

# South Gate Police Department

Jail Manual

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## **MISSION**

### **MISSION STATEMENT**

Proudly dedicated to the highest level of police service, improving quality of life and providing a safe community.

### **VALUE STATEMENT**

We meet the challenge of providing honest, ethical and professional police service by basing our thoughts and actions on the following shared values:

### **SERVICE TO OUR COMMUNITY**

We are committed to providing service in a manner which is courteous, responsive and efficient. We require a high standard of performance and commitment to excellence from all employees in order to provide the highest level of service.

### **INTEGRITY**

We place a high value on the reputation of our department and the law enforcement profession, therefore, we are committed to uphold our positions of trust by maintaining, the highest level of honesty and ethical behavior.

### **PROFESSIONALISM**

We hold ourselves accountable for our actions so as to maintain the trust of the public. We value a clear sense of commitment on the part of each member of the department. This commitment will be encouraged within an environment of teamwork, innovation and constant evaluation.

### **INNOVATION AND CREATIVITY**

We promote suggestions from all levels of the department recognizing those who contribute to the development of more effective ways to provide police service.

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## **PHILOSOPHY AND GOALS**

The South Gate Police Department Jail Manual is the official document of this Department relating to Jail policy and procedures. All employees are mandated, by the fact of their employment, to abide by the policies as set forth in this manual. While considering the policies within, please be assured that the provisions of this manual need not be construed in the strictest sense; they are to be enforced fairly with a focus on the spirit of the policy and not necessarily on the letter of the policy. This manual does not preclude compliance with local, state or federal laws.

Darren Arakawa  
Chief of Police

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## **CODE OF ETHICS**

My fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of criminal justice service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.

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

# Jail Manual

## 100.1 PURPOSE AND SCOPE

The Jail Manual is a statement of the current policies, rules and guidelines of the South Gate Police Department Jail. All prior and existing manuals, orders and regulations that are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

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

This policy includes the chain of command designed to create an efficient means of effective communication.

### 100.1.1 DEFINITIONS

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

**Adult** - Any person 18 years of age or older.

**Division** - The Jail Division.

**Daily Activity Log** - Formerly referred to as the Prisoner Log.

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

**Jail Manual** - The Division Jail Manual.

**Juvenile** - Any person under the age of 18.

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

**Member** - Any person employed or appointed by the South Gate Police Department, including:

- Full- and part-time employees.
- Sworn custody officers.
- Reserve custody officers.
- Civilian employees.
- Volunteers.

**Custody officer** - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as custody officers of the South Gate Police Department.

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**On-duty employee** - Status during the period when he/she is actually engaged in the performance of his/her assigned duties.

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

**Rank** - The job classification title held by any employee of this department.

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

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

### **100.2 POLICY**

The manual of the South Gate Police Department jail is hereby established and shall be referred to as the Jail Manual. All members are to conform to the provisions of this manual.

A chain of command has been established to maintain continuity, order and effectiveness in the Division and should be respected.

#### 100.2.1 DISCLAIMER

The provisions contained in the Jail Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the South Gate Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the city, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for division administrative action, training or discipline. The South Gate Police Department reserves the right to revise any policy content, in whole or in part.

### **100.3 RESPONSIBILITIES**

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

The Jail Manager shall ensure that the Jail Manual is reviewed and updated at least every two years and staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the South Gate Police Department (15 CCR 1029). The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

Line and supervisory staff have a unique view of how policies and procedures influence the operation of the facility and therefore are expected to bring to the attention of their supervisors any issues that might be addressed in a new or revised policy.

All members suggesting revision of the contents of the Jail Manual should forward their suggestions in writing, through the chain of command, to the Jail Manager, who will consider the recommendation.

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#### 100.3.1 ORGANIZATIONAL CHART

The Jail Manager should ensure that all jail staff are familiar with the department's existing organizational chart (refer to South Gate Police Department Policy Manual).

All staff members should adhere to the chain of command in all official actions. However, nothing shall prohibit a staff member from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, gross malfeasance or a violation of the law (15 CCR 1029 (a)(1)).

#### 100.3.2 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

The Jail Manager shall ensure that the Jail Manual review, evaluation, and procedures include internal and external security measures of the facility, including security measures specific to the prevention of sexual abuse and sexual harassment (15 CCR 1029).

#### **100.4 DISTRIBUTION OF MANUAL**

A copy of the Jail Manual shall be made available to all members. An electronic version of the Jail Manual will be made available to all members on the network T drive under the Jail folder (15 CCR 1029).

No changes shall be made to the electronic version without authorization from the Jail Manager.

#### **100.5 MANUAL ACCEPTANCE**

As a condition of employment, all members are required to read and obtain necessary clarification of this division's policies. All members are required to sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Jail Manual.

#### **100.6 REVISIONS TO POLICIES**

All members are responsible for keeping abreast of all Jail Manual revisions. All changes to the Jail Manual will be posted on the division network for review prior to implementation. The Training Manager will forward revisions to the Jail Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return email or online acknowledgement, review the revisions and seek clarification as needed.

Each supervisor will ensure that members under his/her command are familiar with and understand all revisions.

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## Facility Inspection

### 101.1 PURPOSE AND SCOPE

Jail inspections are the collections of data designed to assist administrators, managers, and supervisors in the management of the custody facility by means of establishing a systematic inspection and review of its operation. This policy provides guidelines for conducting the jail inspection.

### 101.2 POLICY

This division will use a formal inspection process of its facility to ensure that practices and operations are in compliance with statutes, regulations, policies and procedures and best practice standards. Inspections will be used to help identify the need for new or revised policies and procedures, administrative needs, funding requirements, evaluation of service providers and changes in laws and regulations.

### 101.3 FACILITY MANAGER RESPONSIBILITY

The Jail Manager is responsible for collecting performance indicators and other relevant data to generate and provide an annual inspection of all custody facilities. The Jail Manager will ensure that inspections are conducted as outlined below for each jail type (15 CCR 1029(a)(2)).

Inspections may be used in preparation of inspections by outside entities, such as a government inspection authority, professional organization or accreditation body. In this case, the local inspection will serve as a pre-inspection review that will prepare the jail for the outside or third-party evaluator.

### 101.4 INSPECTION AREAS

The inspection should include the following areas in the assessment process:

- (a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Jail Manager, key program staff and service providers. The individual conducting the assessment will need to advise key personnel of the areas they will be inspecting so the appropriate materials will be brought up to date and made available to the assessment team.
- (b) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.
- (c) **Record review** - A review of the records that support jail activities, medical records and the jail's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.
- (d) **Benchmark review** - A review of the division's stated goals and objectives should be discussed with the Jail Manager, program managers and other key providers

## Facility Inspection

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of programs. This will provide the opportunity to identify any areas that require correction or additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.

- (e) **On-site inspections** - The assessment team should conduct on-site inspections of the jail to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be used to guide the inspection process and to ensure consistency. It is important that the jail assessments be viewed as a credible measurement instrument as many issues identified in the assessment may require significant funding.
- (f) **Develop an action plan** - After the fact-finding described in the previous sections has been accomplished, notes, records and recommendations should be analyzed and an action plan developed to initiate any needed correction. Documenting successful practices is important to determine if they can be replicated in other areas.
- (g) **Reporting** - The results of the inspection should be compiled into a report and should include recommendations and action plans necessary to ensure continuous improvement in the operation and management of the jail system. The completed report and any analysis and documentation required to justify costs, policy revisions or any other administrative requirements should be submitted to the Chief of Police.
- (h) **Monitor progress** - The Jail Manager should ensure that approved recommendations are being instituted by the responsible program providers.

### 101.5 FOCAL POINTS FOR INSPECTIONS

Inspections of facilities used for detaining persons pending arraignment, held during trial and held upon a lawful court commitment should include inspection of the policies, procedures and performance by management and staff to ensure compliance and timely updates. Inspections should include, but are not limited to, the following inspection points:

- Staff training
- Number of personnel (15 CCR 1027)
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- In-custody deaths
- Documented suicide attempts
- Classification plan
- Reception and booking
- Communicable disease prevention plan
- Inmates with mental disorders

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### *Facility Inspection*

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- Administrative segregation
- Developmentally disabled inmates
- Use of force and restraint devices
- Contraband control
- Perimeter security
- Searches (area and personal)
- Access to telephones
- Access to courts and counsel
- Inmate visiting
- Inmate mail
- Religious access
- Health care services
- Intake medical screening
- Pest control
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food services plan
- Food serving and supervision
- Jail sanitation, safety, maintenance
- Tools, key and lock control
- Use of safety and sobering cells
- Standard bedding and linen use
- Mattresses

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

## Staffing

### 200.1 PURPOSE AND SCOPE

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

### 200.2 POLICY

It is the policy of the South Gate Police Department to ensure the safety, security and efficient operation of this jail by assigning custody personnel according to a detailed staffing plan that is developed and maintained in accordance with law.

### 200.3 STAFFING PLAN REQUIREMENTS

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

At a minimum, the staffing plan will include the following:

- Jail administration and supervision
- Jail programs, including exercise and recreation
- Inmate supervision
- Support services including medical, food services, maintenance and clerical
- Other jail-related functions such as escort and transportation of inmates
- The plan shall be available for biennial review by the Board of State and Community Corrections (BSCC).

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## Supervision of Inmates - Minimum Requirements

### 201.1 PURPOSE AND SCOPE

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

### 201.2 POLICY

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

### 201.3 SUPERVISION OF INMATES

There shall be, at all times, sufficient staff designated to remain in the jail for the supervision and welfare of inmates, to ensure the implementation and operation of all programs and activities, as required by Title 15 Minimum Standards for Local Detention Facilities, and to respond to emergencies, when needed. Such staff should not be assigned duties that could conflict with the supervision of inmates (15 CCR 1027).

When both male and female inmates are held at this jail, a minimum of one male and one female employee, who are custody trained and on-duty, should be immediately accessible for the supervision of the inmates (Penal Code § 4021).

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

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

### 201.4 PROHIBITION OF INMATE CONTROL

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

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## Inmate Records

### 202.1 PURPOSE AND SCOPE

This policy establishes the procedures required to create and maintain accurate records of all persons booked and confined in this jail.

### 202.2 POLICY

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

### 202.3 RECORD MAINTENANCE

It shall be the responsibility of the Records Bureau to maintain the following records on all persons who have been committed or assigned to this jail, including, but not limited to, the following (15 CCR 1041):

- Information gathered during the admission process as provided in the Inmate Reception and Housing Policy
- Photographs and fingerprints cross referenced to the booking number
- Cash and property inventory and receipts
- Housing history records
- Reports of incidents or crimes committed during confinement
- Court orders, appearances, documents and the disposition of hearings
- Visitation records
- Medical orders and staff response
- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments and medications
- Information regarding disabilities and other limitations

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

### 202.4 RELEASE OF INMATE RECORDS

Inmate records are confidential and shall be used for official business only. Any release of inmate records shall be made only in compliance with a lawful court order or as authorized by state and federal law to persons having a legitimate criminal justice need, or with a consent form signed

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### *Inmate Records*

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by the inmate (15 CCR 1045). A copy of the release authorization document shall be maintained in the inmate record file.

#### **202.5 ELECTRONIC RECORD MAINTENANCE**

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

#### **202.6 RECORDS RETENTION**

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

# Tool, Equipment, Key and Electronic Access Device Controls

## 203.1 PURPOSE AND SCOPE

The control and accountability of tools, equipment, keys and electronic access devices are vital factors in maintaining a safe and secure environment for inmates, members and the public. This policy outlines the methods that this department will use in maintaining strict security of these items. For ease of reference, the term “key” as used in this policy includes all physical means of access to or exit from the secure areas of the jail.

## 203.2 POLICY

It is the policy of this department that all keys used to access secure areas of the jail or to exit the secure areas of the jail are strictly controlled (15 CCR 1029(a)(6)). Members will be held accountable for the security and safety of the jail.

## 203.3 KEY IDENTIFICATION

All keys that open any doors within the jail shall be marked with unique identification codes that will allow for quick inventory. Keys that are bundled together as a set shall be numbered or coded with a tag to identify that set and the number of keys on the ring. The identifying numbers or codes on keys shall not correspond to numbers/codes on locks.

A separate secure document identifying all keys will be maintained by the Jail Manager.

## 203.4 KEY SET CONTENTS

Key sets issued to members for use within the secure perimeter of the jail shall not contain any key that would permit access to areas outside the secure perimeter. Exterior door keys shall not be permitted inside the jail except during an emergency requiring access to the exterior doors.

## 203.5 KEY CONTROL

Only one set of keys will be utilized by jail staff at any given time. That set of keys will be maintained by the on-duty custody officer and relinquished to the incoming custody officer at the completion of his/her shift. This transfer of jail keys will be documented in the Jail Prisoner Log.

Members shall not possess any key for which they have not been authorized.

Members shall not duplicate, mark, alter or manufacture any key without written authorization from the Jail Manager or the authorized designee.

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

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## Jail Manual

### *Tool, Equipment, Key and Electronic Access Device Controls*

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#### **203.6 LOCK POLICY**

All security perimeter entrances, doors and cell doors shall be kept locked, except when used for admission or exit of employees, inmates or visitors, and in an emergency.

#### **203.7 TESTING**

Locks to security doors shall be tested for proper function during fire safety inspection to ensure proper operation. This testing shall be documented on the monthly fire safety check list.

#### **203.8 EXTERIOR DOOR**

Keys for exterior doors to the jail shall be kept in a secure location, outside of the jail's secure perimeter. Supervisors shall, at the beginning and end of their respective shifts, inventory and account for these keys.

#### **203.9 EMERGENCY KEY SET**

At least one key set containing every key for the jail shall be kept separate from all of the other key sets in a secure location and made accessible only to the Jail Manager, Watch Commander, supervisor or the authorized designee in the event of an emergency.

#### **203.10 MISSING KEYS**

Any member who discovers that a key or key set is missing shall immediately make a verbal report to a supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate the key fails, the supervisor shall order a lockdown of the jail. All inmates shall be locked in their cells/housing areas and a headcount conducted. Inmates shall not be allowed to pass into or out of the jail without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the Jail Manager regarding the loss of the key, when it was discovered and the circumstances involved.

A methodical and thorough search of the entire jail will be made by on-duty members. Additional members may be called to assist with the search. If, after a thorough search, the key or key set is not located, the Jail Manager will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

The Jail Manager shall initiate an investigation into the disappearance of the keys to reexamine the procedures for key control and to determine whether procedures governing this policy require an amendment.

#### **203.11 DAMAGED KEYS OR LOCKS**

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Watch Commander, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock

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### *Tool, Equipment, Key and Electronic Access Device Controls*

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is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No inmate shall be secured in a cell, detention room or area that has inoperable locks.

#### **203.12 KEY CONTROL RECORDS**

Custody officers are responsible for reporting any key malfunctions or missing keys.

#### **203.13 ELECTRONIC ACCESS DEVICES**

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

#### **203.14 TOOL AND EQUIPMENT CONTROL**

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

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

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

Any tool that is used within the secure perimeter of the jail must be closely monitored and controlled by the member supervising the area so that the tool cannot be used as a weapon (15 CCR 1029(a)(6)).

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

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

The member responsible for the supervision of the use of missing tool will prepare and submit a report to the Watch Commander documenting the specific tool that is missing and the circumstances of the disappearance. The report will be forwarded to the Jail Manager. All members involved in the search will submit a report to the on-duty supervisor documenting their findings.

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### *Tool, Equipment, Key and Electronic Access Device Controls*

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#### 203.14.1 KITCHEN EQUIPMENT

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

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

#### 203.14.2 INDIVIDUAL EATING UTENSILS

Eating utensils (forks/spoons/sporks) shall be counted by the custody officer supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing areas shall be immediately locked down and a supervisor notified. A thorough search of the housing areas shall be initiated to locate the tool.

## Daily Activity Logs and Reports

### 204.1 PURPOSE AND SCOPE

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

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

### 204.2 POLICY

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

### 204.3 PROCEDURES

All members assigned to the Jail shall prepare an accurate daily activity log. The daily activity log is a permanent record of the daily activities. Employees who falsify any official document may be subject to disciplinary action, up to and including termination, as well as criminal prosecution.

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

- (a) Black ink pen shall be used, unless entries are logged into an electronic record.
- (b) Entries should be legible and provide sufficient detail to ensure that the log entry properly reflects the events of the day.
- (c) Entries shall include the name and personal serial number (PSN) of the individual making the entry.
- (d) Entries shall reflect the date and time of the event logged.
- (e) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.
- (f) Handwritten log entries requiring modification shall be crossed out with one line and a new entry made, noting that it is a correction.

### 204.4 SHIFT ACTIVITY LOG

All pertinent activities should be documented in the daily activity log. At a minimum this includes:

- Personnel on-duty
- Bookings and releases
- Formal counts
- Safety checks, security checks and inspections and routine activities
- All searches/shakedowns

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## Jail Manual

### *Daily Activity Logs and Reports*

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- Inmate movement within the facility and inmates received at a housing assignment
- Meal service
- Professional visits to the housing areas, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or inmate complaint of illness or injury and the action taken
- Rule violations resulting in a transfer from the jail or notification to the court of jurisdiction
- Supervisor rounds to the housing area and/or to specific inmates
- Unusual inmate behavior
- Discovered contraband
- Activities and programs offered and the attendees
- Unusual occurrences
- Use of emergency equipment
- Any use of force
- Key counts

#### **204.5 REPORT PREPARATION**

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. Reports shall be prepared by the member assigned to investigate or document an incident, and should be approved by a supervisor and submitted to the Jail Manager or the authorized designee in a timely manner (15 CCR 1044). Any incident resulting in death, injury or endangerment to staff or a visitor, serious injury to an inmate, escape, a major disturbance, a jail emergency or an unsafe condition at the jail shall be submitted to the Jail Manager as soon as practicable but within 24 hours of the incident. It is the responsibility of the assigned employee to ensure that all the above listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications, investigative leads or resolution.

Employees who dictate reports by any means shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all of the requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false

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## Jail Manual

### *Daily Activity Logs and Reports*

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report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless they are specifically identified as such.

#### **204.5.1 INCIDENT REPORTING**

Incident reports generally serve as an in-house documentation of occurrences in the jail. The Watch Commander shall establish a filing system that differentiates between incident and crime reports. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include:

- (a) Non-criminal incidents of rule violations by inmates.
- (b) Attempted suicide or suicidal ideation on the part of an inmate, if known.
- (c) Non-criminal breaches of security or evidence of an escape attempt.
- (d) Non-criminal security threats, including intelligence related to jail activities.
- (e) Significant incidents related to medical issues, health or safety in the jail.
- (f) Discovery of contraband in the possession of inmates or their housing areas.
- (g) Detaining or handcuffing any visitor at the jail.
- (h) Traffic collisions involving city owned vehicles.
- (i) Risk management incidents including injuries to inmates and lost or damaged property.
- (j) Accidental injuries of members, inmates or the public.

#### **204.6 SUPERVISOR RESPONSIBILITIES**

Supervisors shall review incident reports generated during the course of each shift. The on duty Watch Commander should review the Daily Activity log. When appropriate, supervisors should include comments in the logbook with regard to an incident or unusual occurrence in the jail.

Whenever a major event in the jail requires a coordinated command response, the incident commander should designate someone to keep a running log that identifies, at a minimum, the following:

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

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

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## Accessibility - Facility and Equipment

### 205.1 PURPOSE AND SCOPE

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

#### 205.1.1 DISABILITY DEFINED

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

### 205.2 POLICY

The South Gate Police Department prohibits discrimination of persons with disabilities. The South Gate Police Department adheres to the ADA and all other applicable federal and state laws, regulations and guidelines in providing reasonable accommodations to ensure that the jail is reasonably accessible to and usable by individuals.

### 205.3 ACCOMMODATIONS

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

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

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## Jail Manual

### *Accessibility - Facility and Equipment*

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#### **205.4 ADA COORDINATOR**

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

- The Jail structure, activities and employees, including special issues relating to the requirements of the jail.
- The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act (29 USC § 794).
- The accommodation needs of people with a broad range of disabilities.
- Alternative formats and technologies that enable members, inmates and the public with disabilities to communicate, participate and perform tasks related to jail activities.
- Construction and remodeling requirements with respect to ADA design standards.
- Working cooperatively with members, inmates and the public with disabilities.
- Local disability advocacy groups or other disability groups.
- Negotiation and mediation.

#### **205.5 DISSEMINATION OF INFORMATION**

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

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

#### **205.6 TRAINING**

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

- The requirements of Section 504 of the Rehabilitation Act (29 USC § 794).
- Department policies and procedures relating to ADA requirements.

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## Community Relations and Public Information

### 206.1 PURPOSE AND SCOPE

This policy provides guidelines to jail personnel when dealing with the public, news media or interested groups when requests are received to share information generated within the jail (15 CCR 1045).

### 206.2 POLICY

It is the policy of the South Gate Police Department to protect the privacy rights of individuals while releasing non-confidential information to interested groups when requests are received. Information that has the potential to negatively affect the Jail or an investigation will not be released.

### 206.3 RESPONSIBILITIES

The Jail Manager is responsible for ensuring that the following information is public and available to all who inquire about it (15 CCR 1045). This includes:

- (a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility procedures affecting inmates as specified in 15 CCR sections:
  - 1. 1045, Public Information Plan
  - 2. 1062, Visiting
  - 3. 1063, Correspondence
  - 4. 1064, Library Service
  - 5. 1065, Exercise and Recreation
  - 6. 1066, Books, Newspapers, Periodicals and Writings
  - 7. 1067, Access to Telephone
  - 8. 1068, Access to Courts and Counsel
  - 9. 1069, Inmate Orientation
  - 10. 1071, Voting
  - 11. 1072, Religious Observance
  - 12. 1073, Inmate Grievance Procedure
  - 13. 1081, Plan for Inmate Discipline
  - 14. 1200, Responsibility for Health Care Services

This information is to be made available at the jail's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this jail's library or provided by other means for use by inmates. At the discretion of the Chief of Police, the

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### *Community Relations and Public Information*

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information may also be made available electronically. No information will be released on persons whose booking process is not completed.

#### **206.4 PROHIBITED MATERIALS**

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

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

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

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

Information on this jail's policies and procedures regarding non-security related matters (e.g., programs, jail rules and regulations, visitation, health care, religious services) can be released to the public by any member. A copy of the applicable portions of this jail's policy and procedures manual can be made available for public review with the approval of the Chief of Police.

Any information related to safety, security and maintenance shall be redacted before being provided to the public. Applicable regulations for the operation of a custody facility can be made available for review by the public and inmates. Inmates can request a copy through jail members.

Information related to escapes, suicides or crimes occurring in this jail shall only be released with the approval of the Jail Manager or the authorized designee.

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### *Community Relations and Public Information*

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Identifying information pertaining to a juvenile detainee shall not be publicly released without prior approval of a competent court, except as otherwise authorized by law. Information concerning incidents involving certain sex crimes and other offenses set forth in all applicable laws shall be restricted.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or until otherwise cleared by the Coroner's office or otherwise required by law.

#### 206.5.1 RESTRICTED INFORMATION

It shall be the responsibility of the Jail Manager or the authorized designee to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be consulted.

Examples of such restricted information include, but are not limited to:

- (a) Confidential personnel information concerning members and volunteers of this department .
  - 1. The identities of jail personnel involved in major incidents may only be released to the media pursuant to consent of the involved personnel or upon a request processed in accordance with the Public Records Act.
- (b) Criminal history information.
- (c) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (d) Information pertaining to pending litigation involving members of this department.
- (e) Information obtained in confidence.
- (f) Any information that is otherwise privileged or restricted under state or federal law.

## **Chapter 3 - Recruitment, Selection and Training**

## Employee Orientation

### 300.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation. The purpose of the orientation is to provide new employees with basic information about the jail and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance or regulations.

### 300.2 POLICY

It is the policy of the South Gate Police Department to provide new employees with basic information about the facility and the environment in which they will be working.

### 300.3 NEW EMPLOYEE ORIENTATION

All new employees shall participate in an division orientation prior to assuming their duties. The orientation shall include, but not necessarily be limited to, the following:

- Jail tour
- Policy, procedures and job description resources
- Organizational chart
- Department mission, vision and values statement
- Department culture
- Member rules and regulations
- Code of ethics

### 300.4 EMPLOYEE ACKNOWLEDGEMENTS

Jail personnel assigned to provide the new employee orientation will ensure that each new employee is given copies of work rules and regulations, division ethics, and any other jail-related documents, for which the employee will be held accountable.

A member will collect a signature page from the employee, acknowledging receipt, review and understanding of the documents that shall be retained in the employee's personnel file in accordance with established records retention schedules.

## Training

### **301.1 PURPOSE AND SCOPE**

This policy establishes the minimum training requirements for all members, supervisors, and managers assigned to the jail. This policy includes general and specialized training and ensures that all members are provided appropriate orientation and training.

### **301.2 POLICY**

It is the policy of this division to promote training and professional development of personnel at all levels and to encourage continuing education whenever practicable.

### **301.3 MINIMUM TRAINING REQUIREMENTS - TYPE 1 FACILITIES**

All custody officers, full- or part-time, shall successfully complete the Adult Corrections Officer Core Course as described in 15 CCR 179, within one year from the date of assignment (15 CCR 1020(a)).

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

Individuals assigned to work in the jail before they have completed the required training may do so only when under the direct supervision of a fully trained member.

Transfer courses may be utilized to meet the Adult Corrections Officer Core Course requirements when the member has had the relevant probation or juvenile corrections training (15 CCR 179.1; 15 CCR 179.2).

#### **301.3.1 MANAGER AND SUPERVISOR TRAINING - TYPE 1 FACILITIES**

All supervisory personnel shall have completed the Corrections Officer Core Course training requirements in accordance with 15 CCR 1020, as specified in this policy, before assuming supervisory responsibilities (15 CCR 1021).

All Jail Managers and supervisors (full- or part-time) shall receive management and supervision training as specified by the Commission on Peace Officer Standards and Training (POST) of the Standards and Training for Corrections Program (STC) within the first year of their appointments, as described in 15 CCR 181 (15 CCR 1021).

Managers shall receive required management training as described in 15 CCR 182 or complete the POST management course within one year from the date of assignment (15 CCR 1023).

#### **301.3.2 CONTINUING EDUCATION TRAINING – TYPE 1 FACILITIES**

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

## *Training*

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### **301.4 SPECIALIZED TRAINING**

The Training Manager is responsible for ensuring that all members who are assigned to a specialized unit will receive specialized training as part of their annual training requirements.

The Division will use courses certified by a competent government or standards-setting organization whenever practicable. All training should include testing to identify and document the member's knowledge in the subject matter presented.

### **301.5 BRIEFING TRAINING**

The supervisor conducting briefing training is responsible for the preparation of the materials necessary for constructive training. Supervisors may delegate this responsibility to a subordinate member in their absence or for training purposes. The briefing training should be based upon a structured program to provide topics related to but not limited to the following:

- Jail policies and procedures
- Departmental Directives not yet established into policy
- Reviewing recent incidents for training purposes
- In preparation for response to an unusual occurrence
- Statutory requirements or court orders
- Operation of new equipment, including computer software
- Changes in schedules and assignments
- Any other topic as determined by the Chief of Police or Jail Manager

### **301.6 SUPPORT PERSONNEL TRAINING**

Support personnel, including contractors, whose positions involve regular or daily inmate contact shall receive orientation and training commensurate with the scope of their work.

Based on the level of inmate contact, orientation and training topics should address some or all of the necessary areas listed:

- Safety and security
- Emergency procedures
- Member responsibilities
- Guidelines for conduct with inmates
- Aspects and dynamics of the custody environment
- Restricted movement and access according to job function
- Supervision of inmates
- Suicide awareness and dynamics
- Use of force

## *Training*

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- Inmate rules and regulations
- Inmate rights and responsibilities
- CPR and first aid

### **301.7 TRAINING RECORDS**

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

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

- The course outline or lesson plan
- A roster signed and dated by those in attendance
- The name of the person coordinating the training

Training records shall contain the following information:

- The name of the member
- Date of hire
- Education and training background (education and training received before hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

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

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## Prison Rape Elimination Act Training

### 302.1 PURPOSE AND SCOPE

This policy establishes an education and training process related to implementation of the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation (PREA Rule) (28 CFR 115.5).

### 302.2 POLICY

The South Gate Police Department endeavors to comply with the training standards in the PREA Rule and to ensure that all members, volunteers and contractors are aware of their responsibilities, and that members, volunteers, contractors and inmates are aware of the policies and procedures of the jail as they relate to PREA.

### 302.3 MEMBER TRAINING

All members, volunteers and contractors who may have contact with inmates shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this jail. The Training Manager shall ensure that members receive training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and inmates may have regarding sexual assault or abuse, and that they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Manager shall be responsible for developing and administering this training, covering at a minimum (28 CFR 115.31; 28 CFR 115.131):

- The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.
- The dynamics of sexual abuse and sexual harassment in confinement.
- The common reactions of sexual abuse and sexual harassment victims.
- Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the jail.
- Procedures for the investigation of a report of sexual abuse and/or sexual harassment.
- Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.
- An individual's right to be free from sexual abuse and sexual harassment.
- The right of inmates to be free from retaliation for reporting sexual abuse and sexual harassment.
- How to detect and respond to signs of threatened and actual sexual abuse.
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender non-conforming inmates.

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## Jail Manual

### *Prison Rape Elimination Act Training*

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- How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.
- How to avoid inappropriate relationships with inmates.

Training shall be tailored according to the sex of the inmates at the jail. Members should receive additional training on security measures and the separation of male and female populations in the same facility if the member has been reassigned from a facility that houses only male or female inmates.

Training should include written testing to validate knowledge and understanding of the material. The Training Manager shall document, through signature or electronic verification, that members, volunteers and contractors have received and understand the training. The Training Unit will maintain training records on all those receiving training in accordance with procedures developed by the Training Manager.

#### **302.4 SPECIALIZED MEDICAL TRAINING**

All full- and part-time qualified health care and mental health professionals who work regularly in the jail shall receive all of the member training listed above, as well as training that includes (28 CFR 115.35):

- (a) Detecting and assessing signs of sexual abuse and sexual harassment.
- (b) Preserving physical evidence of sexual abuse.
- (c) Responding effectively and professionally to victims of sexual abuse and sexual harassment.
- (d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by this jail conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The Training Manager shall maintain documentation that the jail's health care professionals have received the training referenced above, either from this division or elsewhere.

#### **302.5 SPECIALIZED INVESTIGATIVE TRAINING**

Specialized investigative training for investigators shall include the uniform evidence protocol to maximize potential for obtaining useable physical evidence; techniques for interviewing sexual abuse victims; proper use of *Miranda* and *Garrity* warnings; sexual abuse evidence collection in confinement settings; and the criteria and evidence required to substantiate a case for administrative action or referral for prosecution (28 CFR 115.21; 28 CFR 115.34; 28 CFR 115.121; 28 CFR 115.134).

## Health Care Training

### **303.1 PURPOSE AND SCOPE**

The purpose of this policy is to identify orientation and training for health care providers working in the jail.

### **303.2 POLICY**

The Department will develop and approve training to maintain and improve the effectiveness of the care delivered, as well as to maintain the safety and security of the custody environment (15 CCR 1200).

### **303.3 NEW HEALTH CARE PROVIDER ORIENTATION**

All health care providers shall complete an orientation program prior to performing services at the jail on behalf of the Department. At a minimum, the orientation program shall include the following:

- A jail tour
- Member responsibilities
- Inmate rights and responsibilities
- Safety and security
- Emergency procedures
- Policy, procedures and job description resources
- Guidelines for conduct with inmates
- Health care delivery protocols
- Universal precautions
- Disposal of biohazardous waste
- Aspects and dynamics of health services within a custody environment

### **303.4 JAIL-SPECIFIC TRAINING**

The Training Manager should include appropriate health care providers in training and training exercises relative to jail safety and security including, but not limited to, the following:

- Emergency medical triage in the jail
- Emergency evacuation routes and procedures
- Communication systems during facility jail emergencies
- Security during facility jail emergencies
- Qualified health care professional response during “officer down” incidents

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## Jail Manual

### *Health Care Training*

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- Responding to critical facility jail emergencies
- Facility jail hostage plan and medical response tactics
- Medical emergency transportation procedures
- Media relations

#### **303.5 TRAINING FOR ALL MEMBERS WHO HAVE CONTACT WITH INMATES**

All members who have contact with inmates should receive training before they work independently and at least every other year thereafter. The training should include:

- (a) First aid, CPR and the use of Automated External Defibrillators (AEDs).
- (b) Identifying withdrawal symptoms/chemical dependency and any associated need for emergency care.
- (c) Recognizing life-threatening situations and the need for emergency care (e.g., stroke, allergic reaction).
- (d) Recognizing mental health issues, including indications of a suicide risk.
- (e) The jail's suicide prevention plan.
- (f) How to initiate inmate care and how to process inmate requests for care.
- (g) Care for pregnant inmates (to include the Use of Restraints Policy regarding restraint of pregnant inmates).
- (h) Confidentiality of health care information.

#### **303.6 INITIAL INMATE SCREENING**

Members who conduct initial inmate screening should be trained before they work independently and every year thereafter. The training should include:

- (a) General health care issues, including mental health issues, that are likely to be encountered.
- (b) Jail procedures for screening.
- (c) Use of jail forms including the purpose for each question and the observations required.
- (d) When supervisor or care liaison notification is required or appropriate.
- (e) When a person should not be accepted as an inmate in the jail due to a health care issue.

#### **303.7 MEDICATION**

Members who deliver or administer medication should be trained as needed regarding the following:

- (a) Security and control of medication
- (b) Inmate identification procedures

## *Health Care Training*

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- (c) Common side effects
- (d) Administration of medication
- (e) Documentation

### **303.8 APPROVAL AND TRAINING RECORDS**

The Training Manager may collaborate with a Health Care Adviser to develop or approve all health care related training.

All training shall be documented including the names of attendees, the date of the training, the training provider, the length of the training and the subject matter covered.

The Training Manager shall maintain training records in accordance with established records retention schedules.

## **Chapter 4 - Emergency Planning**

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## Facility Emergencies

### 400.1 PURPOSE AND SCOPE

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

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

### 400.2 POLICY

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

### 400.3 PROCEDURE

The facility emergency plan is intended to provide members with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the jail or compromise the safety of members, inmates, or the community. (See Jail Manual of Rules & Procedures for complete Emergency Plan)

The Jail Manager shall develop, publish and review emergency response and evacuation plans that address the following (15 CCR 1029(a)7; 15 CCR 1032(d)):

- (a) Fires
- (b) Escapes
- (c) Disturbances/Riots
- (d) Hostages
- (e) Mass arrests
- (f) Natural disasters
- (g) Evacuations
- (h) Storage and the use of weapons, ammunition, chemical agents, and related security devices in accordance with the Management of Weapons and Control Devices Policy
- (i) Periodic testing of emergency equipment
- (j) Other emergencies as needs are identified

Whenever there is an inmate in custody, there shall be at least one person on-duty at all times who is trained in general fire- and life-safety knowledge relating specifically to the jail (15 CCR 1028).

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

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## Jail Manual

### *Facility Emergencies*

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

In the event that the safety and security of the jail, its inmates, its members, or the public is threatened, Title 15 standards may be temporarily suspended. Only such regulations directly affected by the emergency may be suspended. The Jail Manager shall notify the California Board of State and Community Corrections (BSCC) in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days require the approval of the chairperson of the BSCC (15 CCR 1012).

The emergency response plan should be made available to the members, volunteers, and contractors working in the jail as needed.

#### **400.4 LOCKDOWN**

Upon detecting any significant incident that threatens the security of the jail, such as a riot or hostage situation, members should immediately notify the Watch Commander. The Watch Commander may determine whether to order a partial or full lockdown of the jail and shall notify the Jail Manager as soon as practicable.

If a lockdown is ordered, all inmates will be directed back to their housing areas. All inmates in transit within the jail will either be escorted back to their housing areas or to another secure location. The Watch Commander should instruct any member not directly involved in the lockdown to escort any visitors and nonessential contractors out of the jail.

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

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

#### **400.5 EVACUATION PLAN**

The South Gate Police Department will maintain an evacuation plan to be implemented in the event of a fire, natural disaster or other emergency (15 CCR 1032(d)). At a minimum the evacuation plan shall address the following:

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

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## Jail Manual

### *Facility Emergencies*

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- Reporting requirements

The Jail Manager should ensure that the evacuation plan is maintained and updated as needed. (See Jail Manual of Rules and Procedures for complete Emergency/Evacuation Plan)

A current copy of the evacuation plan should be maintained in the Jailoffice and in the Watch Commander's office.

#### **400.5.1 EXITS AND EVACUATION ROUTES**

All jail exits should be marked with signs that clearly indicate the direction of traffic. All housing areas and places of assembly that are designed for occupancy of 50 individuals or more should have two available exits.

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

Evacuation routes will be posted in all public areas of the jail. All members will be familiar with evacuation routes for inmates. When necessary, inmates will be moved to a designated location until the jail can be safely occupied or while awaiting transport to a designated facility. If possible, female inmates are to be kept separate from the male inmates.

When time permits, all inmates will be restrained as deemed necessary by the custody officer conducting the evacuation.

#### **400.5.2 EMERGENCY HOUSING OF INMATES**

The Jail Manager or the authorized designee shall include in the emergency response plan a strategy for housing inmates in the event of a full or partial evacuation of the jail (15 CCR 1032). It should address when inmates should be housed in place, and should identify alternate facilities and the potential capacity of those facilities, inmate transportation options and contact information for allied agencies. Emergency housing plans shall be reviewed at least annually and revised if necessary.

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

Members should attempt to minimize the disruption of normal jail operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The members should immediately notify the Watch Commander or the Jail Manager of the incident.

The Watch Commander or Jail Manager may direct additional members as needed to resolve the disturbance (15 CCR 1029(a)(7)(B)).

#### **400.7 RIOTS**

Riots occur when an unruly inmate or inmates forcibly or violently take control or attempt to take control of any area within the confines of the jail.

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

#### **400.7.1 RESPONSE TO RIOTS**

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

Members should evaluate their response given the totality of circumstances in any situation, but generally should not enter the space where a riot is occurring until sufficient members are present to safely suppress the riot. Nothing in this policy shall prohibit any member from assisting members who are being assaulted.

All inmates who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured inmates shall receive medical treatment prior to being transported to a designated facility.

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

#### **400.8 HOSTAGES**

The Department does not recognize the taking of hostages as a reason to relinquish control of the jail environment.

The Watch Commander or Jail Manager shall make every effort to ensure that a hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded.

It is the policy of the South Gate Police Department to use all available resources necessary to bring about a successful end to a hostage situation (15 CCR 1029(a)(7)(B)).

##### **400.8.1 HOSTAGE RESCUE**

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the staff to open doors will not be met. A hostage rescue team from the Los Angeles County Sheriff's Department should be immediately summoned and the established protocols for resolving the situation implemented. The Jail Manager and Chief of Police should be consulted regarding decisions faced by the hostage rescue team.

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#### 400.8.2 RESPONSE TO HOSTAGE INCIDENT

The first employee or Jailer to observe a hostage incident shall activate the Stationwide Jail Alert Alarm, notify the Watch Commander and Jail Manager. The Jail Manager will notify the Chief as soon as practicable.

The Watch Commander or Jail Manager shall make every effort to ensure that the hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded. In the event the situation does not come an immediate resolution, the Los Angeles County Sheriff's Department Special Enforcement Bureau will be notified and asked to respond to resolve the ongoing conflict. South Gate personnel shall continue to monitor the hostage incident until SEB arrives and then South Gate personnel should act as a support element.

Any and all video of the event will be retrieved from the camera system for criminal charges, if any. In the event the hostage situation occurs out of stationary camera view, a hand held video camera will be deployed to capture the actions as much as is safely possible.

The Los Angeles County Sheriff's Department, Special Enforcement Bureau will provide assistance in instances requiring Special Weapons Team and/or hostage negotiator deployment. This policy will establish a uniform method for the callout of a Special Weapons and Hostage Negotiation Team for Jail Hostage situations.

**AUTHORIZATION TO CALL OUT LOS ANGELES COUNTY SHERIFF'S DEPARTMENT Special Weapons Team:**

- (a) Emergency callout may be authorized by the Watch Commander, Division Commander, or Chief of Police.
- (b) The on-duty Watch Commander, after determining the facts and having made the decision that the Special Weapons Team is needed, shall notify the affected Division Commander. If the Division Commander cannot be contacted, then the Chief of Police will be notified.

#### 400.8.3 MEDICAL RESPONSE

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

#### 400.8.4 REPORTING AND DEBRIEFING

Following the conclusion of a hostage incident, the Jail Manager should direct that an incident report be completed by a supervisor by the end of the shift. All aspects of the incident should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required. If appropriate, a crime report will also be prepared by the responsible law enforcement agency. The incident report should be sent through the chain of command via the Jail Manager's office.

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#### **400.9 ESCAPES**

Upon being made aware that an escape may have occurred, or did in fact occur, the member should immediately notify Dispatch. Dispatch should notify the Watch Commander or Jail Manager. As soon as practicable, the Jail Manager should notify the Chief of Police.

Once the escape is verified and immediate actions have been taken inside the jail (e.g., lockdown), the Watch Commander should notify local law enforcement agencies.

##### **400.9.1 INMATE COUNTS**

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

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

##### **400.9.2 SEARCH**

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

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

##### **400.9.3 REPORTING**

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

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

Upon being notified that jail space will be needed in response to a civil disturbance involving mass arrests, the Watch Commander should notify the Jail Manager. The Jail Manager should make the determination regarding the magnitude of the event and whether it warrants notification of the Chief of Police (15 CCR 1029(a)(7)).

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

In the event that the jail can no longer accept additional inmates without compromising safety and security, mutual aid may be requested from any allied agencies.

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### **400.11 REPORTING AND DEBRIEFING**

Following the conclusion of any emergency response, the Jail Manager should direct that an incident report be completed by the end of the shift. All aspects of the incident should be reviewed, focusing on the type of emergency and the outcome. The intent is to use the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

All responding members should be debriefed as soon as practicable after the conclusion of an emergency incident. If appropriate, the details of the incident will be used to develop a training course for response to jail emergencies. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator may be used to ensure that no individual or group involved in the response is publicly ridiculed.

### **400.12 TRAINING**

The members shall be trained annually on this policy. This jail will provide emergency preparedness training as part of orientation training for all personnel assigned to the jail and for those who may be required to respond to the jail in an emergency. The members shall review this policy and the emergency response plan at least annually.. The Training Manager and Jail Manager are responsible for developing and delivering appropriate initial training.

Training in emergency planning should occur in the form of classroom instruction, roll-call training, mock practical exercises or training drills. Each type of emergency covered in the emergency response plan must be included in the training and should be conducted on each shift. Drills will include staff and volunteers and may involve inmates. The local fire agency may be invited to participate in one or more drills. Drills should be designed to ensure that all members are proficient in their duties during each type of evacuation.

A lesson plan, member training sign-up sheet with the dates and the times of training, and proof of competency for each participant should be maintained by the Training Manager

The jail emergency and evacuation plan and all training shall be documented by the Training Manager and retained in accordance with established records retention schedules.

### **400.13 INSPECTION AND TESTING**

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

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

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#### **400.14 PREVENTIVE MAINTENANCE**

It is the responsibility of the Jail Manager to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems.

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

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## Fire Safety

### 401.1 PURPOSE AND SCOPE

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

### 401.2 POLICY

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

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

#### 401.2.1 FIRE CODES

The Jail facility shall comply with all federal, state and local fire codes.

#### 401.2.2 FIRE PREVENTION RESPONSIBILITY

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

### 401.3 FIRE SUPPRESSION PRE-PLANNING

Pursuant to Penal Code § 6031.1(b), the Jail Manager shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan should include at a minimum (15 CCR 1032):

- (a) A fire suppression pre-plan by the local fire department.
- (b) Fire prevention, safety inspection plans and record retention schedules developed by designated members or as required by applicable law.
- (c) Fire prevention inspections at least once every two years (Health and Safety Code § 13146.1(a); Health and Safety Code § 13146.1(b)).
- (d) Documentation of all fire prevention inspections (all orders to correct and all proofs of correction should be maintained for a minimum of two years or as otherwise required by law).
- (e) An evacuation plan (see the Facility Emergencies Policy).
- (f) A plan for the emergency housing of inmates in case of fire.
- (g) The cross-training of responders and jail members via drills should occur at least quarterly, if practicable.

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#### **401.4 FIRE PREVENTION EQUIPMENT**

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

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

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

#### **401.5 FIREFIGHTING EQUIPMENT**

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

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

#### **401.6 FIRE TRAINING**

The members should also be trained in the use of the jail's firefighting equipment sufficient to demonstrate proficiency. The members should receive refresher training periodically on the use of firefighting equipment.

#### **401.7 INSPECTIONS**

The Jail Manager or the authorized designee shall ensure that members conduct monthly fire and safety inspections of the jail and that all fire safety equipment is tested at least quarterly (15 CCR 1029(a)(7)(E)).

A member shall be assigned to coordinate with local or state fire officials for the required inspections (Health and Safety Code § 13146.1(a); Health and Safety Code § 13146.1(b)). The result of all fire inspections and fire equipment testing shall be provided to the Jail Manager and the Chief of Police and maintained for a minimum of two years (15 CCR 1032(b)).

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

The Jail Manager, in collaboration with the local environmental health expert, will review the type of materials introduced into the jail to ensure that they are controlled and used safely. All such materials will be safely stored and only used by inmates under the direction of the members.

#### **401.8 EMERGENCY HOUSING OF INMATES**

The Jail Manager or the authorized designee shall develop a plan for the emergency housing of inmates in the event of a fire (15 CCR 1032(e)). The plan should include procedures for continuing

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to house inmates in the jail, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

## **Chapter 5 - Inmate Management**

## Inmate Counts

### **500.1 PURPOSE AND SCOPE**

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

### **500.2 POLICY**

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

### **500.3 PROCEDURE**

The Jail Manager or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Inmate counts shall be conducted during all hourly safety checks. Emergency counts may be conducted at the direction of the Watch Commander as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log and verified once per shift by the Watch Commander. Counts shall include all inmates in custody, including those who are off-site, such as at the hospital or in court.

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

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

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## Inmate Reception and Housing

### 501.1 PURPOSE AND SCOPE

The South Gate Police Department has a legal and methodical process for the reception, classification and housing of arrestees and inmates into this jail. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues and the seizure and storage of personal property.

### 501.2 POLICY

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

### 501.3 PRE-BOOKING SCREENING

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

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

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

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

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

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#### 501.3.1 NON-DETAINABLE INMATE SCREENING

Arrestees who fall within certain classifications should be transported to the county jail or the designated facility, as appropriate. These include:

- (a) Any person who is sick, injured, or who has any other medical condition, including pregnant females, who may require medical attention, supervision, or medication during confinement.
- (b) Any person who has claimed, or is known to be afflicted with or displays symptoms of, any communicable disease.
- (c) Any person suffering from a severe mental disorder.
- (d) Any combative or unruly person who is likely to cause damage to the facility or severely disrupt the good order of the jail (15 CCR 1053).
- (e) A prisoner who is or may be contemplating suicide.
- (f) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotic, sedative, tranquilizer, anti-neoplastic (cancer) drug, research medication, or any person suffering from withdrawals of the above.
- (g) Any person suspected or confirmed to be developmentally disabled (15 CCR 1057).
- (h) Any person or persons for whom appropriate classification (e.g., gender, age) cannot be maintained.
- (i) Any person who is so intoxicated as to be a danger to him/herself or others and cannot be safely accommodated within the jail or a sobering cell (15 CCR 1056). This shall also apply to those inmates who are undergoing withdrawal reactions (15 CCR 1213).

#### 501.3.2 IMMIGRATION DETAINERS

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

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

- (a) Has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c)
- (b) Has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary
- (c) Has been convicted of an offense as identified in Government Code § 7282.5(a)
- (d) Is a current registrant on the California Sex and Arson registry
- (e) Is identified by the United States Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant

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#### 501.3.3 SCREENING FOR MEDICAL SYMPTOMS

Members should remain alert to signs of drug and alcohol overdose and withdrawal (see the Inmate Screening and Evaluations Policy). Any member who suspects that an arrestee may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor. The supervisor shall ensure that the arrestee receives appropriate medical attention. The arrestee should be transferred to an appropriate facility.

The screening documentation should include the following:

- (a) Name of screener
- (b) Date/time of screening
- (c) Information on the observations

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

#### 501.3.4 IMMIGRATION INQUIRIES PROHIBITED

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

#### 501.3.5 SCREENING NEWLY RECEIVED INMATES FOR RELEASE

Any adult arrested by the South Gate Police Department for alcohol intoxication who has not been arrested by this agency during the previous six months, and who has no wants/holds or additional charges, will be released per section 849 (b) (2) PC. After a minimum of five hours or when sober.

The on-duty custody officer will be responsible for screening all adult inmates to ascertain which inmates meet the criteria for being cited out (Citation) of the Jail facility. The custody officer will then give the Watch Commander a list of inmates he/she feels are eligible for being cited out. The Watch Commander will then make the determination as to which inmates are to be cited out and advise the custody officer accordingly. The custody officer will then cite out the eligible inmates.

#### 501.3.6 NOTICE TO INDIVIDUALS

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

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

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#### 501.3.7 ICE INTERVIEWS

Before any interview between ICE personnel and an individual in custody for civil immigration violations, the division shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

#### 501.4 SEARCHES BEFORE ADMISSION

All arrestees and their property shall be searched for contraband by the arresting officer or booking custody officer before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting custody officer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting custody officer prior to the arrestee being accepted for booking. A description of the items returned to the transporting custody officer shall be documented on the arrestee's booking record.

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

#### 501.5 CLASSIFICATION

The Jail Manager or the authorized designee should create and maintain a classification plan based on objective criteria to guide trained members in the processing of individuals brought into this jail. The plan should include a process for determining appropriate housing assignments (15 CCR 1050).

The classification process is intended to identify predatory, violent and at-risk arrestees. It should occur early in the intake process to allow for appropriate supervision while an arrestee is being temporarily held in this jail and until a decision is made to place the individual into a more permanent housing assignment.

The intake member shall complete the classification form. The classification form should include a place for the member to make a housing recommendation. This recommendation should be based on an assessment of the arrestee's condition and the arrestee's interview.

The arrestee shall be evaluated according to the following (15 CCR 1050):

- Sex
- Age
- Criminal sophistication
- Seriousness of crime charged
- Assaultive/non-assaultive behavior
- Medical problems
- Mental state (including developmental disabilities)

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- Sexual orientation (evaluate whether the arrestee may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141))
- Prior acts of sexual abuse, prior convictions for violent offenses and history of institutional violence or sexual abuse, as known to the Department.
- Any other criteria as deemed appropriate by the Chief of Police or the authorized designee
- Any other requirements for classification plan under 15 CCR 1050.

Members shall ask the arrestee about his/her own perception of vulnerability and shall consider the following criteria to screen arrestees for risk of sexual victimization, including (28 CFR 115.141):

- (a) Whether the arrestee has a known or apparent mental, physical or developmental disability.
- (b) The age of the arrestee.
- (c) The physical build and appearance of the arrestee.
- (d) Whether the arrestee has previously been incarcerated.
- (e) The nature of the arrestee's alleged offense and criminal history.

Any arrestee identified as being at a high risk for physical or sexual victimization shall be provided with heightened protection. This may include continuous, direct sight and sound supervision, single-cell housing or placement in a cell that is actively monitored on video by a member who is available to immediately intervene, unless no such option is reasonably feasible (28 CFR 115.113; 28 CFR 115.141).

In the event that the sex of an inmate is indeterminate at the time of booking, the custody officer will immediately notify the Watch Commander who will conduct an interview to determine the inmate's preferred sex for the completion of the booking search. The Watch Commander will make such further assignment of the Jail facilities as may be appropriate.

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know.

Any inmate deemed not appropriate for this jail shall be transported to the county jail.

The classification form shall be placed in the inmate's file.

#### 501.5.1 HOUSING ASSIGNMENTS

Inmates should be housed based upon the following criteria:

- Classification level
- Age
- Sex/gender

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#### 501.5.2 [RESTRICTIVE HOUSING]

Inmates determined to be an escape risk, assaultive, disruptive, or who require protection shall be placed in [restrictive housing] or transferred to the county jail. The segregation shall not deny privileges beyond what is necessary to protect inmates, members, or the public (15 CCR 1053).

Nothing in this policy prohibits changing the delivery of programs or services to segregated inmates in order to provide for the safety and security of other inmates and members.

#### **501.6 CLASSIFICATION PLAN**

The South Gate Police Department Jail facility hereby adopts the following classification plan designed to properly assign inmates to the Detention facility. The custody officer is primarily responsible for the assignment of inmates to the Detention facility. The custody officer will act under the general supervision of the Watch Commander. In the event the custody officer has any questions concerning the proper assignment of any individual to the facility, the Watch Commander will be immediately consulted. Once the inmate is assigned to an area of the facility, the inmate will not be reassigned without express verbal permission being given by the Watch Commander.

The following restrictions apply with respect to the classification of inmates:

(a) Male adult inmates

1. All male inmates are to be separated from female inmates before booking. All male in-custody inmates are to be separated from all in-custody females at all times in the Jail facility.
2. Adult male inmates will be housed in the main jail facility. Adult male inmates arrested for citable alcohol abuse offenses will be assigned to the detoxification cells and will be provided with as much privacy as practicable and safety to their persons.
3. All adult male inmates will be further classified as Felons or Misdemeanant. Adult male felony inmates will be provided separate detention facilities located at the west end of the main jail facility.

(b) Female adult inmates

1. Female inmates will not be admitted, removed, or transported to or from any area in the jail facility without a Matron, or a female police officer in attendance.
2. All female inmates will be assigned to the female detention cells designated as Cell #2 and Sobering Cell #3 located on the south side of the Jail facility West of the main jail facility.
3. Female detention cells are to be provided with maximum privacy.

(c) Juvenile inmates

1. All juvenile inmates are to be segregated from all adult inmates at all times in the detention facility.
2. Maximum privacy will be provided to juvenile inmates at all times.

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3. Male and female juvenile inmates will be segregated at all times.
4. To the extent practicable, juvenile and female felony inmates are to be segregated from juvenile and female misdemeanant inmates.

### **501.7 ADMISSION PROCESS**

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

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

- Identifying information (including name and any known aliases or monikers)
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency and signature of the arresting custody officer and transporting custody officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information and court of jurisdiction
- Sex
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number and relationship to inmate
- Driver license number and state where issued, state identification number or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state and federal criminal history records
- Photographs, fingerprints and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities or tattoos
- Medical, dental and mental health screening records, including suicide risk

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- Inventory of all personal property including clothing, jewelry and money
  - Items of rare or unusual value should be brought to the attention of a supervisor.
  - The inmate's signature should be obtained on the booking record and on any forms used to record money and property
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

#### 501.7.1 LEGAL BASIS FOR DETENTION

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

#### 501.7.2 INMATE SEPARATION

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

Male and female inmates shall be housed to ensure visual and physical separation.

Civil detainees shall be housed separately from inmates.

### **501.8 INMATE PROPERTY CONTROL**

All property received from inmates at the time of booking shall be inventoried. A receipt should be signed by the inmate and the booking custody officer and referenced to the booking number before the admission is completed. The original copy of the property receipt should be retained and placed in the inmate file and/or with the property. A second copy should be presented to the inmate at the time of booking.

Excess personal clothing should be mailed to, picked up by, or transported to designated family members or to a person of the inmate's choosing, or stored in containers designed for this purpose.

#### 501.8.1 VERIFICATION OF INMATE'S MONEY

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

Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

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#### 501.8.2 PROPERTY STORAGE

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

#### **501.9 INMATE TELEPHONE CALLS**

Every inmate detained in this jail shall be entitled to at least three completed telephone calls immediately upon being admitted and no later than three hours after arrest. The calls may be of a duration that reasonably allows the inmate to make necessary arrangements for matters that he/she may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the members may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary for the purpose of arranging care for the minor child (Penal Code § 851.5).

There is no obligation for the jail staff to make a telephone call on an inmate's behalf, for example in the case of a person who is so intoxicated that he/she cannot make a call. Members are not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

#### 501.9.1 TELEPHONE CALL PROCEDURES

The Department will pay the cost of local calls.

Long distance calls will be paid by the inmate, using calling cards or by calling collect.

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

#### 501.9.2 POSTING OF TELEPHONE INFORMATION

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

**ARRESTEES HAVE THE RIGHT TO FREE TELEPHONE CALLS WITHIN THE LOCAL DIALING AREA, OR AT HIS/HER EXPENSE IF OUTSIDE THE LOCAL AREA, TO THE FOLLOWING:**

- **AN ATTORNEY (THIS TELEPHONE CALL SHALL NOT BE MONITORED, EAVESDROPPED UPON OR RECORDED)**
- **A BAIL BONDSMAN**
- **A RELATIVE OR OTHER PERSON**

Jailers shall inform inmates that the telephone calls may be monitored or recorded. This requirement may be satisfied by a recorded message played by the inmate phone system.

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

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

#### **501.9.3 ONGOING TELEPHONE ACCESS**

Ongoing telephone access for inmates who are housed at this jail will be in accordance with the Inmate Telephone Access Policy.

#### **501.10 SHOWERING AND CLOTHING EXCHANGE**

Inmates will be given the opportunity to shower after classification and assignment to a cell as soon as practicable and safe. Custody officers will try to give showers to inmates every other day.

A disposable jumpsuit will be issued to inmates whose personal clothing is unfit, removed as a suicide prevention measure, or seized as evidence.

Clothing other than evidence will be cleaned, if needed, and stored in the property room pending return to owner.

Clothing seized as evidence will be stored in the property room pending disposition by proper authorities.

#### **501.11 JUVENILE DETAINEES**

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

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object unless secure custody is authorized by the Watch Commander. Only a juvenile offender 14 years of age or older who has been taken into temporary custody and who presents a serious security risk of harm to self or others may be placed in secure custody.
- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant during this brief holding period unless secure custody has been authorized. If secure custody has been authorized, there shall be unscheduled safety checks no less than every 15 minutes on an irregular schedule. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.
- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.

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- (e) Members shall inform a juvenile offender in secure custody the reason for the detention, the estimated length of the detention, and that the detention may last a maximum of six hours.

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## Inmate Handbook and Orientation

### 502.1 PURPOSE AND SCOPE

This policy provides for the orientation of inmates booked into the South Gate Police Department jail. The purpose of the orientation is to inform inmates of the jail routine, rules, inmate rights and services.

### 502.2 POLICY

The Jail Manager shall provide an effective method of orienting all incoming inmates that includes orientation materials or an inmate handout. The orientation should take place within 24 hours of an inmate's admission and in any event prior to the inmate being moved to housing (15 CCR 1069), and should be an ongoing process in the housing area so that the information is available to the inmates throughout their entire time in custody.

#### 502.2.1 INITIAL ORIENTATION

To assist with the inmate's transition into a custody environment, the orientation will include the following topics if applicable, supplemented by a more detailed inmate handout that will be provided to each inmate (15 CCR 1069):

- (a) Jail rules
- (b) Correspondence, visiting, and telephone rules
- (c) Availability of personal care items and opportunities for personal hygiene
- (d) Inmate grievance procedure, including all steps and deadlines necessary to exhaust the grievance process
- (e) Co-pays, fees, and charges
- (f) Health care services
- (g) Possibilities for pretrial release
- (h) Programs and activities, including application procedures
- (i) Classification/housing assignments and appeal procedures
- (j) Court appearance, where scheduled, if known
- (k) Sexual abuse and sexual harassment information including the following (28 CFR 115.13; 28 CFR 115.131):
  - 1. Facility's zero-tolerance policy
  - 2. Prevention and intervention
  - 3. Instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
  - 4. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously

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5. Treatment and counseling for victims of sexual abuse or sexual harassment
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring, and mandatory reporting
  - (l) Contacting foreign consuls
  - (m) Requests for religious accommodations
  - (n) Emergency procedures (e.g., fires, evacuations)
  - (o) Voting, including registering to vote
  - (p) An approved list of items that inmates are permitted to possess
  - (q) Direction for pregnant inmates, including the information required in Penal Code § 3407(e)
  - (r) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)
  - (s) Availability of reading and recreational materials
  - (t) Medical/Mental Health procedures

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

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

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

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the inmate's permanent file.

#### **502.2.2 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED AND DEAF OR HARD OF HEARING INMATES**

Inmates who cannot read, are visually impaired or have intellectual, psychiatric or speech disabilities or limited reading skills, shall have materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.16; 28 CFR 115.116).

Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by members to assist the inmate in understanding the information.

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## Inmate Safety Checks

### 503.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting visual safety checks at least every 60 minutes for all inmates, and for creating and maintaining a log to document all safety checks.

### 503.2 POLICY

It is the policy of the South Gate that all members shall conduct safety checks at least once every 60 minutes on all inmates, or more frequently as determined by inmate custody status.

Safety checks shall be made through direct visual observation. Cameras and monitors may supplement the required visual observation safety checks but they shall not replace the need for direct visual observation. Safety checks will be clearly documented on permanent logs in accordance with the Jail Daily Activity Logs and Reports Policy (15 CCR 1027; 15 CCR 1027.5).

### 503.3 SAFETY CHECKS

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

- (a) Safety checks shall be conducted at least every 60 minutes and more frequently if necessary.
- (b) Safety checks shall be conducted on an irregular schedule (staggered) so that inmates cannot predict when the checks will occur.
- (c) Safety checks shall be done by personal observation of the custody officer and shall be sufficient to determine whether the inmate is experiencing any stress or trauma.
- (d) Cameras and monitors may supplement the required visual observation safety checks but they shall not replace direct visual observation.
- (e) Safety checks will be clearly documented on permanent logs in accordance with the Daily Activity Logs and Reports Policy.
- (f) Actual times of the checks and notations should be recorded on the daily activity logs.
- (g) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.
- (h) Special management and intoxicated inmates shall be checked more frequently if necessary.

### 503.4 SPECIAL MANAGEMENT INMATES

While awaiting transfer to an appropriate facility, inmates who are suicidal, violent, have mental health problems or who demonstrate behavior that is easily identified as out of the ordinary or bizarre should be personally observed by a member every 15 minutes on an irregular schedule.

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## Management of Weapons and Control Devices

### 504.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

### 504.2 POLICY

It is the policy of the South Gate Police Department that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Members will only carry and use those weapons for which they have been trained and are qualified to use (15 CCR 1029(a)(7)(F)).

### 504.3 FIREARMS

With the exception described below, armed personnel shall secure all firearms in gun lockers located at the entry points prior to entering the secure perimeter. Firearms shall not be stored inside the secure perimeter at any time. If it is necessary to load or unload a firearm, personnel shall use the clearing barrels located outside of the jail's secure perimeter to facilitate the safe loading and unloading of firearms.

Firearms shall only be allowed in the secure perimeter of the jail when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public.

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Manager or authorized designee and under the direct supervision of a supervisor.

### 504.4 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

Department-approved weapons, tools and chemical agents, including, but not limited to, batons, TASER device, impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades and similar devices, may be possessed and used only by custody officers who have received Department-authorized training and are qualified to use them.

Department-approved weapons, tools and chemical agents shall only be allowed inside the secure perimeter with the approval of the Jail Manager or the authorized designee.

### 504.5 STORAGE OF WEAPONS, CHEMICAL AGENTS AND CONTROL DEVICES

The following equipment shall be stored and secured in the armory outside of the jail at all times. No weapons, ammunition or chemical agents are to be stored in the jail.:

- (a) All Department-approved weapons.
- (b) All Department-approved control devices and associated supplies, with the exception of the TASER device.
- (c) All Department-approved chemical agents.

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Explosive materials will be stored in a safe approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and in compliance with 27 CFR 555.201 et seq.

#### 504.5.1 WEAPONS LOCKER

There should be a secure weapons locker located outside of the secure perimeter of the jail.

#### 504.5.2 INVENTORY

The Rangemaster should designate one or more properly trained members to be responsible for maintaining all weapons, chemical agents and control devices in a safe and secure manner.

To facilitate the inventory, all weapons, chemical agents and control devices shall be stored in assigned locations inside the armory. A log sheet shall be maintained within the armory at all times, detailing the exact location of each item. The removal of any weapon, chemical agents or control device shall be documented on the log sheet, showing who removed the item, the date and time of removal and the reason for removal. An additional log entry shall be made indicating the date and time of the item's return.

The Watch Commander and Administration Sergeant shall be immediately notified in the event that any weapon or control device is determined to be missing. An immediate and thorough search of the armory shall take place in order to locate the item.

#### 504.5.3 REVIEW, INSPECTION AND APPROVAL

Every control device and chemical agent will be periodically inspected for serviceability and expiration dates by the Rangemaster or the instructor designated to train on the use of a particular control device or chemical agent. The Rangemaster or the designated instructor is responsible to ensure replacement of outdated or unserviceable items.

## Control of Inmate Movement

### 505.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of inmates between areas within the jail and transportation from the facility to court, medical appointments or other jurisdictions.

### 505.2 POLICY

Members shall be vigilant in the control and movement of inmates between areas within the jail and when transporting inmates outside the secure confines of the facility (15 CCR 1029(a)(6)). Control may be by direct or indirect visual observation. Members should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

### 505.3 MOVEMENT OF INMATES

Movement of one or more inmates in the jail should be done in an orderly manner with inmates walking in a single-file line. Members should have situational awareness and should consider the design of the facility, areas of poor visibility and the presence of other inmates being moved. Members should avoid areas where inmates may have access to contraband items.

Inmates should be restrained during movement based upon individual security classification, with higher risk inmates in handcuffs, waist chains and leg irons. An exception to this procedure is when an inmate has a physical disability where restraint devices may cause serious injury. Pregnant inmates shall be moved in accordance with the Use of Restraints Policy.

Members should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

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## Use of Force

### 506.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this division is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286; 15 CCR 1029).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Conducted Energy Device and Use of Restraints policies.

#### 506.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the custody officer or another person (Government Code § 7286(a)).

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

**Serious bodily injury** - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

**Totality of the circumstances** - All facts known to the custody officer at the time, including the conduct of the officer and the individual leading up to the use of force (Penal Code § 835a).

### 506.2 POLICY

The use of force is a matter of critical concern, both to the public and to the public safety community. Members are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Members must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of public safety duties.

The South Gate Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting members with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

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#### 506.2.1 FAIR AND UNBIASED USE OF FORCE

Custody officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)).

#### **506.3 USE OF FORCE**

Authorized members shall use only that amount of force that reasonably appears necessary given the facts and totality of circumstances known to or perceived by the member at the time of the event to accomplish a legitimate government purpose such as to gain control of the individual; protect and ensure the safety of inmates, members, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and member orders; or ensure the institution's security and good order (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable member on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that members are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a member might encounter, members are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Members may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which members reasonably believe that it would be impractical or ineffective to use any of the approved tools, weapons, or methods provided by this division. Members may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate government purpose.

While the ultimate objective of every encounter is to avoid or minimize injury, nothing in this policy requires a member to retreat or be exposed to possible physical injury before applying reasonable force.

Force shall never be used as punishment.

#### 506.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a member has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to members or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the member at the time (Penal Code § 835a).

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- (c) Member/individual factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of members available vs. individuals).
- (d) The conduct of the involved member leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drug or alcohol use.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with custody officer commands (Penal Code § 835a).
- (h) The proximity of weapons or dangerous improvised devices.
- (i) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) The seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) The training and experience of the member.
- (m) The potential for injury to members, inmates, and others.
- (n) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the member.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the individual or a prompt resolution of the situation to maintain or restore order.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the members or others.
- (r) Prior contacts with the individual or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

#### 506.3.2 DUTY TO INTERCEDE

Any custody officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is necessary, as determined by an objectively reasonable custody officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force.

When observing or reporting force used by a law enforcement officer, each custody officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

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#### 506.3.3 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and custody officer safety would not be compromised, custody officers should consider actions that may increase custody officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding custody officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase custody officer jeopardy.

In addition, when reasonable, custody officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

- (a) Attempts to de-escalate a situation.
- (b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

#### 506.3.4 DUTY TO REPORT EXCESSIVE FORCE

Any custody officer who observes a law enforcement officer or a member use force that potentially exceeds what the custody officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible (Government Code § 7286(b)).

#### 506.3.5 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Members may only apply those pain compliance techniques for which they have successfully completed division-approved training. Members utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the member.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the member determines that compliance has been achieved.

#### 506.3.6 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Custody officers of this division are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting

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blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

#### 506.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Custody officers of this division are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

#### 506.3.8 USE OF FORCE TO SEIZE EVIDENCE

In general, members may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, members are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, members should not intentionally use any technique that restricts blood flow to the head, restricts respiration, or creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Members are encouraged to use techniques and methods taught by the South Gate Police Department for this specific purpose.

#### 506.3.9 MEDICAL CONSIDERATION

Once it is reasonably safe to do so, properly trained members should promptly provide or procure medical assistance for any individual injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

### **506.4 IMMEDIATE AND CALCULATED USE OF FORCE**

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by a member may be necessary to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates. The destruction of government property may require the immediate use of force by a member in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

If there is no need for immediate action, members should attempt to resolve the situation through voluntary compliance or, if it reasonably appears necessary, the calculated use of force. A calculated use of force is called for when an inmate's presence or conduct poses a threat to safety or security and the inmate is located in an area that can be controlled or isolated, or when time and circumstances permit advance planning, staffing, and organization.

The assistance of available non-custodial members (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Jail Manager or the authorized designee for approval and consultation prior to any calculated use of force action.

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#### 506.4.1 CONFRONTATION AVOIDANCE PROCEDURES

Prior to any calculated use of force, the supervisor shall confer with the appropriate persons to gather pertinent information about the inmate and the immediate situation. Based on the supervisor's assessment of the available information, the supervisor should direct the members to attempt to obtain the inmate's voluntary cooperation and consider other available options before determining whether force is necessary.

The supervisor should consider including the following persons and resources in the process:

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain
- (d) Division Records Bureau
- (e) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the inmate's medical/mental history (e.g., asthma or other breathing-related illness, hypoglycemia, diabetes), any recent incident reports, or situations that may be contributing to the inmate's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with members who are familiar with the inmate's background or present status. This may provide insight into the cause of the inmate's immediate agitation. It also may identify other members who have a rapport with the inmate and could possibly resolve the incident peacefully, without the use of force.

Consideration should also be given to preventing exposure to communicable diseases in calculated use of force situations, and to ensuring that medical services personnel are available.

#### **506.5 USE OF FORCE BY OUTSIDE AGENCIES**

Whenever an outside agency brings an arrestee to the Jail for booking and the jailers are reasonably aware that force was used on the arrestee, jailers shall immediately notify the Watch Commander. The Watch Commander will make the determination if the arrestee may be booked at the South Gate Jail and whether the arrestee will need medical attention.

The investigation of the use of force by members of an outside agency is the responsibility of supervisors of that particular outside agency.

#### **506.6 REPORTING THE USE OF FORCE**

Every member use of force is an incident that shall be reported on the appropriate report form.

The documentation will reflect the actions and responses of each member participating in the incident, as witnessed by the reporting member.

The report should include (15 CCR 1044):

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- (a) A clear, detailed description of the incident, including any application of weapons or restraints.
- (b) The identity of all individuals involved in the incident (e.g., inmates, members, others).
- (c) The member should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.
- (d) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.
- (e) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

Any member directly observing the incident shall make a verbal report to a supervisor as soon as practicable and include as much of the aforementioned information as is known by the member.

Members shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor.

The supervisor responsible for gathering the reports may allow a reasonable delay in preparation of a report in consideration of the immediate psychological and/or physical condition of the involved member.

The Watch Commander shall promptly notify the Jail Manager of any incident involving a member employing deadly force, or any incident where a death or serious bodily injury may have been caused by a member.

#### **506.6.1 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE**

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2.

#### **506.7 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to (Government Code § 7286(b)):

- (a) Ensure a crime scene is established to preserve and protect evidence, if appropriate.
- (b) Ensure that the chain of command is notified and that all necessary health and safety and security measures are initiated.
- (c) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (d) Ensure that the appropriate investigation authority is notified, if appropriate.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.

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- (f) When possible, separately obtain a recorded interview with all individuals upon whom force was used. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following should apply:
  - 1. The content of the interview should not be summarized or included in any related criminal charges.
  - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
  - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (g) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  - 1. These photographs should be retained until all potential for civil litigation has expired.
- (h) Identify any witnesses not already included in related reports.
- (i) Review and approve all related reports.
- (j) Determine if there is any indication that the individual may pursue civil litigation.
  - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### **506.8 USE OF DEADLY FORCE**

Where feasible, the custody officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the custody officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code § 835a).

If an objectively reasonable custody officer would consider it safe and feasible to do so under the totality of the circumstances, custody officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, custody officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the custody officer reasonable believes it is necessary in the following circumstances (Penal Code § 835a):

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- (a) A custody officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the custody officer or another person.
- (b) A custody officer may use deadly force to stop an escaping inmate, or to stop a fleeing individual, when the custody officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the custody officer reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the individual is not immediately apprehended.

Custody officers shall not use deadly force against an inmate based on the danger that inmate poses to him/herself, if an objectively reasonable custody officer would believe the inmate does not pose an imminent threat of death or serious bodily injury to the custody officer or to another person (Penal Code § 835a).

An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable custody officer in the same situation would believe that an inmate has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the custody officer or another person. A custody officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

#### **506.9 USE OF FORCE REVIEW**

The Watch Commander shall review all related reports of use of force incidents occurring on his/her command. The review is to determine whether the use of force was in compliance with policy, procedure, and applicable law, and to determine if follow-up action or investigation is necessary. The Watch Commander should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded to the Jail Manager.

#### **506.10 TRAINING**

The Jail Manager shall work with the Training Manager to ensure legal and facility training mandates are met. This training shall include the following:

- (a) Use of force
- (b) Weapons training
- (c) Self-defense
- (d) Confrontation avoidance procedures:
  - 1. Communication techniques
  - 2. De-escalation techniques
  - 3. Dealing with the mentally ill
  - 4. Application of restraints
- (e) Forced cell extraction techniques

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- (f) General restraint training (soft and hard restraints)
- (g) Reporting procedures
- (h) Guidelines regarding vulnerable populations, including but not limited to inmates who are elderly, pregnant, and inmates with physical, mental, and developmental disabilities (Government Code § 7286(b))
- (i) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10

#### **506.10.1 TRAINING FOR CONTROL DEVICES**

The Training Manager shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified, as necessary.

- (a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of this policy will be restricted from carrying the control device until demonstrating proficiency. If a member cannot demonstrate proficiency with a control device or knowledge of this policy after remedial training, the member may be subject to discipline.

#### **506.11 USE OF FORCE COMPLAINTS**

The receipt, processing, and investigation of public complaints involving use of force incidents should be handled in accordance with state law (Government Code § 7286(b)).

#### **506.12 POLICY REVIEW**

The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

#### **506.13 POLICY AVAILABILITY**

The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

#### **506.14 PUBLIC RECORDS REQUEST**

Requests for public records involving a custody officer's personnel records shall be processed in accordance with Penal Code § 832.7 (Government Code § 7286(b)).

## Use of Restraints

### 507.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application, supervisory oversight and restrictions on the use of restraints on persons incarcerated in this facility.

This policy shall apply to the use of specific types of restraints, such as four/five-point restraints, ambulatory restraints and similar restraint systems, as well as all other restraints, including handcuffs, waist chains and leg irons, when such restraints are used to restrain any inmate for prolonged periods (15 CCR 1058).

### 507.2 POLICY

It is the policy of this department that restraints shall be used only to prevent self-injury, injury to others or property damage. Restraints may also be applied according to inmate classification to control the behavior of a high-risk inmate while he/she is being moved outside the cell or housing area.

Inmates requiring the use of restraints due to destructive or aggressive behavior will be transported to County Jail or an appropriate mental health facility. Pending transportation to the appropriate facility, direct visual supervision by a custodial officer will be maintained throughout the inmate's stay in the South Gate jail.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the inmate. Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an inmate have failed or appear likely to fail (15 CCR 1029(a)(4); 15 CCR 1058). Each incident where restraints are used shall be documented by the handling member and the documents placed in the appropriate file prior to the end of the member's shift.

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg irons to control an inmate during movement and transportation inside or outside the jail.

### 507.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any inmate. Whenever feasible, the use of restraints, other than routine use during transfer, shall require the approval of a Watch Commander prior to application. In instances where prior approval is not feasible, the Watch Commander shall be apprised of the use of restraints as soon as practicable (15 CCR 1058).

Restraint devices shall only be used on an inmate when it reasonably appears necessary to overcome resistance, prevent escape, or bring an incident under control, thereby preventing injury to the inmate or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals, but no longer than two hours. If the above goals cannot be achieved by applying the restraints set forth in this policy, the inmate should be transferred to the designated facility.

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The use of restraints for purposes other than for the controlled movement or transportation of an inmate shall be documented on appropriate logs to include, at a minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed, and when it was removed (15 CCR 1058).

The following provisions shall be followed when utilizing restraints to control an inmate (15 CCR 1058):

- (a) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained inmates shall not be placed face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.
- (d) Inmates in restraints shall be housed either alone or in an area designated for restrained inmates.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the inmate or others from harm.
- (f) Members shall conduct direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the inmate's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the inmate's behavior. Any actions taken should also be noted in the log.
- (g) The specific reasons for the continued need for restraints shall be reviewed, documented and approved by the Jail Manager or the Watch Commander at least every hour.
- (h) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.
- (i) As soon as practicable, but within four hours of placement in restraints, the inmate shall be medically assessed to determine whether he/she has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional.
- (j) As soon as practicable, but within eight hours of placement in restraints, the inmate must be evaluated by a mental health professional to assess whether the inmate needs immediate and/or long-term mental health treatment. If the Jail Manager, or the authorized designee, in consultation with responsible health care staff determines that an inmate cannot be safely removed from restraints after eight hours, the inmate shall be taken to a medical facility for further evaluation.

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#### 507.3.1 COURT APPROVAL

Prior judicial approval should be obtained for any restraints that will be used and visible to a jury.

#### 507.4 RANGE OF MOTION

Inmates placed in restraints for longer than two hours should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (e.g., right arm and left leg) for a minimum of 10 minutes every two hours (15 CCR 1058).

#### 507.5 FOOD, HYDRATION AND SANITATION

Inmates who are confined in restraints shall be given food and fluids. Provisions shall be made to accommodate any toileting needs at least once every two hours. Food shall be provided during normal meal periods. Hydration (water or juices) will be provided no less than once every two hours or when requested by the inmate.

Offering food and hydration to inmates will be documented to include the time, the name of the person offering the food or water/juices, and the inmate's response (receptive, rejected). Inmates shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints (15 CCR 1058).

#### 507.6 AVAILABILITY OF CPR EQUIPMENT

All CPR equipment, such as barrier masks, shall be provided by the facility and located in proximity to the location where inmates in restraints are held (15 CCR 1058).

#### 507.7 RESTRAINED INMATE HOLDING

Restrained inmates should be protected from abuse by other inmates. Under no circumstances will restrained inmates be housed with inmates who are not in restraints. In most instances, restrained inmates are housed alone or in an area designated for restrained inmates (15 CCR 1058).

#### 507.8 PREGNANT INMATES

Restraints will not be used on inmates who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the inmate, the members, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints or leg irons.

Once pregnancy has been confirmed, a pregnant inmate should be advised of the policies and procedures regarding the restraint of pregnant inmates (Penal Code § 3407; 15 CCR 1058.5). Inmates who are pregnant or who are suspected to be pregnant, will be transported to County Jail.

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#### 507.8.1 INMATES IN LABOR

If prior to transport to County Jail, an inmate is determined to have started into labor, or has initiated delivery, no restraints shall be used except when all of the following exist (Penal Code § 3407; 15 CCR 1058.5):

- (a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the inmate, the members, or the medical facility staff.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.
- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

Restraints shall be removed when qualified medical personnel responsible for the medical care of the pregnant inmate determine that the removal of restraints is medically necessary (Penal Code § 3407).

The supervisor should, within 10 days, make written findings specifically describing the type of restraints used, the justification, and the underlying extraordinary circumstances.

## Searches

### 508.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the jail by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants or weapons into the South Gate Police Department jail poses a serious risk to the safety and security of members, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself seriously jeopardizes the safety and security of this jail. Carefully restricting the flow of contraband into this facility can only be achieved by thorough searches of inmates and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

#### 508.1.1 DEFINITIONS

Definitions related to this policy include:

**Contraband** - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized manner or quantity.

**Modified strip search** - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing, once it has been removed.

**Pat-down search** - The normal type of search used by custody officers within this jail to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the custody officer, the inmate or other inmates.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

**Strip search** - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring member.

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#### **508.2 POLICY**

It is the policy of this department to ensure the safety of members, inmates and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws (15 CCR 1029(a)(6)).

Searches shall not be used for intimidation, harassment, punishment or retaliation.

#### **508.3 PAT-DOWN SEARCHES**

Pat-down searches will be performed on all inmates/arrestees upon entering the secure booking area of the jail. Additionally, pat-down searches shall occur frequently within the jail. At a minimum, members shall conduct pat-down searches in circumstances that include:

- (a) When inmates leave their cells to participate in activities elsewhere in the jail (e.g., medical, program, visiting) and when they return.
- (b) When inmates leave their housing areas to participate in activities outside of the jail (e.g., court, medical appointment) and when they return.
- (c) During physical plant searches of housing areas.
- (d) When inmates come into contact with other inmates housed outside of their housing areas, such as work details.
- (e) Any time members believe the inmates may have contraband on their persons.

Except in emergencies, male members may not pat down female inmates and female members may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches shall be documented (28 CFR 115.115).

#### **508.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES**

Members will generally consider the reason for the search and the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search. In addition to the specific requirements for each type of search as set forth below, all cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.115).

Arrestees who are eligible for release or who will be released when they are no longer intoxicated should not have unmonitored or unsupervised contact with other inmates or be placed in a housing area where they may be subjected to a modified strip search, strip search or physical body cavity search as provided in this policy.

Arrestees who are arranging bail shall be permitted a reasonable period of time, not less than 12 hours, and the opportunity to make phone calls before being placed in a housing area where they may be subjected to a modified strip search, strip search or physical body cavity search as provided in this policy.

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#### 508.4.1 MODIFIED STRIP SEARCHES AND STRIP SEARCHES PRIOR TO PLACEMENT IN HOUSING

Modified strip searches and strip searches prior to placement in a housing area shall be conducted as follows:

- (a) No person held prior to placement in housing shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:
  - 1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
  - 2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
  - 3. Custody history (past possession of contraband while in custody, assaults on staff, escape attempts, etc.).
  - 4. The person's actions or demeanor.
  - 5. Criminal history (level of experience in a custody setting, etc.).
- (b) No modified strip search or strip search of an inmate shall be conducted without prior authorization from the Watch Commander.
- (c) The member conducting the modified strip search or strip search shall:
  - (a) Document the facts that led to the decision to perform a strip search of the inmate.
  - (b) Document the reasons less intrusive methods of searching were not used or were insufficient.
  - (c) Document the supervisor's approval.
  - (d) Document the time, date and location of the search.
  - (e) Document the names, sex and roles of any member present.
  - (f) Itemize in writing all contraband and weapons discovered by the search.
  - (g) Process all contraband and weapons in accordance with the department's current evidence procedures.
  - (h) If appropriate, complete a crime report.
- (d) The documentation shall be placed in the inmate's record. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

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#### 508.4.2 SEARCHES OF INMATES IN HOUSING

A pat-down search should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- (a) Upon return from contact visits
- (b) Upon return from outside the confines of the jail (e.g., court, work-release, work detail, medical visits)

Members may conduct modified strip searches and strip searches of inmates only with supervisor approval. Members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The member conducting a modified strip or strip search shall:

- Document in writing the facts that led to the decision to perform a strip search of the inmate.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date and location of the search.
- Document the names of members present, their sex and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the division's current evidence procedures.
- If appropriate, complete a crime report and/or incident report.
- Ensure the completed documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

#### 508.4.3 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.

A modified strip search or strip search shall be conducted by members of the same sex as the person being searched.

Whenever possible, a second member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.

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The member conducting a modified strip search or strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.

- (a) The searching member will instruct the inmate to:
  1. Remove his/her clothing.
  2. Raise his/her arms above the head and turn 360 degrees.
  3. Bend forward and run his/her hands through his/her hair.
  4. Turn his/her head first to the left and then to the right so the searching member can inspect the inmate's ear orifices.
  5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the member can inspect the interior of the inmate's mouth. Remove dentures if applicable.
  6. Turn around and raise one foot first, then the other so the member can check the bottom of each foot.
  7. For a visual cavity search, turn around, bend forward and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

#### 508.4.4 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

- (a) No person shall be subjected to a physical body cavity search without approval of the Jail Manager or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched (Penal Code § 4030). Only the necessary members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  1. The facts that led to the decision to perform a physical body cavity search of the inmate.
  2. The reasons less intrusive methods of searching were not used or were insufficient.

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3. The Jail Manager's approval.
  4. A copy of the search warrant.
  5. The time, date, and location of the search.
  6. The medical personnel present.
  7. The names, sex, and roles of any member present.
  8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the division's current evidence procedures.
- (h) If appropriate, the member shall complete a crime report.

#### **508.5 TRANSGENDER SEARCHES**

Members shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see the Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.115).

#### **508.6 HOUSING AREA SEARCHES**

Housing area searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing area searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing area search:

- (a) All inmates shall vacate their living areas and be searched by members.
- (b) Inmates should be escorted to a separate holding area.
- (c) Members shall search living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) Members shall attempt to identify the inmate who possessed the contraband and file appropriate incident and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate incident and/or criminal charges should be filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

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At the conclusion of the housing area search, closely supervised inmate workers should clean the area. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition.

#### **508.7 PHYSICAL PLANT SEARCHES**

The following areas of this jail shall be periodically searched for contraband (15 CCR 1029(a)(6)):

- (a) Recreation areas shall be searched for contraband prior to and after each use.
- (b) Cells shall be searched prior to and after each inmate occupies the cell.
- (c) Group areas, such as multipurpose rooms, shall be searched after each use.
- (d) Inmate visiting and public areas shall be frequently inspected for contraband.
- (e) The jail perimeter shall be searched at least once each shift for contraband.

#### **508.8 CRIMINAL EVIDENCE SEARCHES**

The Jail Manager or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the jail or other area controlled by the jail members, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by members whenever there is a need for such action.

#### **508.9 TRAINING**

The Training Manager shall provide training for members in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with jail security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.115).

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## Reporting In-Custody Deaths

### 509.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

#### 509.1.1 DEFINITIONS

Definitions related to this policy include:

**In-custody death** - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated in this jail.

### 509.2 POLICY

It is the policy of this department to follow state and local guidelines for reporting in-custody deaths (15 CCR 1046).

### 509.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required.

If the decedent is a boarder for another agency, the Jail Manager shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the inmate's name, identification number, date and time of death and the attending physician's name.

A report of all in-custody deaths shall be made in writing to the Attorney General within 10 days after the death (Government Code § 12525).

In the event that a juvenile dies while in-custody, the Jail Manager or the authorized designee shall notify the court of jurisdiction and ensure notification to the juvenile's parent or guardian (15 CCR 1047). A copy of the report provided to the Attorney General's office shall be submitted to the Board of State and Community Corrections within 10 days of the death (15 CCR 1046(b)(1)).

Upon receipt of a report of death of a minor from the administrator, the Board of State and Community Corrections may within 30 calendar days inspect and evaluate the jail, lock up, or court holding facility pursuant to statutory requirements. Any inquiry made by the Board of State and Community Corrections shall be limited to the standards and requirement set forth in statute.

### 509.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this division, the Watch Commander is responsible for ensuring that the Chief of Police and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

# South Gate Police Department

## Jail Manual

### *Reporting In-Custody Deaths*

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The Watch Commander shall also promptly notify the Jail Manager and make any other notifications required by policy or direction. The Jail Manager shall observe all pertinent laws and allow appropriate investigating agencies full access to all facts surrounding the death.

The Division shall establish policies and procedures for the investigation of any in-custody death.

The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

The individual designated by the decedent shall be notified of all pertinent information as required by law.

During an investigation, all inquiries regarding the death shall be referred to the Public Information Officer. Custody officers shall not make a public comment.

#### **509.5 IN-CUSTODY DEATH REVIEW**

A supervisory follow-up and medical review will be completed by the on-duty Watch Commander following the death of any inmate held in this jail facility. All of the completed forms will be submitted to the Jail Manager for review.

At a minimum, the review team should include the following (15 CCR 1046(a); 15 CCR 1030):

- (a) Chief of Police and/or the Jail Manager
- (b) City Attorney
- (c) District Attorney
- (d) Investigative staff
- (e) Responsible Physician, qualified health care professionals, supervisors, or other members who are relevant to the incident

The in-custody death review should be conducted no later than 72 hours after the incident. The purpose of the review process is to determine the appropriateness of clinical care, and to identify whether changes to policies, procedures, or practices are warranted, and to identify issues that require further analysis.

## Staff and Inmate Contact

### 510.1 PURPOSE AND SCOPE

Interaction with inmates allows for continual assessment of the safety and security of the jail and the health and welfare of the inmates. However, inappropriate interaction can undermine security and order in the facility and the integrity of the supervision process.

This policy provides guidelines for appropriate and professional interaction between members and inmates, and is intended to promote high ethical standards of honesty, integrity and impartiality as well as increase facility safety, discipline and morale.

Violation of this policy may result in disciplinary action up to and including dismissal. Members who seek information or clarification about the interpretation of this policy are encouraged to promptly contact their supervisor.

### 510.2 POLICY

The Jail Manager shall ensure that inmates have adequate ways to communicate with staff and that the member communicates and interacts with inmates in a timely and professional manner.

### 510.3 GENERAL CONTACT GUIDELINES

Members are encouraged to interact with the inmates under their supervision and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All members should present a professional and command presence in their contact with inmates. Members shall address inmates in a civil manner. The use of profanity, and derogatory or discriminatory comments is strictly prohibited.

Members shall not dispense legal advice or opinions, or recommend attorneys or other professional services to inmates.

While profanity and harsh language are prohibited, the department recognizes the necessity for members to give inmates direction in a firm, determined, and authoritative manner in order to maintain proper supervision and control. Authoritative directions to inmates are particularly instructed when activities or events pose a threat to the safety or security of this jail.

### 510.4 ANTI-FRATERNIZATION

Personal or other interaction not pursuant to official duties between members with current inmates, inmates who have been discharged within the previous year, their family members, or known associates have the potential to create conflicts of interest and security risks in the work environment.

# South Gate Police Department

## Jail Manual

### *Staff and Inmate Contact*

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Members shall not knowingly maintain a personal or unofficial business relationship with any persons described in this section unless written permission is received from the Jail Manager.

Prohibited interactions include but are not limited to:

- Communications of a sexual or romantic nature.
- Salacious exchanges.
- Sexual abuse, sexual assault, sexual contact, or sexual harassment.
- Exchanging letters, phone calls, or other similar communications, such as texting.
- Exchanging money or other items.
- Extending privileges, giving or accepting gifts, gratuities, or favors.
- Bartering.
- Any financial transactions.
- Being present at the home of an inmate for reasons other than an official visit without reporting the visit.
- Providing an inmate with a member's personal contact information, including social media accounts.

#### **510.4.1 EXCEPTIONS**

The Jail Manager may grant a written exception to an otherwise prohibited relationship on a case-by-case basis based upon the totality of the circumstance. In determining whether to grant an exception, the Jail Manager should give consideration to factors including, but not limited to:

- Whether a relationship existed prior to the incarceration of the inmate.
- Whether the relationship would undermine security and order in the jail and the integrity of the supervision process.
- Whether the relationship would be detrimental to the image and efficient operation of the jail.
- Whether the relationship would interfere with the proper discharge of, or impair impartiality and independence of, judgment in the performance of duty.

#### **510.5 REPORTING**

Members shall promptly report all attempts by inmates to initiate sexual acts or any salacious conversations, and forward any correspondence from an inmate or former inmate to the Jail Manager or the authorized designee.

Members shall report all attempts by inmates to intimidate or instill feelings of fear to their supervisor.

Members shall promptly notify their immediate supervisor in writing if:

- A family member or close associate has been incarcerated or committed to the custody of the facility.

# South Gate Police Department

Jail Manual

## *Staff and Inmate Contact*

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- The member is involved in a personal or family relationship with a current inmate or with an inmate who has been discharged within the previous year.

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# Transportation of Inmates Outside the Secure Facility

## 511.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of inmates outside this jail and to ensure that members assigned to transportation duties are qualified and adequately trained.

## 511.2 POLICY

It is the policy of the South Gate Police Department to provide safe, secure and humane transportation for all inmates and other persons as required by law.

Inmates shall be transported from this jail in accordance with all laws relating to the transfer of inmates and costs related to transfers to facilities and jurisdictions.

## 511.3 PROCEDURES

All members who operate transportation vehicles shall hold a valid driver license for the type of vehicle being operated.

Any member who transports an inmate outside the secure confines of this jail is responsible for:

- (a) Verifying the inmate's identity and obtaining all necessary paperwork for the inmate being transported.
- (b) Ensuring that all inmates are thoroughly searched and appropriate restraints are properly applied.
  - (a) Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (see the Use of Restraints Policy).
- (c) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (d) Thoroughly searching the transporting vehicle for contraband before any inmate is placed inside, and again after removing the inmate from the transporting vehicle.
- (e) Ensuring that any known threat or danger the inmate may pose, such as escape risk, suicide potential or medical condition, is recorded on the inmate's booking documentation and transported with the inmate to the next facility. The transporting member shall ensure that the threat or danger is communicated to intake personnel at the facility.

## 511.4 TRAINING

The Training Manager should ensure that all employees charged with inmate transportation duties become familiar with this policy.

## Sobering Cells

### 512.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing inmates into and the continued placement of inmates in safety cells or sobering cells.

#### 512.1.1 DEFINITIONS

Definitions related to this policy include:

**Safety cell** - An enhanced protective housing designed to minimize the risk of injury or destruction of property used for inmates who display behavior that reveals intent to cause physical harm to themselves or others or to destroy property or who are in need of a separate cell for any reason, until suitable housing is available.

**Sobering cell** - A holding cell designed to minimize the risk of injury by falling or dangerous behavior. It is used as an initial sobering place for arrestees or inmates who are a threat to their own safety or the safety of others as a result of being intoxicated from any substance, and who require a protected environment to prevent injury or victimization by other inmates.

### 512.2 POLICY

This jail will employ the use of safety and sobering cells to protect inmates from injury or to prevent the destruction of property by an inmate in accordance with applicable law (15 CCR 1055).

A sobering or safety cell shall not be used as punishment or as a substitute for treatment. The Jail Manager or the authorized designee shall review this policy annually.

### 512.3 SOBERING CELL PROCEDURES

The following guidelines apply when placing any inmate in a sobering cell (15 CCR 1056):

- (a) A Detoxification Assessment form shall be initiated every time an inmate is placed into a sobering cell. The form shall be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with established jail records retention schedules.
- (b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least once every 30 minutes. Each visual observation of the inmate by members shall be documented. A Detoxification Assessment form is to be completed by the on-duty custody officer to document the initial inmate observation/evaluation, all safety checks, and a follow up inmate re-evaluation. The on-duty Watch Commander will review and sign the Detoxification Assessment form after the initial inmate observation and then again after the inmate re-evaluation has been completed.
- (c) Under no circumstances shall an inmate be held in a sobering cell for more than six hours without being evaluated by qualified medical personnel or by jail personnel to ensure that the inmate does not have an urgent medical issue. At 12 hours from the

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## Jail Manual

### *Sobering Cells*

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time of placement, all inmates will receive an evaluation by responsible health care personnel. If a medical issue is suspected, the Watch Commander will be notified.

- (d) Inmates will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.
- (e) Females and males will be detained in separate sobering cells.

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## Biological Samples

### 513.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those inmates required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

### 513.2 POLICY

The South Gate Police Department will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

### 513.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following inmates must submit a biological sample (Penal Code § 296; Penal Code § 296.1):

- (a) Upon conviction or other adjudication of any felony offense.
- (b) Upon conviction or other adjudication of any offense if the person has a prior felony on record.
- (c) When arrested or charged with any felony.

### 513.4 PROCEDURE

When an inmate is required to provide a biological sample, a trained member shall attempt to obtain the sample in accordance with this policy.

#### 513.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the inmate is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by California DOJ to perform the collection and take steps to avoid cross contamination.

### 513.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

If an inmate refuses to cooperate with the sample collection process, custody officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order

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### *Biological Samples*

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or approval of legal counsel and only with the approval of the Watch Commander. Methods to consider when seeking voluntary compliance include contacting:

- (a) The inmate's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the inmate for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the inmate's next court appearance.
- (d) The inmate's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where the inmate can be transferred to better facilitate sample collection.

The Watch Commander shall review and approve any calculated use of force (15 CCR 1059). The supervisor shall be present to supervise and document the calculated use of force.

#### **513.5.1 VIDEO RECORDING**

A video recording should be made any time force is used to obtain a biological sample. The recording should document all members participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the division's established records retention schedule.

If the use of force includes a cell extraction, the extraction shall also be video and audio recorded. The video recording shall be retained by the jail in accordance with established records retention schedules. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained by the jail administration (15 CCR 1059).

#### **513.6 LEGAL MANDATES AND RELEVANT LAWS**

California law provides for the following:

##### **513.6.1 DOCUMENTATION RELATED TO FORCE**

The Watch Commander shall prepare prior written authorization for the use of any force (15 CCR 1059).

The written authorization shall include information that the inmate was asked to provide the requisite sample and refused, as well as any related court order authorizing the force.

##### **513.6.2 BLOOD SAMPLES**

A blood sample should only be obtained under this policy when either:

- (a) The California DOJ requests a blood sample and the inmate consents.
- (b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

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## *Biological Samples*

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### 513.6.3 STATE MANDATES

Custody officers shall document their efforts to secure voluntary compliance and include an advisement of the legal obligation to provide the requisite specimen, sample, or impression, and the consequences of refusal (15 CCR 1059).

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## End of Term Release

### 514.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of inmates to ensure that inmates are not released in error.

### 514.2 POLICY

It will be the policy of the South Gate Police Department to provide for the timely, efficient and legal release of inmates.

### 514.3 RELEASE PROCEDURE

Inmates who have been authorized to be released, or who are ordered released by the courts, will be scheduled for release at staggered times on their out-dates to avoid congestion in the release area.

The Watch Commander or member shall sign and date the release paperwork on the same day the inmate is to be released.

Inmates shall not be released or moved during inmate count, change of shift or at any time that would pose a potential safety threat or disrupt the orderly operation of the jail.

All inmates must be positively identified by a member prior to being released from the jail. Inmate identities should be verified using intake records bearing the inmate's name, photograph and jail identification number.

Before any inmate may be released, the following conditions must be met:

- (a) The identity of the inmate has been verified.
- (b) All required paperwork for release is present. The member shall review the active inmate file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:
  1. Any pending arrangements for follow-up, such as medications needed, appointments or referral to community or social resources.
  2. Unresolved grievances, damage claims or lost property.
- (c) Releasing members must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders. If any agency has outstanding charges against the inmate, the members shall notify the agency that the inmate is available for release.
- (d) All personal property that is not booked into evidence or placed in safekeeping shall be returned to the inmate during the release process. Personal property that was placed in safe keeping can be retrieved by the inmate upon release via appointment with the Property Clerk. The inmate must acknowledge receiving his/her property by signed receipt. Any discrepancies shall be promptly reported to the Watch Commander.

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## Jail Manual

### *End of Term Release*

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- (e) All jail property must be returned by the inmate. Any missing or damaged jail property should be documented and promptly reported to the Watch Commander. The inmate shall remain in custody until the Watch Commander reviews the damage and authorizes the release.
- (f) A forwarding address for the inmate should be on file and verified with the inmate for return of mail.
- (g) Inmates on probation or parole should be directed by the member to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the inmate's release, if required.
- (h) If needed, inmates may be allowed to make a reasonable number of phone calls to arrange for transportation.
- (i) The housing cell should be inspected for damage prior to the release or transportation of any inmate. Any damages should be noted and, if necessary, an additional crime report completed. Photographic evidence should be obtained and documented to support additional charges.

The housing log and daily activity log shall be updated accordingly after the inmate's release. The Watch Commander shall ensure all release documents are complete and properly signed by the inmate and the member where required.

At no time will a released inmate be allowed in any secure area of the jail without personal supervision by a member.

#### 514.3.1 ARRESTEE RELEASED FROM CUSTODY

Upon request, a detained arrestee released from custody shall be provided with the appropriate Judicial Council forms to petition the court to have the arrest and related records sealed (Penal Code § 851.91).

The Jail shall display the required signage that complies with Penal Code § 851.91 advising an arrestee of the right to obtain the Judicial Council forms.

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## Over-Detention and Inadvertent Releases

### 515.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to members and management in the event of over-detention or inadvertent release.

#### 515.1.1 DEFINITIONS

Definitions related to this policy include:

**Inadvertent release** - Any instance of an inmate being mistakenly released.

**Over-detention** - Any instance of an inmate being mistakenly detained beyond his/her scheduled release date.

### 515.2 POLICY

It is the policy of this department to reasonably ensure that over-detention and inadvertent releases do not occur.

### 515.3 OVER-DETENTION

Any member who discovers or receives information of an over-detention, or a complaint from an inmate regarding over-detention should immediately notify the Watch Commander.

The Watch Commander should direct the Records Bureau to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Watch Commander.

Inmates who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Watch Commander shall ensure that the Jail Manager is notified, an entry is made to the daily activity log and that a report is completed.

### 515.4 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the member making the discovery shall immediately notify the Watch Commander. The notification shall be documented in the daily activity log.

#### 515.4.1 INADVERTENT RELEASE INVESTIGATION

The Watch Commander should direct the Records Bureau to immediately conduct an investigation to determine the cause of the inadvertent release.

The Watch Commander will coordinate a response based upon the seriousness of the threat the inmate may pose to the community. The threat assessment should be based upon the inmate's criminal history and the reason he/she is currently in custody, among other factors.

In the case of an inadvertent release, the Watch Commander should immediately notify the Jail Manager and ensure a report is completed. The Jail Manager should notify the Chief of Police.

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## *Over-Detention and Inadvertent Releases*

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An appropriate evaluation of the circumstances shall be made to determine whether the inadvertent release should be classified as an escape.

### 515.4.2 RETURNING THE INMATE TO CUSTODY

When the inmate is located and returned to the jail, the appropriate notifications should be made as soon as possible.

## **Chapter 6 - Inmate Due Process**

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## Inmates with Disabilities

### 600.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of inmates detained by this department in accordance with the Americans with Disabilities Act (ADA).

#### 600.1.1 DEFINITIONS

Definitions related to this policy include:

**Disability** - The ADA defines a disability as a physical or mental impairment that limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity.

### 600.2 POLICY

This department will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. If this department is unable to accommodate an inmate with disabilities, the department will arrange inmate transportation to the Los Angeles County jail as soon practical. Discrimination on the basis of disability is prohibited. This department prohibits all forms of discrimination based on disability.

### 600.3 JAIL MANAGER RESPONSIBILITIES

The Jail Manager will establish procedures to assess and reasonably accommodate disabilities of inmates. The procedures may include, but are not limited to:

- (a) Establishing housing areas that are equipped to meet the physical needs of disabled inmates, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with inmates.
- (b) Establishing classification criteria to make housing assignments to inmates with disabilities.
- (c) Assigning individuals with adequate training to assist disabled inmates with basic life functions as needed.
- (d) Establishing transportation procedures for moving inmates with limited mobility.
- (e) Enlisting or contracting for trained service personnel who have experience working with disabled people.
- (f) Establishing procedures for the request and review of accommodations.
- (g) Establishing guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight and mobility impairments or developmental disabilities or have common medical issues, such as epilepsy.
- (h) Identification and evaluation of all developmentally disabled inmates, including contacting the regional center for the developmentally disabled to assist with

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## Jail Manual

### *Inmates with Disabilities*

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diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends (15 CCR 1057).

#### **600.4 CUSTODY OFFICER'S RESPONSIBILITIES**

Members performing classification duties should be aware of inmates with disabilities before making housing decisions. For example, persons with mobility issues may require a lower bunk and accessible toilet and shower facilities.

Members should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate's disability. If there are no current guidelines in place, members receiving an inmate request for accommodation of a disability should direct the inmate to provide the request in writing or assist the inmate in doing so, as needed. In the event the custody officer is required to document the inmate's request, the request should be either witnessed by another member or digitally recorded and referenced in the memorandum. The written request should be brought to the on-duty Watch Commander as soon as practicable but during the member's current shift. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the jail.

Requests that are minor and do not reasonably appear related to a significant or ongoing need may be addressed informally, such as providing extra tissue to an inmate with a cold. Such requests need not be made in writing.

#### **600.5 TRAINING**

The Jail Manager should work with the Training Manager to provide periodic training on this policy, so that members are fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

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## Inmate Rights and Protection

### 601.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates and ensure inmates are protected from abuse by members and other inmates.

### 601.2 POLICY

It is the policy of this department that all inmates' rights shall be protected. Members shall make every reasonable effort to protect inmates from abuse, physical punishment, injury, harassment, intimidation or loss or damage to personal property by other inmates or members. These protections extend to administrative decisions (e.g., classification, access to programs, the availability of services).

### 601.3 RESPONSIBILITY

It shall be the responsibility of all members to adhere to policies, procedures and practices to protect inmates and to ensure reasonable and comparable access to services and programs. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate injuries, investigating the cause of reported injuries and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting required safety checks of all inmate housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Manager.
- Referring sick or injured inmates to a care liaison without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in jail logs and incident reports as applicable.

### 601.4 INMATE ACCESS TO COURTS AND COUNSEL

Members should not unreasonably interfere with inmates' attempts to seek counsel and, when appropriate, should assist inmates with making confidential contact with attorneys and authorized representatives (15 CCR 1068(b)).

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## Jail Manual

### *Inmate Rights and Protection*

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Access to courts and legal counsel may occur through court-appointed counsel, attorney or legal assistant visits, telephone conversations or written communication. To facilitate access, this jail will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the inmate can share legal documents.
- Confidential attorney-client calls..

#### **601.4.1 CONFIDENTIALITY**

All communication between an inmate and his/her attorney is confidential, including telephone conversations and written communication. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Outgoing and incoming legal correspondence shall be routed through members who have received special training in inspecting confidential documents and who are accountable for maintaining confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts, when needed, subject to the security and safety needs of the inmates, members and the jail.

#### **601.4.2 VISITATION RELATED TO LEGAL DEFENSE**

Visits with inmates that are related to legal defense, including attorneys, paralegals and investigators, will be permitted only in the areas designated for legal visitation (15 CCR 1068(b)). Contact visits may be approved by the Jail Manager for special circumstances.

- (a) Visits shall be of a reasonable length of time to discourage any allegation that the inmate's defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. The length of these visits should not interfere with the security, order and discipline of this jail. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as meal service or other required activities.
- (b) Only materials brought to this jail by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by members and shall be routed through the Watch Commander for logging and distribution.

#### **601.4.3 MAIL**

Legal mail shall be handled in accordance with the Inmate Mail Policy.

#### **601.5 VOTING RIGHTS**

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right.

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## Jail Manual

### *Inmate Rights and Protection*

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Because inmates are unable to access public voting polls, the Jail Manager or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

Inmates should be advised of voting methods during the inmate orientation.

#### 601.5.1 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they are:

- A citizen of the United States.
- A resident of the county.
- At least 18 years of age at the time of the next election.
- Not been declared mentally incompetent by a court.
- Awaiting or on trial for a criminal offense.
- Serving time for a traffic or misdemeanor offense or as a condition of probation.
- Not convicted of a felony offense and sentenced to serve time in a state prison.
- Not on parole as a result of a felony conviction.

#### 601.5.2 PROCEDURES

Prior to each election, the Jail Manager will designate a member to be a liaison between the Jail and the local registrar of voters. The designated member will be responsible for assisting inmates who have requested to vote.

#### 601.5.3 REGISTERING TO VOTE

An inmate who is eligible to vote and requests to register should complete a voter application. The application should be submitted to the liaison member, who will forward the application to the local election official.

Any inmate qualified by age, citizenship, or residency to vote through the deputy registrar may also register by mail while in custody. Any inmate registered to vote may do so by mail using an absentee ballot. Any inmate requesting a ballot shall be referred to the Jail Manager who shall supply the necessary forms, which can be obtained from:

- Registrar-Recorder County of Los Angeles 5557 Ferguson Drive, Los Angeles, CA 90022 (213) 725-5930.

All campaign literature and/or sample ballots addressed to inmates shall be delivered without delay. All absentee ballots shall be completed, addressed, and sealed by the voting inmate and shall not be reviewed by any Jail staff.

#### 601.5.4 REQUESTING AN ABSENTEE BALLOT

An inmate who will be in custody during an election and requests to vote by absentee ballot should complete an application. The completed application should be submitted to the liaison member, who will forward the application to the local election official.

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### *Inmate Rights and Protection*

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#### **601.5.5 VOTING**

All ballots received shall be delivered to inmates in a timely manner to ensure compliance with the inmate's right to vote. Once the ballot has been delivered to the inmate, it shall be the responsibility of the inmate to mail his/her ballot in accordance with the state's voting requirements. If the inmate is indigent, the jail will mail the ballot; if not, the inmate is responsible for the postage.

#### **601.6 FOREIGN NATIONALS AND DIPLOMATS**

The South Gate Police Department Jail will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Department will investigate all claims of immunity and accept custody of the person when appropriate.

The South Gate Police Department Jail will also honor the laws related to foreign nationals in custody by making proper consular notifications and by assisting those who wish to contact their consular representative.

Foreign nationals shall be provided access to the diplomatic representative of their countries of citizenship. Members shall assist them upon request.

#### **601.7 TRAINING**

The Jail Manager should work with the Training Manager to provide periodic training on this policy, so that members are fully aware of and understand this policy and can reinforce its importance and ensure its implementation

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## Prison Rape Elimination Act

### 602.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.111; 15 CCR 1029).

#### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Intersex** - A person whose 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 (28 CFR 115.5).

**Sexual abuse** - Any of the following acts, if the individual in custody does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a member of the Division or a contractor, with or without consent of the individual in custody, as follows:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the division member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the division member or contractor has the intent to abuse, arouse, or gratify sexual desire.
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by the division member or contractor to engage in the activities described above

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- Any display by the division member or contractor of his/her uncovered genitalia, buttocks, or breast in the presence of an individual in custody
- Voyeurism by the division member or contractor

**Sexual harassment** - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one individual in custody that are directed toward another; repeated verbal comments or gestures of a sexual nature to an individual in custody by a member of the Division or contractor, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

**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 (28 CFR 115.5).

#### **602.2 POLICY**

The South Gate Police Department has zero tolerance with regard to all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment, or who cooperates with a sexual abuse or sexual harassment investigation.

The South Gate Police Department will take immediate action to protect those in its custody who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

#### **602.3 PREA COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a PREA coordinator. The coordinator shall be an upper-level manager. The coordinator must have sufficient time and authority to develop, implement, and oversee division efforts to comply with PREA standards (28 CFR 115.111).

The responsibilities of the coordinator shall include but are not limited to:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of individuals in custody includes the requirement to adopt and comply with applicable provisions in PREA and the implementing regulations, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect those in custody from sexual abuse (28 CFR 115.113; 15 CCR 1029).
  1. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for division members to privately report sexual abuse and sexual harassment of individuals in custody (28 CFR 115.151).

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- (e) Developing a written plan to coordinate response among division members, medical and mental health practitioners, investigators, command staff, and other first responders to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
  - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
  - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
  - 3. A process to document all referrals to other law enforcement agencies.
  - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
  - 5. In accordance with security needs, provisions to give, to the extent available, individuals in custody access to victim advocacy services if the individual is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that individuals with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect, and respond to sexual abuse and sexual harassment. This includes access to appropriate interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills; intellectual, hearing, speech, or vision disabilities) (28 CFR 115.116).
  - 1. The Division shall not rely on other individuals in custody for assistance except in limited circumstances where an extended delay in obtaining an appropriate interpreter could compromise the individual's safety, the performance of first-response duties under this policy, or the investigation of an individual's allegations of sexual abuse, harassment, or retaliation.
- (h) Publishing on the division website:
  - 1. Information on how to report sexual abuse and sexual harassment on behalf of an individual in custody (28 CFR 115.154).
  - 2. A protocol describing the responsibilities of the Division and any other investigating agency responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual

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abuse at facilities under the direct control of this division (28 CFR 115.187; 34 USC § 30303; 15 CCR 1041).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
  2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all division facilities used to house individuals in custody overnight (28 CFR 115.193).
- (k) Ensuring those who work in division facilities where individuals are held in custody are informed of the division zero-tolerance policy regarding sexual abuse and sexual harassment of individuals in custody (28 CFR 115.132).
- (l) Ensuring that information for uninvolved individuals in custody, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

#### **602.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION**

Any employee, agency representative, volunteer, or contractor who becomes aware of an incident of sexual abuse, sexual harassment, or retaliation against an individual in custody or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.161). Staff may also privately report sexual abuse and sexual harassment of an individual in custody (e.g., report to the Jail Manager) (28 CFR 115.151; 15 CCR 1029).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member (28 CFR 115.154; 15 CCR 1029).

Individuals in custody may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all requests by individuals in custody to report allegations of sexual abuse, sexual harassment, or retaliation. Staff shall accept reports made verbally, in writing, anonymously, or from third parties, and shall promptly document all verbal reports (28 CFR 115.151; 15 CCR 1029).

Threats or allegations of sexual abuse, sexual harassment, or retaliation, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.161).

##### **602.4.1 MEMBER RESPONSIBILITIES**

Division members shall accept reports from individuals in custody and third parties, and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

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All members shall report immediately to the Watch Commander any knowledge, suspicion, or information regarding:

- (a) An incident of sexual abuse or sexual harassment.
- (b) Retaliation against the individual or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any division member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

#### **602.4.2 WATCH COMMANDER RESPONSIBILITIES**

The Watch Commander shall report to South Gate Police Department designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a dependent adult, the Watch Commander shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that an individual in custody was sexually abused while confined at another facility, the Watch Commander shall notify the head of that facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander shall document such notification (28 CFR 115.163).

If an alleged victim is transferred from the Division to a jail, prison or medical facility, the Watch Commander shall, as permitted by law, inform the receiving facility of the incident and the individual's potential need for medical or social services, unless the individual requests otherwise (28 CFR 115.165).

#### **602.5 INVESTIGATIONS**

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received division-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

##### **602.5.1 FIRST RESPONDER RESPONSIBILITIES**

The responsibilities of the first custody officer to respond to a report of sexual abuse or sexual assault shall include, but not be limited to (28 CFR 115.164):

- (a) Separating the parties.
- (b) Establishing a crime scene to preserve and protect any evidence.
- (c) Identifying and securing witnesses until steps can be taken to collect any evidence.
- (d) Requesting that the alleged victim and suspect not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing

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clothes, urinating, defecating, smoking, drinking or eating if the abuse occurred within a time period that still allows for the collection of physical evidence.

If the first responder is not a custody officer, he/she shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a custody officer (28 CFR 115.164).

#### 602.5.2 INVESTIGATOR RESPONSIBILITIES

The responsibilities of investigators shall include, but not be limited to (28 CFR 115.171):

- (a) Gathering and preserving direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interviewing alleged victims, suspects and witnesses.
- (c) Reviewing any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conducting compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assessing the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as an individual in custody or a member of the South Gate Police Department.
- (f) Documenting in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Referring allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe an individual in custody sexually abused another individual in custody at the division facility (28 CFR 115.178).
- (h) Cooperating with outside investigators and remaining informed about the progress of any outside investigation.

#### 602.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether division member actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this division shall not be used as a basis for terminating an investigation (28 CFR 115.171).

#### 602.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No individual in custody who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

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#### **602.5.5 CONCLUSIONS AND FINDINGS**

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All division members shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal, and reported to any relevant licensing body (28 CFR 115.176).

Any contractor who engages in sexual abuse shall be prohibited from contact with individuals in custody and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with individuals in custody by a contractor.

#### **602.6 RETALIATION PROHIBITED**

All individuals in custody and division members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other person who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that person.

The Watch Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for individuals in custody or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

A member of the Division shall be identified by the Watch Commander or the authorized designee to monitor the conduct and treatment of individuals in custody or members who have reported sexual abuse, and of those who were reported to have suffered sexual abuse. The member shall act promptly to remedy any such retaliation. In the case of individuals in custody, such monitoring shall also include periodic safety checks.

#### **602.7 REVIEWS AND AUDITS**

##### **602.7.1 INCIDENT REVIEWS**

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of

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the conclusion of the investigation. The review team shall include command staff and seek input from supervisors and investigators.

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the division facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by division members.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

#### 602.7.2 DATA REVIEWS

The PREA coordinator shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files, and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the division website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from South Gate Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually.

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Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

#### **602.8 RECORDS**

The South Gate Police Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is in custody or is a member of the Division, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

#### **602.9 TRAINING**

All division members and contractors who may have contact with individuals in custody shall receive Division-approved training on the prevention and detection of sexual abuse and sexual harassment within the division facility.

The Training Manager shall be responsible for developing and administering this training as appropriate, covering at a minimum what is required to substantiate a case for administrative action or prosecution referral (see the Prison Rape Elimination Act Training Policy) (28 CFR 115.131; 28 CFR 115.134).

The Training Manager shall maintain documentation that division members, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current division members who may have contact with individuals in custody shall be trained within one year of the effective date of the PREA standards. The Division shall provide annual refresher information to all such members to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

## Grooming

### **603.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure inmate grooming standards are based upon legitimate governmental interests.

### **603.2 POLICY**

It is the policy of this jail to allow inmates choice in personal grooming, except when a legitimate government interest justifies that grooming standards be established. The Jail Manager or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, jail safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the orientation materials.

### **603.3 SHAVING**

Inmates may shave daily. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair.

Inmates should be restricted from significantly changing their appearance for purposes of identification in court.

### **603.4 GROOMING EQUIPMENT**

Grooming equipment issued by this department shall be limited to disposable (one-time-use) items. Such equipment shall be inventoried and inspected by the member at the beginning of each shift and prior to being issued to inmates. The member shall ensure that all equipment is returned immediately after being used, is not damaged or missing parts, and is properly disposed of to avoid reissuance.

### **603.5 PERSONAL CARE ITEMS**

Inmates are expected to maintain their hygiene using approved personal care items.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, members should not allow personal care items to be shared.

## **Inmate Discipline**

### **604.1 PURPOSE AND SCOPE**

This policy addresses the discipline process within the jail.

### **604.2 POLICY**

It is the policy of this department that inmate discipline will not be administered (15 CCR 1081).

### **604.3 RESPONSIBILITIES**

Members who reasonably believe an inmate has violated jail rules should contact a supervisor.

Supervisors may authorize an inmate who is being held pending arraignment to be transferred to the county jail.

If not already ordered, supervisors may seek permission from the appropriate court to transfer other inmates who violate jail rules.

## **Chapter 7 - Medical/Mental Health**

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## Health Authorities

### 700.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing collaboration between the Jail Manager, Health Care Adviser and Responsible Physician in order to maintain adequate health care for inmates (15 CCR 1200).

### 700.2 POLICY

The Division will designate a Health Care Adviser and a Responsible Physician, who, among other responsibilities, will develop and approve procedures necessary to provide adequate inmate care.

### 700.3 DESIGNATED HEALTH AUTHORITIES

A qualified person will be designated pursuant to an agreement, contract or job description as the Health Care Adviser for the facility.

A qualified physician will also be designated pursuant to an agreement or job description as the jail's Responsible Physician. The Responsible Physician may also be the Health Care Adviser.

#### 700.3.1 RESPONSIBILITIES OF THE HEALTH CARE ADVISER

The Health Care Adviser is responsible for:

- (a) Supervising all health care provided to inmates.
- (b) Working with the Responsible Physician and Jail Manager or the authorized designee to establish or approve procedures that are consistent with this Jail Manual chapter, reasonable standards of care, and legal standards. The procedures shall be reviewed and updated at least every two years (15 CCR 1206). The procedures will address, at a minimum, the following:
  1. Inmate screening at the time of entry into the jail and any associated forms (15 CCR 1207)
  2. Regular evaluations subsequent to entry
  3. Suicide prevention and intervention (15 CCR 1029(a)(8); 15 CCR 1030)
  4. Receiving and evaluating inmate requests for care (15 CCR 1207)
  5. Emergency and nonemergency medical and dental care for inmates (including first-aid kits and Automated External Defibrillators) (15 CCR 1206(c))
  6. Communicable/infectious diseases (15 CCR 1206(i); 15 CCR 1206.5; 15 CCR 1051)
  7. Dietary issues specific to care (15 CCR 1206(l))
  8. Promotion of healthy lifestyles
  9. Security issues related to care
  10. The delivery and administration of medication, including procedures so that inmates who are taking medication prescribed by a health care professional at

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the time of admission continue to receive medications as necessary (15 CCR 1206(j); 15 CCR 1216)

11. Health-related devices that may need to remain with an inmate, such as orthotics or eyeglasses (15 CCR 1206(d); 15 CCR 1207)
  12. Continued care for inmates being released or transferred (15 CCR 1206(n))
  13. Care records and privacy (15 CCR 1205 et seq.)
  14. Notification of family or guardians (15 CCR 1206(e))
  15. Informed consent (15 CCR 1214; 15 CCR 1205(d); 15 CCR 1205(b) et seq.)
  16. Use of private physicians and specialists (15 CCR 1206(b))
  17. Process for determining when elective procedures may be approved or denied
  18. Procedures for members to voluntarily and safely report possible health care-related events or circumstances that adversely affect inmate safety or care
  19. Care of pregnant and lactating women (which includes prenatal and postpartum information and health care), including but not limited to access to necessary vitamins as recommended by a physician, and information pertaining to childbirth education and infant care (15 CCR 1206(f))
  20. Provisions for application and removal of restraints on pregnant inmates consistent with Penal Code § 3407 (15 CCR 1206(p))
  21. Implementation of special medical programs (15 CCR 1206(h))
  22. Procedures for administration of psychiatric medication without the inmate's prior informed consent (Penal Code § 2603)
  23. Other services mandated by statute (15 CCR 1206(q))
- (c) Ensuring proof of licensure, certification, or registration of the jail's qualified health care professionals is maintained (15 CCR 1203).
- (d) Ensuring that adequate space, supplies, and equipment are available for any health care services that are provided at the jail.
- (e) Approving the suicide prevention plan.

#### 700.3.2 RESPONSIBILITIES OF THE RESPONSIBLE PHYSICIAN

The Responsible Physician will supervise all clinical aspects of inmate health care. Final clinical decisions are the sole province of the Responsible Physician (15 CCR 1200; 15 CCR 1204).

The Responsible Physician should:

- (a) Review clinical judgments and treatment plan recommendations made by other qualified health care professionals.
- (b) Approve all health care-related policies and procedures.
- (c) Issue standing orders as deemed appropriate.

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#### **700.4 MAINTAINING QUALITY OF INMATE CARE**

The Health Care Adviser, Responsible Physician and the Jail Manager shall work cooperatively to maintain adequate inmate health care. Maintenance efforts should be documented and should include:

- (a) Quarterly meetings with the Jail Manager, Health Care Adviser and Responsible Physician, as well as monthly meetings of any health care staff.
- (b) A yearly audit of the jail's delivery of care, policies and procedures (15 CCR 1202).
- (c) Formalized efforts to identify and make improvements to inmate care, including:
  1. A continuous quality improvement program.
  2. A clinical performance enhancement process to evaluate a provider's care.
  3. Review of inmates' complaints.

Any irreconcilable differences of opinion among the Health Care Adviser, Responsible Physician and Jail Manager are to be brought to the attention of the Chief of Police as soon as practicable.

#### **700.5 DESIGNATED CARE PROVIDERS (DESIGNEES)**

The Health Care Adviser and Responsible Physician may designate qualified health care professionals (e.g., physicians, nurses, counselors, dentists, specialists). The Health Care Adviser is responsible for:

- (a) Ensuring designees are properly licensed, certified or registered and that they maintain their applicable licenses, certifications or registrations.
- (b) Limiting designees to providing care that is appropriate to their qualifications and licensing.
- (c) Ensuring appropriate protocols and standing orders are developed, and that all protocols and standing orders are understood by designees (15 CCR 1204).
- (d) Ensuring that copies of licensing and/or certification credentials are on file in the jail or at a central location where they are available for review (15 CCR 1203).

A designee may include an agency or entity, such as a clinic, hospital, public mental health organization or off-site medical office.

#### **700.6 CARE LIAISONS**

The Responsible Physician and the Jail Manager shall ensure that a member or a non-member designee is available to act as a care liaison for inmates whenever there are no qualified health care professionals in the jail. Responsibilities for care liaisons include (15 CCR 1206(k)):

- (a) Reviewing initial screening forms.
- (b) Triageing nonemergency health care requests.
- (c) Reviewing sick call requests.
- (d) Coordinating health care referrals as needed.

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- (e) Assisting inmates being released with follow-up health care referrals, appointments and necessary medications.

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## Inmate Screening and Evaluations

### 701.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the screening and evaluation of inmates for health care issues.

This policy is limited to screening and evaluations. Subsequent care and treatment is addressed in the Availability and Standards of Care Policy and other related policies.

### 701.2 POLICY

The Division recognizes that inmates should be screened when they initially arrive at the jail and evaluated at regular intervals so all inmates receive adequate health care (15 CCR 1200 et seq.).

### 701.3 INMATES NOT ACCEPTED INTO THE FACILITY

No person with a reasonably identified condition that appears to need immediate medical care or other disqualifying condition identified by the Health Care Adviser should be accepted at the jail without a medical clearance from a qualified health care provider.

### 701.4 INITIAL SCREENINGS

Trained members shall perform a health care screening on each inmate upon his/her initial arrival at the jail. This includes those transferred from another facility. Findings shall be recorded on the appropriate form. The screening will include the name of the screener, date and time of the screening, and information and observations regarding (15 CCR 1029(a)(8); 15 CCR 1051; 15 CCR 1052; 15 CCR 1207):

- (a) Current and historical medical, dental and mental health care information, including any allergies.
- (b) Current and historical use of medication, alcohol and drugs, including types, amounts and frequency used, method of use, date or time of last use and history of any problems after ceasing use.
- (c) Suicide risk and mental health assessment.
- (d) Pregnancy and associated issues (15 CCR 1207.5).
- (e) Communicable disease risk assessment including tuberculosis and other airborne diseases (15 CCR 1206.5(a); 15 CCR 1207).
- (f) Special needs that would significantly impair an inmate's ability to adapt to the jail environment, such as a learning disability (see the Inmates with Disabilities Policy).
- (g) Other health care information as designated by the Responsible Physician or Health Care Adviser.
- (h) Observations of the following:
  1. Behavior/conduct

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## Jail Manual

### *Inmate Screening and Evaluations*

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2. Signs of impaired consciousness or other health issues (e.g., coughing, sweating, tremors, sleepiness, trouble breathing)
3. Body deformities and body movements
4. Skin (injuries, rashes, needle marks, sores)
5. Other observations as designated by the Health Care Adviser

Any inmate who appears to be unable to adequately answer the initial medical screening questions shall be referred to a care liaison to determine whether the inmate should be examined by an on-site qualified health care professional or, if one is not available, whether the inmate should be transported to receive a medical clearance before acceptance into the jail.

Inmates requiring segregation for suspected communicable disease pursuant to 15 CCR 1051 shall be separated until transferred or cleared by the qualified health care professional.

Inmates who refuse to answer these questions should be placed under observation until the screening can be completed or until sufficient information is obtained to allow the members to make appropriate decisions concerning housing and care.

Initial screening forms should be forwarded to a care liaison for review.

#### **701.5 HEALTH EVALUATIONS**

Qualified health care professionals shall complete an in-person health evaluation of each inmate who appears to be in need of medical, mental health or developmental disability treatment at any time during incarceration (15 CCR 1208).

Any findings that may significantly impact the health, safety or welfare of the inmate or others should be communicated to the Jail Manager or the authorized designee. Health care needs that may affect housing, program participation or other conditions of confinement shall be communicated and documented.

##### **701.5.1 MEDICAL SCREENING**

All inmates booked into the South Gate Jail shall be questioned as to whether they have a special medical problem or contagious disease (e.g., such as hepatitis, venereal disease, tuberculosis, MRSA (Methicillin-resistant Staphylococcus Aureus)). Responses shall be noted in the appropriate space on the Los Angeles County consolidated Medical Pre-Screening Form (Title 15 § 1207).

If an inmate indicates that he/she presently has a medical problem, the Watch Commander shall be advised and shall determine if the medical condition warrants immediate medical assistance or transportation to Los Angeles County Jail. If the inmate is to be transferred to the County Jail, hospital, or mental health facility, jailers will ensure that a copy of the Medical Screening Form accompanies the arrestee. This will ensure that any pertinent medical information is relayed to the physician/health authority of another correctional system, medical facility, or mental health facility (Title 15 § 1206 and § 1207).

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Affirmative responses to contagious diseases shall be handled pursuant to the Communicable Diseases Policy.

Except for emergency treatment, all examinations, treatments and procedures affected by informed consent standards in the community are likewise observed for inmate care. In the case of minors, or persons under conservatorship, the informed consent of a parent, guardian, or legal custodian applies where required by law. Any competent inmate may refuse in writing both emergency and non-emergency medical and mental health care. Use of over-the-counter medications shall be excluded from this requirement (Title 15 § 1214).

#### 701.5.2 SPECIAL CONSIDERATIONS

##### Birth Control Measures

1. The Custody officer is required at the time of booking to inquire of all female inmates whether they require medication or have other special requirements for birth control purposes. When such requirements are stated to exist and the female requests that she be allowed to continue the medication, the female inmate will be transferred to a Los Angeles County Facility.

##### Lactating Females

1. The Custody Officer is required at the time of booking to inquire of all female inmates whether they are currently lactating. When such a condition is stated to exist, the inmate shall be informed that a breast pump will be made available to her upon request.
2. Lactating females are also to receive a fourth meal service in a 24-hour period with additional milk.

##### Mental Health Screening

1. When a female, who has given birth within the past year, is charged with murder or attempted murder of her infant, mental health authorities shall be notified as soon as practical.

#### 701.5.3 RELEASE OR TRANSFER

The Jail Division will assist inmates in meeting their health care needs following release or transfer to another facility, as provided by state law (15 CCR 1209; Penal Code § 4011.6; Penal Code § 4011.8).

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## Suicide Prevention and Intervention

### 702.1 PURPOSE AND SCOPE

This policy is intended to reduce the risk of inmate suicide through risk identification and appropriate intervention.

### 702.2 POLICY

The Department will develop a suicide prevention plan to identify and monitor potentially suicidal inmates and appropriately intervene (15 CCR 1029(a)(8); 15 CCR 1030). Prevention and intervention protocols include the transportation of inmates known or suspected of being at risk of suicide to the Los Angeles County Jail.

### 702.3 MEMBER RESPONSIBILITIES

Any member who identifies an inmate who displays suicidal signs shall immediately notify a supervisor. The inmate shall be personally monitored until a mental health professional approves another form of monitoring or until transferred to a mental health facility or to the county jail.

### 702.4 SUICIDE PREVENTION PLAN

The Health Care Adviser and Jail Manager will develop a suicide prevention plan (15 CCR 1030). The plan should address:

- (a) Initial screening and follow-up assessments.
- (b) Referrals to mental health care providers as soon as practicable.
- (c) An evaluation and treatment responsibility to include strategies to address underlying causes and heightened risk opportunities.
- (d) Training (initial and annual training on risk identification, prevention, and intervention).
- (e) Appropriate cells, clothing, and effects for inmates at risk for suicide.
- (f) Communication between members and care providers.
- (g) Responses to suicide attempts, including first-aid measures.
- (h) Notification requirements.
- (i) Documentation requirements.
- (j) Care for affected members and inmates.
- (k) Facility inspections for physical or operational modifications that may reduce the risk of inmate suicide.
- (l) Monitoring inmates at risk for suicide while they await transportation to the Los Angeles County Jail.
- (m) Communication between members and arresting/transporting officers.

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### *Suicide Prevention and Intervention*

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The suicide prevention plan should be developed in conjunction with the Health Care Adviser, Jail Manager and staff, treatment providers, and local public health agencies, as appropriate.

#### **702.5 OBSERVATION LOGS FOR INMATES PENDING TRANSPORTATION**

Observation logs shall be maintained and documented in at least 15-minute intervals for all inmates on suicide watch. Each member who is required to observe the inmate shall make notations in the observation log, documenting the time of observation and a brief description of the inmate's behavior.

#### **702.6 DOCUMENTATION**

Members shall document, in accordance with the Sobering Cells and Daily Activity Logs and Reports policies, any time an inmate's suicide watch status and housing assignment changes and the reasons for not providing clothing, personal and issued items as applicable.

The inmate's health care record should be updated to reflect all contacts, treatment and any other relevant information.

#### **702.7 SUICIDE ATTEMPTS**

Any suicide attempt is a medical emergency and life-saving measures shall be initiated by a trained member until he/she is relieved by a qualified health care professional, who shall initiate appropriate medical evaluation and intervention.

The on-duty Watch Commander or the authorized designee should be notified in situations when referral and transportation to an emergency room or local hospital is required. Members should take action to preserve and collect evidence as necessary.

##### **702.7.1 SUICIDES**

All deaths resulting from suicide should be investigated and documented in accordance with the Reporting In-Custody Deaths Policy.

#### **702.8 DEBRIEFING**

Any suicide or attempted suicide requires a staff debriefing. Information will be communicated to the oncoming Watch Commander and members to apprise them of the incident and actions taken with regard to the incident.

Stress management debriefings for involved members and inmates to discuss post-incident thoughts and reactions should be provided.

#### **702.9 TRANSFER AND RELEASE**

Ongoing care of suicidal inmates during transfers and after release should be considered. When an inmate is being transferred for observation or treatment, a member should complete the necessary forms, documenting the reasons why the inmate is believed to be suicidal. The completed forms should accompany the released inmate to the designated facility.

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When an inmate with a history or risk of suicide is transferred, the transporting custody officer should ensure that the suicide threat or other danger is clearly communicated to personnel at the receiving facility.

Inmates who are at risk for suicide and are being released should be encouraged to work with local or area mental health resources and shall be provided with the appropriate contact information.

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## Aids to Impairment

### 703.1 PURPOSE AND SCOPE

This policy addresses how members should balance reasonable security concerns with an inmate's need for an aid or adaptive device that assists him/her in dealing with an impairment.

### 703.2 POLICY

It is the policy of the Department that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices will be permitted or supplied in a timely manner when the health of an inmate would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability (42 USC § 12101 et seq.; 15 CCR 1206(d); 15 CCR 1207).

### 703.3 ADAPTIVE DEVICES

Subject to safety and security concerns, an inmate should be permitted to retain an orthopedic, orthodontic or prosthetic appliance if it is prescribed by or recommended and fitted by a physician or dentist. However, if the appliance presents a risk of bodily harm to any person, is a risk to the security of the jail or is not used for its intended purpose, it may be removed and stored with the inmate's property (Penal Code § 2656).

The removal of the appliance shall be reported to the supervisor and documented. The appliance shall be returned to the inmate when the risk abates. A jail incident report should be written at the direction of the supervisor whenever an adaptive device is removed or returned.

Within 24 hours of any removal of a prosthetic, orthodontic or orthopedic appliance, the inmate shall be examined by a physician or dentist to determine whether the removal of the adaptive device may be injurious to the health or safety of the inmate. If the Jail Manager determines that an adaptive device should not be returned because of safety or security concerns, and as a result, the health or safety of the inmate is a concern, options include:

- Transporting the inmate to the Los Angeles County Jail.
- With physician or dentist approval, modifying the adaptive device to meet the medical needs of the inmate and the safety and security needs of the jail.
- Providing the inmate with an opportunity to petition the court for the return of the device, in accordance with local, state and federal law.

Any adaptive devices that are brought to the jail by family members or others after the inmate has been incarcerated shall be subject to a security check. The jail shall accept no responsibility for loss or damage to any adaptive device.

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## Health Care Records and Confidentiality

### 704.1 PURPOSE AND SCOPE

This policy is intended to provide guidance in the management of, and access to, inmate health care records, thereby ensuring that such records are available to those who need them, while controlling access in order to protect inmate privacy.

### 704.2 POLICY

The Department will protect inmate health care records in compliance with the law (15 CCR 1205; 15 CCR 1206(m)).

### 704.3 RECORDS TO BE KEPT

The Health Care Adviser should establish the format of health care records. Individual inmate health care records should include, but not be limited to (15 CCR 1205(a)):

- (a) Initial screening and subsequent health assessment records.
- (b) Inmate requests for care or complaints about care.
- (c) Consultation and treatment records including the names of the care providers.
- (d) Prescribed and/or delivered medication and any associated stop dates in accordance with 15 CCR 1216.
- (e) Dates, times and locations of treatment.
- (f) Limitations and disabilities of the inmate.
- (g) Instructions for inmate care, including what should be communicated to members.
- (h) Special diet instructions.
- (i) Activity restrictions.

### 704.4 ACCESS TO RECORDS

Qualified health care professionals should have access to all records that may be relevant to the inmate's health and treatment, including general custody records. Relevant information should be included in all mental health, medical and dental records of an inmate, including known allergies, current health problems and medications.

The Health Care Adviser should assist in the development of procedures to identify which health care providers may have access to custody records and under what circumstances.

### 704.5 CONFIDENTIALITY

Physician/patient confidentiality applies to an inmate's health care records and to his/her care. These records shall be maintained apart from the inmate's other records.

Health care information obtained in the course of screening or care shall be communicated to members only when it is necessary to protect the welfare of the inmate or others, to facilitate

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### *Health Care Records and Confidentiality*

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management of the jail, or to maintain jail security and order. Members who learn of an inmate's health condition incidental to their assignments shall keep that information confidential and shall not disclose that information to any unauthorized person (15 CCR 1205(b)).

The Jail Manager is responsible for all matters relating to the privacy of inmate health care information. The [FacilityManager shall ensure technical and physical safeguards are implemented to maintain security and confidentiality of inmate health care information and to allow access only to those persons that have access rights.

#### **704.6 MEMBER RESPONSIBILITIES**

Members shall protect the security, confidentiality and privacy of all inmate health care records in their custody at all times.

Unauthorized possession, release or distribution of inmate health care information is prohibited and may violate HIPAA and/or other applicable laws.

Members who have not received jail training on the proper handling of these records shall not access inmate health care records.

##### **704.6.1 ELECTRONIC RECORDS**

All computer workstations and servers within the jail shall require appropriate security measures, such as user identification and login passwords, to access electronic health care records (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when they are left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic records (45 CFR 164.310; 45 CFR 164.312).

Remote access to jail computer workstations requires that appropriate security measures be provided for access (45 CFR 164.312).

Inmate health care information may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, Internet posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic health care information traveling outside a secure network environment, via the Internet, requires encryption and authentication measures (45 CFR 164.312(e)).

##### **704.6.2 HARD COPIES**

Hard copies of inmate health care records shall be kept in a secured area when unattended by authorized personnel. An area is unattended when staff is physically outside the office area and unable to maintain record security. This includes, but is not limited to, breaks, lunch or meetings outside the jail.

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Hard copies of records should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Inmate health care records shall not be removed from the jail without express authorization from the Health Care Adviser.

#### **704.7 TRAINING**

Members with access to inmate health care records and information shall receive training on maintaining confidentiality (45 CFR 164.530).

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## Availability and Standards of Care

### 705.1 PURPOSE AND SCOPE

This policy will provide overall guidance for the continued care of inmates who need health care.

### 705.2 POLICY

The Department is committed to providing humane conditions of confinement by ensuring that inmates receive adequate care to meet their serious health care needs.

### 705.3 INMATE ACCESS TO HEALTH CARE

Inmates in need of access to health care will be transported to the Los Angeles County Jail.

Inmates may access health care in the following manner:

- (a) Sick call will be conducted daily during the lunch meal service:
  - 1. Scheduled so an inmate's custody status (e.g., at court, work assignment, other release program) does not preclude his/her access (15 CCR 1211).
- (b) Inmates may request health care at any time by jail staff. Custody officers shall inform the Watch Commander of all health care requests by inmates.
- (c) Inmates may request care for an emergency medical condition in any manner, to any member. All such requests should be addressed appropriately and immediately by the member, including prompt notification to the Watch Commander.
- (d) Costs, including those related to security procedures, will not be used as justification for withholding necessary or emergency medical care.

### 705.4 INMATE PRIVACY

Patient information, treatments and discussions regarding treatment should be held in private and in a manner that prevents such discussions from being observed or overheard by anyone not involved in the treatment or discussion.

### 705.5 RESPONSIBILITIES

Clinical judgments involving health care are the responsibility of a health care professional qualified to make such a decision.

Members shall accept clinical judgments and not deny access to care by making, assuming or ignoring a clinical decision.

Members and qualified health care professionals should work together to coordinate security and health care needs. Qualified health care professionals and members should communicate with each other about inmate health care needs that may significantly impact the health, safety or welfare of the inmate or others. Information regarding ongoing treatment plans shall be communicated to members to the extent necessary to coordinate and cooperate in the ongoing care of the inmate (15 CCR 1210).

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Communication between members and qualified health care professionals regarding health care needs that may affect housing, program participation or other conditions of confinement should be documented.

#### **705.6 MEDICAL CARE**

The treating qualified health care professional shall develop a written treatment plan for each inmate requiring ongoing treatment, including any need for off-site treatment or a specialist (15 CCR 1210).

The jail shall have first-aid kits and Automated External Defibrillators (AEDs) readily available to members in housing and booking areas and any other location approved by the Health Care Adviser (15 CCR 1220).

##### **705.6.1 ELECTIVE PROCEDURES**

Elective procedures will generally not be provided to inmates. A determination regarding whether a procedure is elective or is a component of a current, medically necessary standard of treatment will be made only by the Responsible Physician. Procedures that are elective may be approved by the Jail Manager or the authorized designee after verification that the inmate will pay all associated costs.

##### **705.6.2 PREGNANT INMATES**

Pregnant inmates are transported to the Los Angeles County Jail.

Medical care, pre-natal care, postpartum care and counseling services (mental health, social, religious) will be available to pregnant inmates (15 CCR 1206).

No member shall interfere with or impede an inmate's decision to have an abortion, to keep the child or place the child for adoption. If an inmate chooses to have an abortion, she shall be requested to sign a statement acknowledging that she has been provided the opportunity for related counseling and chooses to have an abortion. Any financial obligations for elective abortions will be the responsibility of the inmate. The jail shall provide necessary transportation and supervision for such services. Members who object to facilitating an inmate's elective abortion (including arrangements, transportation, security) should not be required to perform such duties.

The Jail Manager or the authorized designee should work with the pregnant inmate, community agencies or other relevant persons so the child is appropriately placed after an in-custody birth. Child welfare workers may interview and counsel the inmate at the jail.

##### **705.6.3 FOLLOW-UP CARE**

The Responsible Physician or the authorized designee should review all discharge and other orders issued for inmates released from an emergency room visit or hospital stay, and should issue health care orders for any ongoing in-custody care.

The Health Care Adviser should ensure that inmates receive education and instruction for any self-care that may be required to meet their individual health care needs.

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#### **705.7 MENTAL HEALTH CARE**

Members shall notify the Watch Commander of any inmate showing signs of mental illness or a developmental disability. Inmates showing signs of mental illness or a developmental disability will be transported to the Los Angeles County Jail for appropriate mental health care.

To protect the safety of the inmate or others, segregation may be necessary while the inmate awaits the evaluation or transfer to another facility for diagnosis or treatment (15 CCR 1052).

#### **705.8 DENTAL CARE**

Inmates in need of emergency dental care will be transported to the Los Angeles County Jail. Severe dental pain qualifies as an emergency.

#### **705.9 EMERGENCY CARE**

Emergency health care shall be available to all inmates on a 24-hour basis. No inmate shall be deprived of care for emergency medical, mental health or dental service due to the time of day or night. An ambulance will be provided when necessary for proper care.

At least one staff person who has received basic first-aid and CPR training shall be available 24 hours a day.

#### **705.10 OFF-SITE CARE PROVIDERS**

The Health Care Adviser should ensure written agreements are maintained with any community care providers who regularly provide health care services to inmates. The agreements should require providers to deliver a summary of any treatment provided, follow-up and prescription medication recommendations, and should identify any health care needs that may affect housing, program participation or other conditions of confinement.

#### **705.11 TRANSPORTING INMATES FOR HEALTH CARE**

When an inmate is being transported outside the jail:

- (a) Transporting members should have instructions regarding any medication or accommodation that may be necessary during transport.
- (b) Patient confidentiality shall be maintained during transport.
- (c) Any health care records transported by members should be sealed.

#### **705.12 EVIDENCE COLLECTION**

An inmate's treating or regular care provider should not assist in evidence collection for purposes of prosecution, discipline or any other adversarial proceeding. However, evidence may be collected from a victim of sexual assault with the consent of the victim.

Qualified health care professionals of this jail are prohibited from being involved in psychological evaluations for use in adversarial proceedings.

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## Communicable Diseases

### 706.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of contracting and/or spreading communicable diseases among division members and the inmate population.

#### 706.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

**Exposure** - When an eye, the mouth, a mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the South Gate Police Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

**Gassed** - When a person is exposed to human excrement or other bodily fluids or substances.

### 706.2 POLICY

The Department is committed to providing a safe work environment for its members and inmates. Members should be aware that they are ultimately responsible for their own health and safety.

### 706.3 EXPOSURE CONTROL

The Jail Manager is responsible for all matters relating to exposure control. The Jail Manager will coordinate procedures that include the following:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how inmates and members may obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each member's position and risk of exposure.
- (d) Procedures related to mitigating the risks associated with communicable disease in the inmate population. These will include, but not be limited to:
  1. Proper screening of incoming inmates (15 CCR 1206.5; 15 CCR 1207).
    - (a) Screening procedures will require all persons at the time of intake to be asked whether they have had any communicable diseases or observable symptoms of communicable diseases, including but not

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### *Communicable Diseases*

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- limited to tuberculosis, other airborne diseases or other special medical problems. Responses shall be documented (15 CCR 1206.5).
- (b) Required medical procedures to identify the presence of disease and to lessen the risk of exposure to others will be specified (15 CCR 1051).
  - (c) The types of communicable diseases to be reported shall be identified (15 CCR 1206.5).
  - (d) Screening shall be performed by licensed health care staff or by trained members only (15 CCR 1207).
2. Appropriate testing (15 CCR 1206.5).
  3. Investigations of suspected exposures (15 CCR 1206.5).
  4. Appropriate medical attention and precautions to be used by members.
    - (a) Treatment responsibilities during incarceration, including when referrals are to be made, shall be included (15 CCR 1206.5).
    - (b) Housing considerations based upon behavior, medical needs and safety of the affected inmates shall be addressed (15 CCR 1206.5).
    - (c) Symptoms that require segregation of an inmate until a medical evaluation is completed shall be specified (15 CCR 1051).
    - (d) Coordination with public and private community-based resources for follow-up treatment shall be incorporated into the plan (15 CCR 1206.5).
  5. Sanitation and inmate hygiene efforts, including the sanitation of medical equipment.
  6. Control of vermin and parasites, such as mice, lice and bedbugs.
  7. Reporting communicable diseases and suspected exposures to the proper authorities.
    - (a) This will include coordination with public health officials for follow-up treatment in the community (15 CCR 1206.5)
  8. Treatment responsibilities during incarceration (15 CCR 1206.5).
  9. Developing a contingency plan in the event that removal of inmates from the jail due to a communicable disease may be warranted (Penal Code § 4012).
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including the following:
1. Bloodborne pathogens regulations (8 CCR 5193)
  2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136)
  3. Aerosol transmissible disease regulations (8 CCR 5199; 15 CCR 1206.5)
  4. Recording criteria for needle stick and sharps injuries (8 CCR 14300.8)
  5. Communicable disease screening, evaluation and segregation (15 CCR 1051)

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6. Management of inmates suspected of or confirmed to have communicable diseases (15 CCR 1206; 15 CCR 1206.5; 15 CCR 1051)
7. Ensuring the exposure control plan reflects the current incidence of communicable diseases that threaten the health of inmates and members (15 CCR 1206.5)
8. Employee access to exposure records (8 CCR 3204)
9. Mandatory reporting of exposures and notifications (Health and Safety Code § 121070)
10. Sanitizing bedding (Bus. & Prof. Code § 19131)
11. Reporting and appropriate action upon the possible exposure of members to a communicable disease (15 CCR 1206.5)

The Jail Manager should also act as the liaison with California Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The Jail Manager should periodically review and update the exposure control plan and review implementation of the plan. The review and update shall occur annually at a minimum (8 CCR 5193).

#### 706.3.1 AVAILABILITY OF THE EXPOSURE CONTROL PLAN

A copy of the exposure control plan shall be accessible to employees and shall be made available to Cal/OSHA or the National Institute for Occupational Safety and Health upon request (8 CCR 5193).

### **706.4 EXPOSURE PREVENTION AND MITIGATION FOR MEMBERS**

#### 706.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease (8 CCR 5193). This includes but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or division vehicle, as applicable.
- (b) Wearing division-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

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- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

#### 706.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

#### **706.5 POST-EXPOSURE FOR MEMBERS**

##### 706.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

##### 706.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., cleanup, notifications)

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The supervisor shall advise the member that disclosing the identity and/or infectious status of the source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply.

#### 706.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Division members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (8 CCR 5193):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 706.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

#### 706.5.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law).

Test results from persons who may have been the source of an exposure are to be kept confidential as well.

#### 706.5.6 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
- (d) Should include the identification of relevant symptoms of communicable diseases (15 CCR 1206.5).
- (e) Shall contain training as directed by 8 CCR 5193 and 8 CCR 5199 regarding bloodborne pathogens and aerosol transmissible diseases.

### **706.6 EXPOSURE PREVENTION AND MITIGATION FOR INMATES**

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#### 706.6.1 SUSPECTED EXPOSURE OF AN INMATE

Members who become aware that an inmate may have been exposed should, as soon as practicable:

- (a) Take steps to reduce exposure to other inmates.
- (b) Use precautions related to exposure prevention as applicable to the situation (e.g., gloves, face masks).
- (c) Contact a qualified health care professional to care for the inmate as needed, and obtain recommendations regarding isolation or quarantine of the inmate.
- (d) Notify the appropriate supervisor and Jail Manager.

#### 706.6.2 SUPERVISOR RESPONSE AND REPORTING REQUIREMENTS

The responding supervisor shall investigate every exposure or suspected exposure of an inmate as soon as possible following the incident. The supervisor shall ensure the inmate receives appropriate medical assistance and that steps are taken to protect other inmates and members.

All incidents involving a suspected exposure shall be thoroughly documented.

#### 706.6.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Any exposed inmate shall have the opportunity to have a medical evaluation immediately after an exposure and follow-up evaluations as necessary.

Procedures shall be established that address (15 CCR 1206.5):

- (a) Access to related medical reports and who must receive these reports.
- (b) What information regarding communicable diseases may be shared with inmates and members.
- (c) Medical confidentiality requirements.
- (d) Provisions for inmate consent that address the limits of confidentiality.

#### 706.6.4 INMATE CONFIDENTIALITY

Any information regarding inmates and possible communicable diseases shall be considered confidential health care records (see the Health Care Records and Confidentiality Policy).

#### **706.7 SOURCE TESTING**

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or inmate, or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the Jail Manager to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an inmate. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7501 et seq.; Penal Code § 7510 et seq.).

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- (c) Filing a report with the county health officer when an inmate requests testing of another inmate. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7512).
- (d) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing (Health and Safety Code § 121060; Health and Safety Code § 121070).
- (e) Under certain circumstances, a court may issue a court order for HIV testing of an adult or juvenile when a person qualifies as a crime victim (Penal Code § 1524.1; Health and Safety Code § 121055).
- (f) The guidelines and procedures contained in the Communicable Diseases Exposure Notification Act (Health and Safety Code § 120262).
- (g) Procedures set forth in Penal Code § 243.9 in the event an employee is “gassed” by an inmate.
  - 1. Absent exigency a court order should be obtained for an involuntary test.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

## **Chapter 8 - Environmental Health**

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## Sanitation, Maintenance and Safety Inspections

### 800.1 PURPOSE AND SCOPE

The South Gate Police Department has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances, and regulations. This policy establishes a plan of housekeeping tasks and inspections to identify and correct unsanitary or unsafe conditions or work practices in this facility.

### 800.2 POLICY

It is the policy of the Department to maintain a safe and sanitary jail. To accomplish this goal, the Department will maintain a written plan that contains schedules and procedures for conducting weekly and monthly sanitation, maintenance and safety inspections of the jail.

### 800.3 SAFETY AND SANITATION PLAN

The Jail Manager will ensure that the plan addresses, at a minimum (15 CCR 1280):

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control and safety surveys).
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the jail.
- (c) Procedures, schedules and responsibilities for coordinating annual inspections by the health department having jurisdiction, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the jail, and instructions on how to operate, dilute or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.
- (f) Training requirements for members and inmate workers on accident prevention and avoidance of hazards with regard to jail maintenance.
- (g) Supervision of the members and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- (h) All inmate responsibilities, which should be included in the inmate orientation materials.
- (i) Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- (j) A process for the preventive maintenance of equipment and systems throughout the jail.

Consideration should be given to general job descriptions and/or limitations relating to members or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and

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cleaning ducts or pest control, are more appropriately handled by the Department or by contract with private firms.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area outside of the jail facility.

All members shall report any unsanitary or unsafe conditions to a supervisor. Members shall report repairs needed to the physical plant and equipment by submitting a work order to a supervisor. The Jail Manager will designate a member to receive these work orders and take appropriate action to ensure the repairs are made or action is taken. All work and action taken will also be documented.

Reports for budget resources above and beyond already budgeted maintenance items shall be reported to the Chief of Police.

#### **800.3.1 CLEANING AND SANITIZING OF HANDCUFFS AND CHAINS**

Metal handcuffs/chains that are used to secure/transport a prisoner shall be disinfected by the on-duty custody officer, upon their return, in the following manner:

- (a) Custody officers will wear disposable latex or nitrile gloves.
- (b) The handcuffs/chains will be cleaned using the germicidal disinfecting wipes provided by the department.
- (c) Allow the equipment to air dry completely before use or storage.

Note: If the handcuffs are exposed to bodily fluids, the wipes and gloves used for sanitizing the handcuffs/chains shall be disposed of in bio-hazard containers.

#### **800.4 SANITATION SCHEDULE AND INSPECTION**

Cleaning and maintenance of the South Gate Police Department Jail Facility will be conducted by a contracted janitorial services company.

##### **800.4.1 INSPECTION CHECKLIST**

The Jail Manager or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a monthly basis throughout the jail.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Jail Manager or the authorized designee for annual review, filing and retention as required by the established records retention schedule.

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#### 800.4.2 TRAINING

shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals and areas of responsibility.

#### **800.5 INMATE SAFETY**

This jail will establish an effective safety program, investigating inmate injuries and taking corrective actions as necessary to reduce accidents and injury (15 CCR 1280).

The Jail Manager shall appoint a member who will be responsible for the development, implementation and oversight of the safety program. This program will include, but is not limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of inmate injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

#### 800.5.1 INVESTIGATION OF REPORTED INMATE INJURY

Whenever there is a report of an injury to an inmate that is the result of accidental or intentional acts, other than an authorized use of force, the Jail Manager or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified.

#### 800.5.2 INVESTIGATION REPORTS

The Watch Commander shall ensure that reports relating to an inmate's injury are completed and may include the following:

- Incident reports
- Investigative reports
- Health record entries
- Any other relevant documents

#### **800.6 VERMIN AND PEST CONTROL**

The Jail Manager or the authorized designee shall be responsible for developing and implementing a plan for sanitation and control of vermin and pests. In cooperation with the Responsible Physician and the local public health entity, medical protocols for treating inmate clothing, personal effects and living areas, including specific guidelines for treating an infested inmate, will be established (15 CCR 1264).

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#### 800.6.1 PEST CONTROL SERVICES

The Jail Manager or the authorized designee shall be responsible for procuring the services of a licensed pest control professional if necessary to treat areas as required to ensure that vermin and pests are controlled.

#### 800.6.2 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for inmates undergoing treatment for lice should be used.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the jail or cleaned and treated by the following methods, as appropriate, or as directed by the pest control provider or the Responsible Physician (15 CCR 1264):

- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

#### 800.6.3 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by inmates.

#### **800.7 SAFETY DATA SHEETS (SDS)**

Materials and substances used in the operation and maintenance of the jail may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous material and substances, including instructions on safe handling, storage, and disposal, prohibited interactions and other details relative to the specific material.

The Jail Manager shall be responsible for ensuring that a written hazard communication plan is developed, implemented and maintained at each workplace. Each area of the jail in which any hazardous material is stored or used shall maintain a SDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

- (a) A list of all areas where hazardous materials are stored.
- (b) A physical plant diagram and legend identifying the storage areas of the hazardous material.

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## Jail Manual

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- (c) A log for identification of new or revised SDS materials.
- (d) A log for documentation of training by users of the hazardous material.

#### 800.7.1 SDS USE, SAFETY AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Members and inmates shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)(1)(ii)):

- (a) Supervisors shall conduct training for all members and inmates on using the SDS for the safe use, handling and disposal of hazardous material in areas they supervise.
- (b) Upon completion of the training, members and inmates shall sign the acknowledgement form kept with each SDS in their work areas.
- (c) Members and inmates using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material in their workplace.

#### 800.7.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition or replacement hazardous material shall review the accompanying SDS. If additions or changes have occurred, the revised SDS shall be incorporated into the file and a notation shall be made in the SDS revision log.

Supervisors shall review SDS information in their work areas semi-annually to determine if the information is up-to-date and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the maintenance supervisor or the authorized designee.

#### 800.7.3 SDS RECORDS MASTER INDEX

The maintenance supervisor or the authorized designee will compile a master index of all hazardous materials in the jail, including locations, along with a master file of SDS information. He/she will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semi-annual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, up-to-date list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

#### 800.7.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and inmates shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

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#### **800.8 DISPOSAL OF SOLID, TOXIC AND INFECTIOUS WASTES**

Cleaning of bodily fluids or waste inside the jail will be completed by trained jail personnel. However, if an area is heavily soiled, a certified biohazard company (Emergency Response Crime scene cleaning 866-305-9001) may be contracted to clean and sanitize the area.

Any waste that is considered hazardous will be sealed in properly labeled bio-hazard packaging. The on-duty custody officer will contact the Los Angeles County Fire Department Hazmat unit for direction on proper disposal.

#### **800.9 WATER SUPPLY TESTING**

In compliance with standards set by law, this jail will ensure the continued supply of safe potable water for use by inmates, members and visitors through rigorous annual testing of water supplies (42 USC § 300f et seq.).

The Jail Manager shall ensure that the jail's potable water source is tested by an independent public or private testing service at least once each year. Water quality will be certified to be in compliance with all state and local regulations. Corrective measures shall be promptly taken if the test results fall below acceptable regulatory standards.

In the event that water testing reveals any significant hazards to the inmates or members at the jail, the Chief of Police, Jail Manager and the health department having jurisdiction shall take immediate action to mitigate the problem.

The testing results, valid certificates of the sampling entity and the testing laboratory shall be kept in accordance with established records retention schedules.

Where the jail's water supply is obtained from a private source, the source shall be properly located, constructed and operated to protect it from contamination and pollution and the water shall meet all current standards set by the applicable state and/or local authority regarding bacteriological, chemical and physical tests for purity.

For facilities not served by a public or regulated private water supply, the water should be tested daily by the local authority within the jail's jurisdiction.

##### **800.9.1 EMERGENCY WATER SUPPLY PLAN**

The Jail Manager and the health department having jurisdiction shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for a minimum of three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

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## Inmate Hygiene

### 801.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the South Gate Police Department jail is maintained. The South Gate Police Department recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

### 801.2 POLICY

It is the policy of South Gate Police Department facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates but for the safety of members and visitors. The Jail Manager shall ensure the basic necessities related to personal care are provided to each inmate upon entry into housing.

### 801.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the jail, including the exchange or disposal of soiled or depleted items. Members shall ensure that the storage areas are properly maintained and stocked. The Jail Manager should be notified if additional storage space is needed.

#### 801.3.1 BEDDING ISSUE

Upon entering a living area of the South Gate Police Department jail, every inmate who is expected to remain in the jail for over eight hours shall be issued bedding and linens including, but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with jail operational laundry rules.
- (b) One clean, firm, nontoxic fire-retardant mattress.
  1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk (16 CFR 1633.1 et seq.). Mattresses will be cleaned and disinfected when an inmate is released or upon reissue. Mattresses shall meet the most recent requirements of the state fire marshal, the California Department of Consumer Affairs' Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation test

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### *Inmate Hygiene*

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standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272). A bath towel will be provided to the inmate at the time of shower and will be collected by jail personnel upon completion of the shower.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271).

The Jail Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the jail to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

#### **801.3.2 CLOTHING ISSUE**

In the event that an inmate is housed in the South Gate jail for more than seven consecutive days, clothing shall be exchanged once each week, at a minimum (15 CCR 1262). All exchanges shall be documented on the daily activity log.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

The Jail Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the jail to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Manager or the authorized designee shall ensure that the jail maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed to, picked up by or transported to a designated family member, or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

#### **801.4 LAUNDRY SERVICES**

Laundry services shall be managed to ensure that inmate bedding needs are met.

#### **801.5 INMATE ACCOUNTABILITY**

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing area, inmates shall be provided inmate orientation materials listing this requirement (15 CCR 1069).

#### **801.6 PERSONAL HYGIENE OF INMATES**

Personal hygiene items, hair care services, and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among

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### *Inmate Hygiene*

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inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours shall be issued, at a minimum, the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Sanitary pads, panty liners, and tampons as requested at no cost (Penal Code § 4023.5)

The Jail Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. Additional hygiene items shall be provided to inmates upon request, as needed.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Manager or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

#### **801.7 AVAILABILITY OF PLUMBING FIXTURES**

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with running water. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing areas is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 inmates (urinals may be substituted for up to one-third the toilets in facilities for male inmates) (24 CCR 1231.3.1).

#### **801.8 INMATE SHOWERS**

Inmates will be allowed to shower upon assignment to a housing area and every other day thereafter or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this jail shall be clean and properly maintained.

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Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical members of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Members of the opposite sex shall announce their presence when entering an inmate housing area (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

#### **801.9 DELOUSING MATERIALS**

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

## **Chapter 9 - Food Services**

## Food Services

### 900.1 PURPOSE AND SCOPE

The Department recognizes the importance of providing nutritious food and services to inmates to promote good health, reduce tension in the jail and ultimately support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for inmates housed in the jail.

### 900.2 POLICY

It is the policy of this Department that food services shall provide inmates with a nutritionally balanced diet in accordance with federal, state and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.). The food services of this department is contracted through the Food Services Unit of the Los Angeles County Sheriff's Department.

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in the California Retail Food Code (15 CCR 1245(a)).

#### 900.2.1 FOOD SERVICES PLAN

The Jail Manager shall ensure the preparation of a food service plan. The plan shall include, but is not limited to the following policies and procedures (15 CCR 1243):

- (a) Menu planning
- (b) Purchasing
- (c) Storage and inventory control
- (d) Food preparation
- (e) Food serving
- (f) Transporting food
- (g) Orientation and ongoing training
- (h) Budgets and food cost accounting
- (i) Documentation and record keeping
- (j) Emergency feeding plan
- (k) Waste management
- (l) Maintenance and repair

### 900.3 FOOD SERVICES

The Jail Manager shall be responsible for oversight of the day-to-day management and operation of food services, including:

- Developing, implementing and managing a budget for food services.

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### *Food Services*

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- Ensuring members are assigned to carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for members..
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Establishing written procedures for education and ongoing monitoring and cleanliness of food handlers (15 CCR 1230).
- Annual review of the Food Services contract with the Los Angeles County Sheriff's Department.

#### **900.4 MENU PLANNING**

All menus should be planned, dated and available for review at least one month in advance of their use. Records of menus and of foods purchased should be kept on file for one month. Menus will be planned to provide a variety of foods and should consider appearance, dietary allowances, flavor, nutrition, palatability, temperature and texture. Menus will be approved by a registered dietitian or nutritionist from the Los Angeles County Sheriff's Department Food Services Unit prior to being used.

The inmate meal menu should be posted in the Jail kitchen. Any changes to the meal schedule, menu or practices should be carefully evaluated by the Jail Manager and should be recorded. All substitutions will be of equal or better nutritional value. If any meal served varies from the planned menu, the change should be noted in writing on the menu and/or production sheet. The menu will be reviewed and updated by the Jail Manager annually or as necessary. The menu will meet or exceed nutritional requirements described in Title 15 § 1241.

#### **900.5 FOOD SAFETY**

Temperatures in all food storage areas should be checked and recorded daily. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected.

#### **900.6 THERAPEUTIC DIETS**

The Watch Commander should be responsible for ensuring that all inmates who have been prescribed therapeutic diets by qualified health care professionals are transported to the Los Angeles County Sheriff's Department Jail.

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#### **900.7 RELIGIOUS DIETS**

The Watch Commander, to the extent reasonably practicable, will provide special diets for inmates in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are not available, the inmate will be transported to the Los Angeles County Sheriff's Department Jail.

#### **900.8 FOOD SERVICES REQUIREMENTS**

All reasonable efforts shall be made to protect inmates from food-borne illness. Members shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers (15 CCR 1230).

Food production and services will be under staff supervision. Food production, storage and food handling practices will follow the appropriate federal, state or local sanitation laws (15 CCR 1246).

#### **900.9 MEAL SERVICE PROCEDURE**

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food. Any deviation from this requirement shall be subject to the review and approval of the Jail Manager to ensure that inmates receive meals that meet nutritional guidelines.

Inmates should be provided a minimum of 15 minutes dining time for each meal. There should be no more than 14 hours between a substantial evening meal and breakfast.

Inmates who miss, or may miss, a regularly scheduled meal should be provided with a beverage and a sandwich or substitute meal.

#### **900.10 EMERGENCY MEAL SERVICE PLAN**

The Jail Manager shall establish and maintain an emergency meal service plan for the facility (15 CCR 1243(k)).

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for inmates. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Manager may declare an "Emergency Suspension of Standards" pursuant to 15 CCR 1012 for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Manager shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

Depending on the severity and length of the emergency, the Chief of Police should consider requesting assistance from allied agencies through mutual aid or the National Guard.

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## Dietary Guidelines

### 901.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the inmates are met and that overall health is promoted through the use of balanced nutritious diets.

### 901.2 POLICY

It is the policy of this division that diets provided by this jail will meet or exceed the recommendations established in the current publication of the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA). The food services of this department is contracted through the Food Services Unit of the Los Angeles County Sheriff's Department.

### 901.3 REVIEW OF DIETARY ALLOWANCES

The Jail Manager is responsible for approving the jail's menus and shall ensure that all menus served by food services comply with DGA recommendations (15 CCR 1241).

The Jail Manager or the authorized designee shall ensure that the South Gate Police Department's menus and dietary allowances are evaluated annually by a registered dietitian from the Los Angeles County Sheriff's Department, and that any changes meet DGA guidelines. A registered dietitian should approve menus before they are used.

Menus will be evaluated annually or as necessary by the Jail Manager or the authorized designee.

### 901.4 MENU CYCLE PLANNING

The Jail Manager or the authorized designee should plan the menus one month in advance of their use.

Menus should include the following minimum food group allowances per day (15 CCR 1241):

- (a) Dairy Group: Three servings of fat-free or low-fat milk or food providing at least 250 milligrams of calcium and equivalent to 8 ounces of fluid milk. Four servings for women who are pregnant or lactating.
- (b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one serving shall be from each of the following three categories:
  - 1. One serving of a fresh fruit or vegetable.
  - 2. One serving of a Vitamin A source, fruit or vegetable, containing at least 200 micrograms retinol equivalents or more.
  - 3. One serving of a Vitamin C source containing at least 30 milligrams or more.
- (c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains.
- (d) Protein Group: Three servings of lean meat, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, or textured vegetable protein, equivalent to 14 grams or more of

# South Gate Police Department

## Jail Manual

### *Dietary Guidelines*

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protein. In addition, a fourth serving from the legumes category shall be served three days a week.

- (e) Total dietary fat should not exceed 10 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable. Facility diets shall consider the recommendations and intentions of the 2015-2020 DGA of reducing overall sugar and sodium levels.

Additional servings of dairy, vegetable-fruit, and grain groups must be provided in amounts to meet caloric requirements when the minimum servings outlined in the requirements above are not sufficient to meet the caloric requirements of an inmate.

## **Chapter 10 - Inmate Programs**

## Inmate Exercise and Recreation

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that this division will have sufficiently scheduled exercise and recreation periods as required by law.

#### 1000.1.1 DEFINITIONS

Definitions related to this policy include:

**Exercise** - The physical exertion of large muscle groups.

**Recreation** - Activities that may include table games, watching television or socializing with other individuals.

### 1000.2 POLICY

It is the policy of this division to provide inmates with access to exercise opportunities, and recreation activities in accordance with state laws or requirements. The Jail Manager or the authorized designee shall be responsible for developing a schedule to ensure accessibility for all inmates. Table games must be available to the inmates (15 CCR 1065).

### 1000.3 ACCESS TO EXERCISE

Inmates shall have an opportunity to exercise daily.

### 1000.4 ACCESS TO RECREATION

Inmates should have access to recreation activities. The length of time will be determined by the inmate's classification status, security concerns and operational schedules that preclude recreation during a period of time (e.g., meal times, searches, lockdown, court). Members should ensure that the maximum time possible is provided to the inmates for this purpose.

Newspapers, table games and other items may also be made available to enhance recreation time. Consideration will be given to the passive or active recreational needs of older inmates and inmates with disabilities.

### 1000.5 SECURITY AND SUPERVISION

Members supervising the inmates during exercise and recreation time shall document when each inmate has the opportunity to exercise or recreate, and when each inmate actually participates.

Members shall be responsible for inspecting recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Inmates will not be permitted to use equipment without supervision. All equipment shall be accounted for before inmates are returned to their housing areas.

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## Inmate Mail

### 1001.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection and sending of inmate mail.

### 1001.2 POLICY

This division will provide ample opportunity for inmates to send and receive mail, subject to restriction only when there is a legitimate government interest.

### 1001.3 MAIL GENERALLY

Inmates may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of members, visitors or other inmates, or pose an unreasonable disruption to the orderly operation of the Jail (15 CCR 1063(a)).

However, inmates are only allowed to store a limited number of letters as determined by the Jail Manager in their cells. Excess mail will be stored with the inmate's personal property and returned at his/her release.

### 1001.4 CONFIDENTIAL CORRESPONDENCE

Inmates may correspond confidentially with courts, any member of the bar, Jail Manager, Division Captain, elected officials, jail inspectors, government officials or officers of the court (15 CCR 1063).

This jail will also accept and deliver a fax or inter-office mail from these entities.

Members may inspect incoming confidential correspondence for contraband. Members may inspect outgoing confidential correspondence for contraband before it is sealed. In the event that confidential correspondence is inspected, members shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read or photocopy the content of the correspondence itself. All inspections are to be completed in the presence of the inmate (15 CCR 1063(c)).

### 1001.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Manager whenever members become aware of mail sent by an inmate that involves (15 CCR 1083(h)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the jail, members or the public.

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## Jail Manual

### *Inmate Mail*

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The District Attorney or City Attorney should be consulted in cases where criminal charges are considered against an inmate or there is an apparent liability risk to the Division that relates to suspension or restriction of mail privileges.

#### **1001.6 PROCESSING AND INSPECTION OF MAIL BY STAFF**

Members should process incoming and outgoing mail as expeditiously as reasonably possible. Incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays or during an emergency situation.

Members should open and inspect all incoming and outgoing general mail of current inmates. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. The incoming correspondence may be read, upon approval by the Jail Manager or his/her disgreee, when a valid reason exists. Mail for inmates no longer in custody should not be opened.

Outgoing general mail may not be sealed by the inmate and may be read by members when:

- (a) There is reason to believe the mail would:
  - 1. Interfere with the orderly operation of the jail.
  - 2. Be threatening to the recipient.
  - 3. Facilitate criminal activity.
- (b) The inmate is on a restricted mail list.
- (c) The mail is between inmates.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an inmate is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

Inmates are allowed to correspond with other inmates in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Inmates shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the inmate's file in accordance with established records retention schedules.

Cash, government checks and money orders contained in incoming inmate mail shall be removed and credited to the inmate's account. Personal checks may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

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## Jail Manual

### *Inmate Mail*

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#### 1001.6.1 DESIGNATION OF MEMBERS AUTHORIZED TO READ MAIL

Only members designated by the Jail Manager are authorized to read incoming and outgoing non-confidential mail. These members should receive training on legitimate government interests for reading and censoring mail and related legal requirements.

#### 1001.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available.

The impact the correspondence may have on other inmates and members is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining jail security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
- (d) Preventing harassment of those who have requested that no mail be sent to them by the inmate.

Correspondence and material identified for censorship shall be delivered to the Watch Commander, who shall make the decision whether such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple inmates.

#### 1001.6.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or reject or censor correspondence, a written record must be made of such action, to include:

- (a) The inmate name and number.
- (b) A description of the mail in question.
- (c) A description of the action taken and the reason for such action.
- (d) The disposition of the item involved.
- (e) Signature of the member.
- (f) Notification to the inmate and sender (unless such notification jeopardizes any investigation or the security of the facility).

# South Gate Police Department

## Jail Manual

### *Inmate Mail*

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#### **1001.7 NEWSPAPERS**

A local daily newspaper in general circulation, including a non-English publication, shall be made available to interested inmates (15 CCR 1066(b)).

#### **1001.8 FORWARDING OF MAIL**

Any non-legal mail received for a former inmate should be returned to the sender with a notation that the inmate is not in custody. Obvious legal mail should be forwarded to the former inmate's new address if it is reasonably known to the jail. Otherwise, legal mail should be returned to the sender.

#### **1001.9 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS**

Indigent inmates shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Manager. Writing materials should include the following:

- (a) At least two pre-stamped envelopes for correspondence with family and friends
- (b) Six sheets of writing paper
- (c) One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts and legal counsel division (15 CCR 1063(e)).

Requests shall be screened and granted based on need by the inmate programs member. Inmates should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

## **Inmate Telephone Access**

### **1002.1 PURPOSE AND SCOPE**

This policy establishes guidelines for permitting inmates to access and use telephones.

### **1002.2 POLICY**

The Jail will provide access to telephones for use by inmates consistent with federal and state law. The Jail Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

### **1002.3 PROCEDURE**

Inmates in housing will be permitted reasonable access to public telephones at scheduled times for collect calls unless such access may cause an unsafe situation for the jail, members or other inmates. The Jail Manager shall ensure a notice is conspicuously posted near the telephones informing the inmates that non-attorney calls may be monitored and recorded.

Inmates are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a jail emergency, or as directed by the supervisor or Jail Manager, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Teletypewriter/Telecommunication Device for the Deaf (TTY/TDD) or equally effective telecommunications devices will be made available to inmates who are deaf, are hard of hearing or have speech impairments to allow them to have equivalent telephone access as inmates without these disabilities.

Generally, phone calls should not exceed nine minutes, except where there are substantial reasons to justify an extension. Reasons for denial of telephone access shall be documented and a copy placed into the inmate's file. The rules governing the use of the telephone will, in addition to being provided to inmates during orientation, be posted near the telephones.

Members should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated or telephone privileges suspended.

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception and Housing Policy.

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## Jail Manual

### *Inmate Telephone Access*

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#### **1002.4 COURT-ORDERED TELEPHONE CALLS**

If a court order specifying free telephone calls is received by the jail, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a jail telephone at no charge. Calls placed from a jail telephone should be dialed by a member. The member should be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call should be recorded to the same extent authorized for calls that are not court-ordered.

#### **1002.5 ATTORNEY-CLIENT TELEPHONE CONSULTATION**

At all times through the period of custody, whether the inmate has been charged, tried, convicted or sentenced, reasonable telephone access to an attorney shall be provided to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Rights and Protection Policy.

#### **1002.6 TELEPHONE CONTRACTS AND CHARGES**

The Jail Manager or the authorized designee is responsible for ensuring that rates charged to inmates are similar to those charged in the general public and that inmates are afforded a range of feasible calling options.

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## Inmate Visitation

### 1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

### 1003.2 POLICY

The Jail Manager shall develop written procedures for inmate visiting, which provide for as many visits and visitors as jail schedules, space and number of staff will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. Inmates will be afforded a visit no later than the calendar day following arrest. These procedures are subject to safety and security requirements.

Court orders granting a special inmate visitation are subject to city legal review and interpretation.

### 1003.3 PROCEDURES

The Division shall provide adequate facilities for visiting that include appropriate space for the screening and searching of inmates and visitors.

Limitations on the number of visitors and allotted visiting time are determined by:

- The jail's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.

The Jail Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

The visiting area should accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

#### 1003.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, address and the relationship to the inmate.
- (b) A valid identification shall include the following:
  1. A photograph of the person

# South Gate Police Department

## Jail Manual

### *Inmate Visitation*

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2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity (e.g., attorney license/ Supreme Court card, police identification or a business card/letterhead of business with the visitor's name).

Failure or refusal to provide a valid identification is reason to deny a visit.

#### **1003.4 AUTHORIZATION TO SEARCH VISITORS**

Individuals who enter the secure perimeter of this jail are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the jail. All searches shall be made in accordance with current legal statutes and case law.

#### **1003.5 VISITING SCHEDULE**

Each inmate shall receive a copy of the visitation schedule in the inmate orientation materials. The visiting hours will also be posted in the public area of the police department. Visitation hours are from 12:00 p.m. to 2:00 p.m. daily.

#### **1003.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES**

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the jail or there is other good cause, including, but not limited to, the following:

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or inmate violates jail rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the jail.
- (e) Visitors attempting to enter this jail with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the jail, should have actions and reasons documented. A copy of the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Manager.

#### **1003.7 GENERAL VISITATION RULES**

All visitors and inmates will be required to observe the following general rules during visitation.

- (a) A maximum of one adult may be permitted to visit an inmate at any one time.
- (b) An inmate may refuse to visit with a particular individual.
- (c) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.

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## Jail Manual

### *Inmate Visitation*

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- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the jail.
- (e) Inappropriate clothing, such as transparent clothing, halter tops, excessively tight or revealing clothing, hats and bandanas or any other clothes associated with a criminal gang or otherwise deemed by members to be unacceptable will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the jail with handbags, packages or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The jail is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.
- (i) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.

#### **1003.8 SPECIAL VISITS**

The Watch Commander may authorize special visitation privileges. The Watch Commander who authorizes the special visit will take into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the inmate
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the daily activity log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

#### **1003.9 ATTORNEY VISITS**

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a private area. Members shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the jail is compromised (15 CCR 1068(b)).

## Religious Programs

### 1004.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates (15 CCR 1072).

#### 1004.1.1 DEFINITIONS

Definitions related to this policy include:

**Compelling government interest** - A method of determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Division, as opposed to something merely preferred, that can be furthered only by the policy under review.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Division adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

**Exercise of religion** - Any action or practice performed whether compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

### 1004.2 POLICY

It is the policy of this division to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the jail.

### 1004.3 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing. Inmates seeking to engage in religious practices shall submit a request to the Watch Commander. Requests to engage in practices that are on the jail's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to the Watch Commander. In determining whether to grant or deny a request for accommodation of a religious practice, the Watch Commander may work with a chaplain to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further

# South Gate Police Department

## Jail Manual

### *Religious Programs*

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a compelling government interest of the jail and is the least restrictive means of furthering that compelling government interest. -

The Jail Manager shall 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.

#### **1004.3.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

In an emergency or extended disruption of normal jail operations, the Jail Manager may suspend any religious accommodation. The Jail Manager may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

#### **1004.3.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

Inmates may appeal the Jail Manager's denial, suspension or revocation of an accommodation through the inmate appeal process.

#### **1004.4 DIETS AND MEAL SERVICE**

Any inmate that requires a special diet due to a religious nature will be transferred to the Los Angeles County Jail when this department is unable to provide inmates with a reasonable and equitable opportunity to observe their religious dietary practice.

#### **1004.5 HAIR STYLES AND GROOMING**

Unless it is necessary for the health and sanitation of the jail, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

#### **1004.6 RELIGIOUS TEXTS**

Religious texts should be provided to the requesting inmate, if available, and if the texts do not pose a threat to the safety, security and orderly management of the jail.

#### **1004.7 UNAUTHORIZED PRACTICES OR MATERIAL**

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to jail safety or security
- (c) Self-mutilation

## *Religious Programs*

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- (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

### **1004.8 GROUP RELIGIOUS SERVICES**

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.

### **1004.9 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 jail. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

### **1004.10 RELIGIOUS GARMENTS AND CLOTHING**

Inmates who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify inmates and maintain security.

Head coverings shall be searched before being worn in the housing area of the jail and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of division-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.

### **1004.11 TRAINING**

Training Manager should provide periodic training on this policy, so that members are fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

### **1004.12 STAFF RESPONSIBILITIES**

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities. Members will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

# South Gate Police Department

Jail Manual

## *Religious Programs*

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## Chapter 11 - Facility Design

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## Space and Environmental Requirements

### 1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

### 1100.2 POLICY

It is the policy of this division to comply with federal and state laws, codes and correctional standards in matters relating to jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the jail should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the jail should facilitate personal communication with inmates and direct visual observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal communication.

All parts of the jail that are accessible to the public should be accessible to and usable by disabled persons.

### 1100.3 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings and equipment should have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or inmate housing area doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the jail in the event of an emergency.

### 1100.4 ENVIRONMENTAL REQUIREMENTS

#### 1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for members and inmates to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of inmates to sleep.

#### 1100.4.2 NATURAL LIGHT

All inmate living areas should provide inmates with exposure to natural light, unless prohibited by security concerns.

#### 1100.4.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow inmates to sleep. Nothing in this policy is intended to limit or impair in any way members' ability to monitor the jail in a manner that is consistent with safety and security and good correctional practices.

# South Gate Police Department

## Jail Manual

### *Space and Environmental Requirements*

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#### 1100.4.4 VENTILATION

Ventilation systems, including those in toilet rooms and cells with toilets, should be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes and jail standards.

Other than an emergency situation, inmates or members shall not adjust or restrict the ventilation systems without the express permission of the supervisor. Any adjustments made to the ventilation system shall only be allowed for the duration of the emergency or until qualified maintenance personnel can adjust or repair the ventilation system.

#### 1100.4.5 TEMPERATURE LEVELS

Temperature and humidity levels should be maintained at a level established by facility maintenance personnel and deemed comfortable and cost efficient.

Members shall immediately contact facility maintenance in the event that temperatures or humidity levels become uncomfortable.

#### **1100.5 CELL FURNISHINGS**

Each inmate housed in this jail should be provided with the following items:

- A sleeping surface and mattress in accordance with federal and state laws, codes and jail standards

#### **1100.6 JANITOR CLOSETS**

All janitor closets at the South Gate Police Department are located outside of the Jail facility.

#### **1100.7 EMERGENCY POWER**

The jail shall be equipped with a sufficient emergency power source to operate communications, security and alarm systems in control centers, and emergency lighting in corridors, stairwells, all inmate housing areas, security control points and audio-visual monitoring systems.

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