation of criminal statutes (CAT 3)
- Re-arrest on new charges (CAT 3)
- Maliciously destroy, tamper with, alter, deface, disconnect or remove monitoring equipment (CAT 3)
- Refusal to allow staff immediate access to your residence (CAT 2)

Refusal to allow staff to search any portion of your person, vehicle in which you are riding, or place of residence for contraband (CAT 2)  
Failure to notify staff of emergency medical situations involving yourself or immediate family members which require you to violate curfew rules (CAT 1/2)  
Failure to submit written documentation, when requested, for such things as attendance at AA meetings, NA meetings, medical appointments, court appearances and other types of leave from your residence (CAT 2)  
Failure to advise staff of your inability to attend required meetings (CAT 2)  
Failure to notify staff of address or telephone number change (CAT 2)

Immediate removal from the electronic monitoring program will occur when a participant is declared to be:

- i. A danger to himself/herself.
- ii. A danger to others.
- iii. Likely to flee the supervision program parameters.

Any participant that fails to return home within the allotted time, or leaves home at a non-approved time, may be considered as an escapee and subject to immediate arrest. Participant may be charged with escape pursuant to Section 1203.016 of the California Penal Code, and punishable pursuant to Section 4532 of the Penal Code.

The Alternative Sentencing Program Supervisor will forward a written notice to the sentencing court advising that the participant has failed to comply with program rules and that an "Escape Report" has been submitted.

#### [4] APPEAL HEARING

California Penal Code Section 1208.2, et al, states the following: A person cannot be denied consideration for, or removed from participation in the program because of an inability to pay. If the person is unable to reach agreement concerning ability, amount, manner or frequency for payment, the matter shall be referred to the court for resolution.

If you receive a letter of denial for the Electronic Home Detention Program, you must contact the Alternative Sentencing Programs Office within seven (7) days of receipt and schedule an appeal hearing. You may bring documents pertaining to your situation and/or your family, friends or attorney, if you wish. However, this is not a court appearance. You must be present at the hearing. All decisions made at the appeal hearing are final.

The appeal process consists of a further review of the appellant's folder and the reason for removal. The appellant is given an opportunity to speak to a Grievance/Appeal board, formed by the Jail Facility Manager for that purpose, giving justifiable reasons as to why the decision to remove him/her from the program should be reversed.

The appellant may have additional information such as program attendance/completion, change in life style, letters of recommendation etc. The appellant may have an attorney accompany them at the appeal hearing; however, this hearing is not a court of law. In addition,

the appellant may have adult family members present if they feel they can provide information that may increase their chances of having the decision reversed. *The decision of the appeal committee is final.*

## [5] PARTICIPANT REQUEST

Once a curfew/schedule has been set, separate arrangements can be made for *verifiable* times away from home (i.e. court dates, interviews, overtime, etc.) on a case by case basis. The participant will make requests, in writing, for temporary schedule changes at least seventy-two (72) hours prior to the change.

Any schedule change will be verified in writing by the participant during the next weekly check-in meeting (i.e. doctor's note, pay stub, court documents, etc.).

## [6] PERSONAL ERRAND TIME

Errand time may be granted for program compliance and responsible behavior and can be denied by the Alternative Sentencing Program Staff or Jail Sergeant at any time for "just cause". After the first three (3) weeks on the program, up to *three (3) continuous* hours per week of errand time may be granted. These hours must be taken in one continuous block of time prior to 8 PM (2000 hours) and within two (2) days of the participant's scheduled weekly office visit. All personal appointments (i.e. as doctor, dentist, haircuts, etc.) must be conducted during the allotted hour(s) block of time. Depending on work or counseling schedules, final curfew is 8:00PM (2000 hours). An itinerary of planned work, school, appointments and activities must be submitted to the Alternative Sentencing Program Staff in advance. *Remember, errand time is a privilege and not a right.*

## [7] EMERGENCIES

If a medical emergency that threatens you or an immediate family member's wellbeing arises, you may seek medical attention. You (or someone else if you are unable) must notify the Alternative Sentencing Program Staff or the Jail Sergeant, as soon as reasonably possible.

You must give the exact location and telephone number of where you are and the nature of the emergency. You must also call every hour with an update, until you return home or an Officer advises you differently. You will be required to bring proof of your emergency on your next office visit to the Alternative Sentencing Program Office.

If you call in sick to work or leave work early due to illness or injury, you must notify the Alternative Sentencing Program Office:

1077 Civic Center Blvd., Yuba City California 95993  
Telephone (530) 822-7373

Emergency Contact and After Hours Number:  
(On-Duty Jail Sergeant)  
Telephone (530) 822-7302

## [8] VISITS

### Personal Visits

Participants may receive personal visits in their homes between the hours of 8:00AM (0800 hours) and 9:00PM (2100 hours). There will not be more than two (2) adult visitors at any time. You must provide the names of any and all visitors to your place of residence when requested by the Alternative Sentencing Program staff.

Participants will not associate with parolees, probationers or anyone with outstanding warrants for their arrest. Participants are not to be in an area where the use of alcohol, drugs, or illegal activity is taking place.

Participants are not allowed to receive personal visits at their job site.

### Office Visits

You must attend all scheduled appointments at the Alternative Sentencing Program Office. You may be scheduled to visit the Alternative Sentencing Program office one or more times per week. At the visits, verification of program fee payments, appointments, and schedule changes will be conducted. You may also be required to submit a urine sample for drug testing.

You are required to be on time for your scheduled appointments at the Alternative Sentencing Program Office. If you fail to appear for your appointment you will be charged a reschedule fee and disciplinary action may be taken. *Do not be late for your appointment!*

## [9] EMPLOYMENT

You must go directly to your place of employment and return directly to your home at the end of your scheduled shift. You may not leave your residence before your scheduled time without prior approval from the Alternative Sentencing Program staff. If you are scheduled to attend a court or program approved appointment immediately after work such as NA or AA, you may do so without going home first. A curfew will be set allowing for travel time to and from employment and/or regularly scheduled meetings.

You are not to leave your place of employment at any time unless authorized by the Alternative Sentencing Program staff. If released early from work, you must immediately telephone the Alternative Sentencing Program office and inform them that you are on your way home.

Whenever there is a change in your schedule, it is your responsibility to notify the Alternative Sentencing Program Office immediately.

Your work supervisor must make notification of work schedule changes, by telephone to the Alternative Sentencing Program Staff, along with a fax on company letterhead. The request must be at least 24 hours in advance. This includes overtime, time off, and vacation time.

Participants with a job that has a changing/varying work schedule must submit a Participant Work Schedule Form to the Alternative Sentencing Program office one week prior to the effective date of change. These changes will be verified by your work supervisor.

Overtime work is permitted only when requested in advance and approved by the Alternative Sentencing Program staff. No overtime is allowed at the end of the shift unless it is an emergency. If overtime is required, your supervisor must provide notification by telephone to the Alternative Sentencing Program office along with a fax on company letterhead. The request must be at least 24 hours in advance.

If you have a reduction in your work schedule, have a break in employment, are laid off or terminated from employment, you are required to notify the Alternative Sentencing Program Office immediately.

If you call in sick to work or leave work early due to illness or injury, you must notify the Alternative Sentencing Program office immediately.

If you choose to seek new employment you must request prior authorization from the Alternative Sentencing Program staff.

#### **[10] FINANCIAL RESPONSIBILITY**

Participants are responsible to pay all Alternative Sentencing Program fees. However, the inability to pay all or a portion of the fees shall not preclude participation in the program. The daily fee for program participation is \$15.00 per day. This fee is applied for each day you are in custody, including non-work days. Further costs could be incurred if additional monitoring equipment is necessary based upon any specific requirement of your circumstances.

If you are self-employed, your daily rate will be same as listed above. We will require proof that your business is viable. Proof may vary on a case-to-case basis.

#### **[11] TRANSPORTATION**

Participants will not operate any motor vehicle unless legally licensed to do so. A copy of your valid driver's license is to be provided to the Alternative Sentencing Program office. Proof of valid insurance and valid registration must also be provided.

Participants being transported by private vehicles will provide the Alternative Sentencing Program staff with a list of all drivers and their vehicles. Vehicle description will be required to include color, make, model, year and license plate number. Participant will provide a photocopy of the vehicle registration, proof of insurance, and valid California driver's license for each driver and vehicle.

Participants will not deviate from approved method of transportation, or vehicle, without authorization from the Alternative Sentencing Program staff.

If participant utilizes a bicycle, at any time after dark, the bicycle must have proper lighting and reflector equipment.

Participants will not hitchhike or ride with anyone other than an approved driver.

#### **[12] ALCOHOL/ DRUGS**

Participants may not consume or be under the influence of any alcohol or illegal drug at any time.

At no time will alcohol, illegal drugs, drug paraphernalia or non-prescribed drugs be allowed in participant's place of residence. Participant will not be in an area where alcohol, drugs or illegal activity is taking place. Participant will not be allowed to go to taverns, saloons, or bars.

All participants are subject to a breath or urine test upon the request of the Alternative Sentencing Program staff. Participants will not falsify, attempt to falsify, mask or tamper with any drug or alcohol test. If participants fail or refuse to submit to an alcohol or drug test, or submit a test (either urine or breath) that test shows positive for a non-prescribed, unlawful controlled substance or alcohol, the participant will have disciplinary action taken against them. This action may include a warning, loss of good time/work time credits, termination from the Alternative Sentencing Program and/or return to custody.

After an initial positive test for alcohol or illegal drug, participants will be required to pay for all further testing.

At no time will alcoholic beverages be allowed in your place of residence. This includes non-alcoholic beer, cooking wine, and bottles used for display or decoration. Empty alcoholic beverage containers will not be allowed in or outside of your residence. This includes alcoholic beverages that do not belong to you, even if you collect cans and bottles for recycling.

*Note: Positive test results may be forwarded to the Probation Department and the appropriate sentencing court.*

#### [13] WEAPONS

Participants will not possess any weapon(s) of any type while on the program. At no time will participants have weapon(s) of any type in their home, vehicle, or person. Prohibited weapons include firearms, hunting knives, assault knives, and cross bows. Weapons that do not belong to you will also not be allowed.

#### [14] SATISFACTORY COMPLETION OF PROGRAM

On release dates, participants are required to return the electronic monitoring equipment to the Alternative Sentencing Program office. If your release date is on the weekend or holiday, you will return the equipment the next business day. All equipment will be returned undamaged.

Once you have completed the court ordered sentence, paid all fees, and returned all monitoring equipment to the Alternative Sentencing Program Office, you will have satisfactorily completed the Electronic Home Monitoring Program.

#### J330.60 - SPECIAL PRECAUTIONS REGARDING FIELD VISITS

- [1] The Electronic Home Detention Program requires that a Correctional Officer work in the field alone. Officer safety dictates that no unnecessary risks be taken.
- [2] If an Alternative Sentencing Program Staff member needs to conduct a residence check they will coordinate with the Jail Sergeant or the Probation Office and request assistance of an

additional officer to accompany them. A female officer will be required if the officer is checking the residence of a female client.

- [3] The Alternative Sentencing Program Staff member will not respond to calls for law enforcement unless directed to do so or there is threat of immediate harm to another officer.
- [4] Use of the Sheriff's radio system will comply with current policy and procedures.
- [5] While driving a county vehicle, the Alternative Sentencing Program Staff member will follow the *Sutter County Sheriff's Office Jail Policy Manual*.

**J700.00 - SUTTER COUNTY JAIL INMATE HANDBOOK** (See current Inmate Handbook)

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