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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Goals & Objectives	REVISION DATE: 06/08/21
RELATED ORDERS: CCR MJS 15: 1006 PC: 4024, 4024.1, 4024.2, 830.1, 849, 853.6, 6030	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to affirm the goals and objectives of the Adult Detention Division regarding its operational philosophies and authority of its members to perform their functions based on established legal authority.

Mission Statement

Protecting our communities by building trust, reducing crime, and promoting safety through enforcement, prevention, and education.

Vision

We will be a source of pride- recognized for our effective, innovation, and thoughtful role in the communities we serve.

Motto

Building Trust, Reducing Crime, and Promoting Safety

POLICY

The Stanislaus County Sheriff's adult detention facilities were designed and constructed to either comply with or exceed governing standards. Written documentation describing the division's philosophies, goals, and policies will be updated as necessary and reviewed annually. Department members shall participate in the development and implementation of goals, objectives, policies, and operating procedures.

Deputy Sheriff-Custodial personnel of this department shall be considered peace officers pursuant to 830.1(c) PC. The authority of any such peace officer is as follows:

- (a) Any deputy sheriff of the Stanislaus County Sheriff's Department who is employed to perform the duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignment, or when performing other law enforcement duties directed by his or her employing agency during a local state of emergency.

DEFINITIONS

- (1) Sheriff's Site: refers to the entire campus of the Public Safety Center (PSC) including all adult detention facilities, support or service buildings, visiting areas, the Sheriff's Operations Center and inmate program areas.
 - a. Detention Facilities:
 - i. Sheriff Detention Center (SDC)

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1. East
 2. West
 - ii. Minimum Housing Units (MHU) 1 & 2
 - iii. Re-Entry & Enhanced Alternatives to Custody Training (REACT) Facility
 - iv. Day Reporting Center (DRC)
 - v. Court Holding Facility (CH)
 1. Off-site at; 1115 H St. Modesto, CA 95354
- (2) Department Members or Staff: any employee of the Stanislaus County Sheriff's Department who is employed to perform the duties exclusively or initially relating to custodial assignments, within the Adult Detention Division, with responsibilities for maintaining the operations of custodial facilities. For the purpose of this policy manual the term "Department Member" or "Staff" may refer to both sworn and civilian employees.
- (3) Custodial Personnel: means those officers with the rank of deputy, correctional officer, patrol persons, or other equivalent sworn or civilian rank whose duties include the supervision of inmates.
- (4) Sworn Member or Sworn Staff: is any deputy sheriff of the Stanislaus County Sheriff's Department who is considered a peace officer.
- (5) Deputy: shall be considered peace officer of the Stanislaus County Sheriff's Department pursuant to 830.1(c) PC

PROCEDURE

General facility operations are designed to ensure that those individuals remanded to the custody of the Stanislaus County Sheriff are provided with safe, secure, and humane treatment consistent with minimum jail standards as defined in Penal Code Section 6030, California State Law, as well as judicial decisions pertaining to conditions of confinement.

Medical and mental health care, nutritious meals, and a hygienically clean environment will be provided to inmates in the custody of the Sheriff. Religious materials and counseling as well as educational opportunities and programs shall be provided to inmates where security permits.

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The continuity of family and community contact will be encouraged by appropriate policies governing visiting, correspondence, telephone usage, and volunteer involvement for the facilitation of inmate programs.

The roles, functions, authority, and responsibilities of employees and private agencies/vendors providing service to inmates incarcerated in the Stanislaus County Adult Detention System shall be defined by written policies and procedures that are readily available to all staff assigned to all detention facilities.

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SECTION: Personnel Regulations	REVISION DATE: 06/08/21	
RELATED ORDERS: GOV: 3500, 3171 PC: 4020.4, 4021	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

This policy establishes department personnel regulations for Stanislaus County Sheriff's employees.

POLICY

To ensure standard practice, the Adult Detention Division operates in accordance with the personnel policies developed by the Chief Executive Office of Stanislaus County and the Stanislaus County Sheriff-Coroner.

DEFINITIONS

PROCEDURE

- (a) Physical fitness standards for the Adult Detention Division are based on job related standards as determined by the Chief Executive Office of Stanislaus County. Adult Detention Administration recognizes the importance of maintaining those fitness standards and as such, has made available facilities and equipment to promote the health and physical fitness of its employees.
- (b) All personnel will have available to them a written code of ethics that prohibits them from using their official position to secure privileges for themselves or others and from engaging in activities that constitute a conflict of interest. Employees must not sleep, or be less than alert and in full possession of all faculties, while on duty. Employees must not receive personal visits while on duty except with the permission of their supervisor.
- (c) Employees must not engage in undue familiarity with an inmate or the family and friends of an inmate. Whenever there is reason for an employee to have personal contact or discussions with an inmate or the family and friends of an inmate, the employee must maintain a helpful, but professional attitude and demeanor.
 - a. Employees must not discuss their personal affairs with an inmate. Employees must not contact or correspond with an inmate or with any member of the inmate's family except as required by the employee's assigned duties or as specifically approved by their supervisor.
 - b. If an employee is contacted by an inmate or member of the inmate's family, other than under approved circumstances, the employee must immediately report the incident to their supervisor.

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- c. Employees must not take or send, either to or from any inmate, any verbal or written message, literature or reading material, or any item, or article of substance except as necessary in carrying out the employee's assigned duties.
 - d. Employees must not trade, barter, lend, or otherwise engage in other personal transactions with any inmate. Employees will not, directly or indirectly, give to or receive from any inmate or member of the inmate's family anything in the nature of a tip, gift, or promise of a gift.
- (d) It shall be the responsibility of the Administrative Captain to determine the actual number of staffing allocations required to provide minimum coverage throughout the division. Staffing allocations are designated based on accomplishing facility goals, facilitating inmate programs, and the overall operational needs of the facility.
- (e) The Bureau of Administrative Services (BAS) Commander will strive to meet the female staffing requirements of one female deputy on each shift at the PSC campus, where female inmates are housed. Female deputies are assigned to shift and days-off based on seniority and facility need.
- a. There will be a sufficient number of female deputies assigned to the PSC campus, in line staff positions, to remain in compliance with Penal Code Sections 4020.4 and 4021.

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SECTION: Review of Policy and Training Plans (Approval)	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1029 PC: 6030, 853.6, 849 (b) (2), 13650	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the annual development, review and approval, and distribution of the Adult Detention Policy and Procedure Manual and facility training plans as prescribed in California Code of Regulations Title 15 Section 1029 and Penal Code Section 6030.

POLICY

A manual of policies expressing the division's philosophy, goals, guiding principles, and operational procedures shall be developed, maintained, reviewed and approved, and published annually by the Adult Detention Division Commander. These written policies and procedures shall be made available to all employees and shall include but not be limited to:

- (a) Table of organization including channels of communication.
- (b) Inspections and operations reviews by the facility commander.
- (c) Use of force.
- (d) Use of restraint equipment including the restraint of pregnant inmates (ref. 6030 (f) PC).
- (e) Screening newly received arrestees for release (ref. 849(b) (2) and 853.6 PC).
- (f) Security and control including physical counts of inmates, searches of the facility, and searches of inmates, contraband control, and key control.
- (g) At least annually the facility commander reviews, evaluates and documents internal and external security measures. The review and evaluation shall include internal and external security measures of the facility including security measures specific to prevention of sexual abuse and sexual harassment.
- (h) Emergency procedures regarding escapes, disturbances, taking of hostages, civil disturbances, natural disasters, periodic testing of emergency equipment; storage, issue and use of weapons, ammunition, and chemical agents; and storage, issue and use of security devices.
- (i) Suicide prevention.
- (j) Segregation of inmates.
- (k) The review and evaluation shall include internal and external security measures of the facility including security measures specific to prevention of sexual abuse and sexual harassment.
- (l) Zero tolerance in the prevention of sexual abuse and sexual harassment.
- (m) Policy and procedure to detect, prevent, and respond to retaliation against any staff or inmate after reporting any abuse.

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- (n) These manuals are readily available to all employees.
- (o) These manuals are comprehensively reviewed and updated annually and shall provide for, but not be limited to, the following:
 - a. Multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.
 - b. A method for uninvolved inmates, family, community members, and other interested third-parties to report sexual abuse or sexual harassment. The method for reporting shall be publicly posted at the facility.

A review of the facility training plan, which is designed to train new employees, shall be conducted on an annual basis by the FTO Commander and FTO Sergeants. All training officers are encouraged to participate in this process. Any proposed changes to the plan shall be reviewed by the FTO Commander and submitted for approval through the chain of command.

Policy and procedures referencing facility security or systems, personnel and training, and emergency operations will not be distributed to inmates or the public as a means of ensuring confidentiality and reducing any threat to staff or inmate safety and facility security.

DEFINITIONS

- (1) Adult Detention Policy & Procedure Manual: a broad statement expressing the philosophies, goals, and guiding principles of the division. The manual also is an operational guideline for custodial personnel referencing case law, State and Federal Laws and regulations.
- (2) Manual: collection of material designed and organized for use as reference and a training aid, which explains the duties and responsibilities of a post or a specific procedure.

PROCEDURE

Approval Process:

The Bureau of Administrative Services (BAS) Unit will coordinate the annual review and update of the policy and procedure manual to ensure compliance with State and Federal Law and the California Code of Regulations Minimum Jail Standards Title 15. This review will commence on January 1st and conclude by March 1st each year. Custodial personnel and specialized units throughout the department may be invited to participate in the review and development process.

- (a) All review revisions are submitted to the Division Commander for administrative approval throughout the review process.

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- (b) The administrative review process will commence on March 1st and conclude on March 31st each year.
 - a. Division managers will submit any requested changes by March 31st.
- (c) All change requests, generated from the administrative review process, shall be complete by April 30th each year.
- (d) The Adult Detention Division Commander shall sign all Administrative Approval forms by April 30th each year.
- (e) The administratively approved manual is posted for all department members on May 1st each year.

Policy Development/Updates:

The BAS Unit will review actual or anticipated problem areas in the policy manual throughout the fiscal year. The unit will submit recommendations to the Division Commander after thoroughly researching and revising policy to address any problem areas.

- (a) Custodial personnel are encouraged to participate actively in policy development. During the developmental process, new or revised policy proposals may be distributed to custodial personnel and specialized units for review.
- (b) Custodial personnel are encouraged to contact supervisors in writing with suggestions or problems regarding policy. Commanders will assign staff to draft a revision proposal for submission to the BAS Unit. The BAS Unit will create the final draft of the proposal and submit it for approval through the chain of command.

The policy and procedure manual will be available in writing and electronically to all department members at all major post assignments, as designated by the Facility Commander.

- (a) All new or revised policies/procedures will be distributed to all major post assignments, department members, and volunteers, when applicable.
- (b) When appropriate, new or revised policies/procedures are to be made available to inmates prior to implementation.
- (c) Distribution list:
 - a. Adult Detention Captain
 - b. Facility Commanders
 - c. Operations Sergeants

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- d. Shift Sergeant's Offices
- e. Electronically at G:\GeneralOrders\ADPolicy&ProcedureManual

The policy and procedure manual is numbered by chapter, section, and title.

- (a) Chapter 1 Administration, Organization, & Management. Section 1-01.01 GDP: Goals and Objectives.
 - a. 1- 01.01 GDP:
 - i. 1 signifies the chapter
 - ii. - 01 signifies the section
 - iii. .01 signifies the sub-section
 - iv. Sections with the indicator GDP are General Division Policies. These policies are posted and made available for public review in accordance with 13650 PC: Law Enforcement Agency Regulations and CCR MJS 15: 1045, Public Information Plan.
- (b) A related orders reference shall be included in the header of each section when applicable.
- (c) Issue and revision dates shall be defined in the header of each section.
 - a. The Issue Date is the original date the policy was created and issued.
 - b. The Revision Date is the date the section was revised or updated.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.03 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Review of Policy and Training Plans (Approval)	REVISION DATE: 06/08/21
RELATED ORDERS: CCR MJS 15: 1029 PC: 6030, 853.6, 849 (b) (2), 13650	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the annual development, review and approval, and distribution of the Adult Detention Policy and Procedure Manual and facility training plans as prescribed in California Code of Regulations Title 15 Section 1029 and Penal Code Section 6030.

POLICY

A manual of policies expressing the division's philosophy, goals, guiding principles, and operational procedures shall be developed, maintained, reviewed and approved, and published annually by the Adult Detention Administrative Captain. These written policies and procedures shall be made available to all employees and shall include but not be limited to:

- (a) Table of organization including channels of communication.
- (b) Inspections and operations reviews by the facility commander.
- (c) Use of force.
- (d) Use of restraint equipment including the restraint of pregnant inmates (ref. 6030 (f) PC).
- (e) Screening newly received arrestees for release (ref. 849(b) (2) and 853.6 PC).
- (f) Security and control including physical counts of inmates, searches of the facility, and searches of inmates, contraband control, and key control.
- (g) At least annually the facility commander reviews, evaluates and documents internal and external security measures. The review and evaluation shall include internal and external security measures of the facility including security measures specific to prevention of sexual abuse and sexual harassment.
- (h) Emergency procedures regarding escapes, disturbances, taking of hostages, civil disturbances, natural disasters, periodic testing of emergency equipment; storage, issue and use of weapons, ammunition, and chemical agents; and storage, issue and use of security devices.
- (i) Suicide prevention.
- (j) Segregation of inmates.
- (k) The review and evaluation shall include internal and external security measures of the facility including security measures specific to prevention of sexual abuse and sexual harassment.
- (l) Zero tolerance in the prevention of sexual abuse and sexual harassment.
- (m) Policy and procedure to detect, prevent, and respond to retaliation against any staff or inmate after reporting any abuse.

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- (n) These manuals are readily available to all employees.
- (o) These manuals are comprehensively reviewed and updated annually and shall provide for, but not be limited to, the following:
 - a. Multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.
 - b. A method for uninvolved inmates, family, community members, and other interested third-parties to report sexual abuse or sexual harassment. The method for reporting shall be publicly posted at the facility.

A review of the facility training plan, which is designed to train new employees, shall be conducted on an annual basis by the FTO Commander and FTO Sergeants. All training officers are encouraged to participate in this process. Any proposed changes to the plan shall be reviewed by the FTO Commander and submitted for approval through the chain of command.

Policy and procedures referencing facility security or systems, personnel and training, and emergency operations will not be distributed to inmates or the public as a means of ensuring confidentiality and reducing any threat to staff or inmate safety and facility security.

DEFINITIONS

- (1) Adult Detention Policy & Procedure Manual: a broad statement expressing the philosophies, goals, and guiding principles of the division. The manual also is an operational guideline for custodial personnel referencing case law, State and Federal Laws and regulations.
- (2) Manual: collection of material designed and organized for use as reference and a training aid, which explains the duties and responsibilities of a post or a specific procedure.

PROCEDURE

Approval Process:

The Bureau of Administrative Services (BAS) Unit will coordinate the annual review and update of the policy and procedure manual to ensure compliance with State and Federal Law and the California Code of Regulations Minimum Jail Standards Title 15. This review will commence on January 1st and conclude by March 1st each year. Custodial personnel and specialized units throughout the department may be invited to participate in the review and development process.

- (a) All review revisions are submitted to the Administrative Captain for administrative approval throughout the review process.

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- (b) The administrative review process will commence on March 1st and conclude on March 31st each year.
 - a. Division managers will submit any requested changes by March 31st.
- (c) All change requests, generated from the administrative review process, shall be complete by April 30th each year.
- (d) The Adult Detention Division Commander shall sign all Administrative Approval forms by April 30th each year.
- (e) The administratively approved manual is posted for all department members on May 1st each year.

Policy Development/Updates:

The BAS Unit will review actual or anticipated problem areas in the policy manual throughout the fiscal year. The unit will submit recommendations to the Administrative Captain after thoroughly researching and revising policy to address any problem areas.

- (a) Custodial personnel are encouraged to participate actively in policy development. During the developmental process, new or revised policy proposals may be distributed to custodial personnel and specialized units for review.
- (b) Custodial personnel are encouraged to contact supervisors in writing with suggestions or problems regarding policy. Commanders will assign staff to draft a revision proposal for submission to the BAS Unit. The BAS Unit will create the final draft of the proposal and submit it for approval through the chain of command.

The policy and procedure manual will be available in writing and electronically to all department members at all major post assignments, as designated by the Facility Commander.

- (a) All new or revised policies/procedures will be distributed to all major post assignments, department members, and volunteers, when applicable.
- (b) When appropriate, new or revised policies/procedures are to be made available to inmates prior to implementation.
- (c) Distribution list:
 - a. Adult Detention Administrative
 - b. Adult Detention Operation Captain
 - c. Facility Commanders

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- d. Operations Sergeants
- e. Shift Sergeant's Offices
- f. Electronically at G:\GeneralOrders\ADPolicy&ProcedureManual

The policy and procedure manual is numbered by chapter, section, and title.

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Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.04 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Overall Facility Performance & Physical Plant	REVISION DATE: 05/01/19
RELATED ORDERS: PC 4020.4, 4021 CCR MJS 15: 1027	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for reviewing and evaluating overall facility performance.

POLICY

There shall be sufficient personnel on duty at all times whenever there is an inmate in custody in a Stanislaus County Sheriff's adult detention facility; to ensure compliance with all programs and activities as described in CCR MJS 15: 1027 to include but not limited to:

- (a) Armband counts at the beginning or once a shift.
- (b) Two counts conducted at separate intervals throughout each shift.
- (c) Hourly security checks of all inmates through direct visual observation.
- (d) At least one employee is on duty in the facility at all times that is immediately available, accessible, and has the ability to respond to any inmate in the event of an emergency.
- (e) At least one female employee is immediately available and accessible whenever one or more female inmates are in custody (PC 4020.4).
- (f) A personnel plan is available indicating shift assignments and responsibilities.

DEFINITIONS

PROCEDURE

Facility commanders will evaluate facility performance continually to ensure that all operational and program requirements are met. Commanders will be constantly aware of population data, staff and inmate morale, as well as any significant operational problems. Commanders shall also review space and equipment needs on a continual basis.

- (a) Commanders will ensure there are a variety of informational sources available to aid in the evaluation process when governing agencies inspect the facility.

Commanders will constantly evaluate the following with sufficient frequency to determine the degree of compliance with policy and minimum standards:

- (a) Personnel issues, staffing, and training.
- (b) Facility inspections, operations, and programs.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.04 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
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RELATED ORDERS: PC 4020.4, 4021 CCR MJS 15: 1027	ADMINISTRATIVELY APPROVED ANNUALLY

(c) Investigations and intelligence reports.

Commanders will also review:

- (a) Searches, critical incidents and information on major developments.
- (b) Disturbances, escapes, assaults, discipline and disciplinary problems, and classification decisions.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.05 GDP
CHAPTER 2: Booking, Classification, Property, & Release	ISSUE DATE: 04/01/11
SECTION: Emergency Suspension of Standards or Requirements	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1012	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for the emergency suspension of standards in the event of any emergency which threatens the safety of the facility, its staff or inmates, or the public.

POLICY

The Sheriff's detention facilities are designed, staffed, and programmed under operational guidelines for what can ordinarily be expected. While design allowances are made for emergency circumstances, such occurrences will significantly disrupt normal operations and may require the suspension of standards or requirements.

In the event a civil unrest situation occurs, such as a large prolonged demonstration, rioting or looting; several arrests or large groups of arrests can be expected. Group arrests will be processed as efficiently and safely as possible to preserve the good order of the facility and to maintain the safety of staff and detainees.

DEFINITIONS

PROCEDURE

- (a) The Facility Commander may only suspend such regulations directly affected by the emergency for 3 days.
- (b) The Facility Commander shall notify the Board of State and Community Corrections (BSCC) in writing, in the event that such a suspension lasts longer than 3 days.
- (c) Suspensions lasting for more than 15 days require approval of the Chairperson of the BSCC. Such approval shall be effective for the time specified by the Chairperson.

Stanislaus County Sheriff's Department		1-01.06 GDP
Policy & Procedure Manual - Adult Detention Division		
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11	
SECTION: News Media . Public Information	REVISION DATE: 05/01/19	
RELATED ORDERS: GOV: 6252 ET. SEQ., 6254 EVID: 1040 ET. SEQ. CCR MJS 15: 1045, 1062 PC: 1054.1, 13650	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding the release of information to the news media and the public.

POLICY

Any information released by the Stanislaus County Sheriff's Department shall be consistent with California law, including but not limited to, Government Code 6252 et. seq. and 6254, Penal Code 1054.1 and 13650, and Evidence Code 1040 et. seq. The Stanislaus County Sheriff's Department will report unusual events or incidents to the local news media as promptly as possible. During a facility emergency and for a reasonable time thereafter, all media visits and information releases may be suspended.

Regarding the release of information; the responsibility of the Stanislaus County Sheriff's Department is to protect the privacy and rights of the individuals incarcerated within its facilities as well as the staff assigned to care for them. Media interviews within each facility are coordinated by the public information officer (PIO). Questions or comments as to the application of any rule, policy, or facility general order by media representatives are referred to the PIO for processing through the chain of command. Public information requests made in accordance with the Public Records Act (PRA) are coordinated and processed by Stanislaus County Counsel.

The news media, inmates, government agencies, and the general public are afforded access to non-confidential information concerning facility rules and policies which affect conditions of confinement as specified in Section 1045 CCR MJS 15. The following material shall be available for review by the public and inmates:

- (a) California Code of Regulations Minimum Jail Standards Title 15 (CCR MJS 15).
- (b) Facility rules and policies affecting inmates as specified in the following sections of Title 15 MJS, CCR:
 - a. 1045, Public Information Plan
 - b. 1061, Inmate Education Plan
 - c. 1062, visiting
 - d. 1063, Correspondence
 - e. 1064, Library Service
 - f. 1065, Exercise and Recreation
 - g. 1066, Books, Newspapers, Periodicals and Writings

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- h. 1067, Access to Telephone
- i. 1068, Access to Courts and Counsel
- j. 1069, Inmate Orientation
- k. 1070, Individual or Family Service Programs
- l. 1071, Voting
- m. 1072, Religious Observance
- n. 1073, Inmate Grievance Procedure
- o. 1080, Rules and Disciplinary Penalties
- p. 1081, Plan for Inmate Discipline
- q. 1082, Forms of Discipline
- r. 1083, Limitations on Discipline
- s. 1200, Responsibility for Health Care Services

Any inmate or a representative of the news media may initiate a request for an interview. Inmate interviews are not to be held for publicity purposes or result in special access privileges for the news media, but rather to ensure a better-informed public.

DEFINITIONS

- (1) Public Information Officer: processes media requests and acts as a liaison coordinating media access, social media posts, and press releases.
- (2) Representatives of News Media: a person whose primary employment is gathering or reporting news for:
 - a. A newspaper qualifying as a general circulation newspaper in the community to which it publishes.
 - b. News magazines having a national circulation and being sold by newsstands and by mail circulation to the general public.
 - c. National or international news service.

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- d. Radio and television news programs of stations holding Federal Communication Commission Licensing.
- (3) Newspaper: a newspaper is one of "general circulation" if it circulates among the general public and if it publishes news of a general character or general interest or is available electronically through social media.
- (4) General Circulation: a "general circulation" newspaper publishes legal notices in the community in which it is distributed. It is held, that for a newspaper to be considered by law a newspaper of general circulation and so qualified to publish legal notices, it must contain items of general interest to the public such as news of political, religious, commercial, or social affairs.

PROCEDURE

Representatives of the media are encouraged to visit the adult detention facilities for the purpose of preparing reports about the facilities, its programs, and activities. Representatives are encouraged to make advance appointments with the PIO.

Representatives of the news media may request to interview a particular inmate. The request may be made in writing or by telephone to the PIO within a reasonable period of time prior to the requested time of the interview.

An inmate requesting an interview with the news media will submit an "Inmate Request Form" to the Facility Commander prior to the requested date and time of the interview. An interview with an inmate or the use of video, film, or audio equipment may be disapproved for any of the following reasons:

- (a) The news media representative or the news organization which he or she represents does not agree to the conditions established by department policy.
- (b) The inmate is physically or mentally unable to participate.

Inmate Media/Consent Agreement: inmates have the right to privacy and the right not to be photographed (still, movie, video, etc.). They also have the right to not have their voices recorded by the media. A written consent must be obtained and signed by the inmate prior to photographing or filming the inmate or recording his or her voice. The completed form will be placed in the inmate's booking pouch.

- (a) A Release of Information/Interview Authorization form will be used. The form is available at the following location: G: Custody/AD Forms/INTERVIEW AUTHORIZATION

Due to special circumstances relating to security, detention, and supervision; an inmate in administrative segregation or in the booking process or on hospital status may be limited access to the media. All of the above circumstances must be reviewed and approved by the Facility Commander prior to granting media access.

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Inmate Media Interview:

- (a) Inmate interviews will not be subject to auditory monitoring. Custodial personnel will visually supervise to ensure the safety and security of the inmate as well as the news media representative.
- (b) Interviews will be held in a space designated by the shift supervisor. All interviews will be conducted during normal business hours unless the Facility Commander approves other arrangements. Security of the facility and staff shall never be compromised to accomplish media access or an interview.

News Media Requests for an Inmate Interview:

- (a) The interview request is submitted to and coordinated by the PIO. The PIO will work with the Facility Commander to approve or deny the request. A decision regarding the request shall be made within a reasonable amount of time, taking into consideration the security conditions required.
- (b) The inmate must be notified concerning the interview request. The inmate must agree to the interview and must sign a consent form before the request is processed. The written consent or denial is to be placed in the inmate's booking pouch.

Public Information Requests:

- (a) Information requests are coordinated and processed by Stanislaus County Counsel. Upon notice, the Adult Detention Division Commander will assign a manager to complete the information request in cooperation with county counsel and in accordance with the law.
 - a. The initial response is completed within 10 working days. There is no requirement to produce records at this time if the records are unprepared.
 - b. If needed, Stanislaus County Counsel may invoke legal rights to extend the expectations of the request to 14 additional days to prepare production of the requested records.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.07 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Service of Civil Process on Staff and Inmates	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4013	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for civil process regarding custodial staff and individuals in the custody of the Stanislaus County Sheriff.

POLICY

Any civil process concerning a judicial proceeding and directed to a staff member or prisoner in the custody of the Sheriff, must be served and forthwith delivered to the appropriate individual.

DEFINITIONS

- (1) Civil Process: process issued by a court in a judicial proceeding.

PROCEDURE

Civil Process Service:

- (a) Custodial personnel will accept the service of civil process directed to an individual who is currently in custody. The receiving deputy shall without delay deliver the notice to the inmate with a note thereon of the time that the deputy received it. The serving deputy will then prepare a certification of service and forward it to the issuing court indicating that the process has been served on the individual.
- (b) The law specifies that a deputy or supervisor who neglects to perform this function is liable to the prisoner for all damages incurred thereby.
- (c) Alternate Means of Compliance:
 - a. The individual, to whom the process is directed, may be brought to a location where the process server may serve the individual directly. Under no circumstances will the process server be allowed to serve the individual in a housing area of the facility.
 - i. Exception, a licensed notary is allowed to serve a process notice in a housing area.
- (d) Appearance Before the Court:
 - a. If the individual is required to appear for court within Stanislaus County in conjunction with the civil process service; the clerk responsible for calendaring court appearances is to ensure that the court appearance is scheduled.
 - b. If the individual is required to appear in court in a county other than Stanislaus County, the clerk is to notify the court which issued the civil process and inform them of the individual's incarceration status.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-01.07 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
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(e) Subpoenas for Staff:

- a. All subpoenas for staff will be forwarded to the Operations Sergeant.
- b. The Operations Sergeant will file subpoenas by shift in the sergeant's office. The shift supervisor will serve the subpoenas. The shift supervisor will complete the proof of service and forward the proof of service back to the subpoena desk. The employee will be provided a copy of the subpoena.
- c. In the event that a subpoena is received for an employee assigned to another facility; the subpoena will be forwarded to the appropriate operations sergeant or supervisor. Contact is also to be made with the subpoena desk to inform them of the employee's actual location.
- d. In the event that a subpoena cannot be served, notice is to be made to the subpoena desk.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-02.01 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/2011
SECTION: Organizational Structure and Responsibility	REVISION DATE: 06/08/21
RELATED ORDERS: SCSD PM: Attachments	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to define supervisory authority in the Adult Detention Division and clearly delineate the chain of command.

POLICY

The Adult Detention Organization Chart provides a clear chain of command from entry-level positions up to the Sheriff. The Sheriff and executive team develop and maintain the department's organizational chart (ref. Lexipol Attachments, SO_Org_Chart_final.pdf).

Unity of command ensures efficient supervision and control within the department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility.

The Sheriff is responsible for administering and managing the Stanislaus County Sheriff's Department. There are three divisions in the Sheriff's Department.

- (a) Administration
- (b) Adult Detention
- (c) Operations

DEFINITIONS

PROCEDURE

The Adult Detention Division is commanded by two captains whose primary responsibility is to provide management direction and control for the division. The division is organized in such a way that a clear chain of command is promoted and operational efficiencies are identified. Generally, the chain of command in the Adult Detention Division is as follows:

- (a) Sheriff – Coroner
- (b) Undersheriff
- (c) Business Manager
- (d) Captain Adult Detention Administration

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(e) Captain Adult Detention Operations

a. Commanders (Lieutenants & Managers)

i. Supervisors (Sergeants & Clerical Supervisors)

1. Facility Training Officer
2. Deputy
3. Legal Clerks, Specialists, and Community Service Officers
4. Trainees, Interns, and Explorers

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-02.02 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Adult Detention Division Commander	REVISION DATE: 06/08/21
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of the policy is to establish positional authority and assignment requirements for the Adult Detention Administrative Captain and the Adult Detention Operations Captain.

POLICY

The Sheriff shall assign commanders to Adult Detention Administration and to Adult Detention Operations. The commanders will hold the rank of captain and manage the day to day operation, fiscal control, and personnel assignments of the Adult Detention Division.

DEFINITIONS

- (1) Adult Detention Administrative Captain: an administrator who holds the rank of captain and is responsible for overall management of the Bureau of Administrative services, Re-Entry & Enhanced Alternative to Custody Training (REACT) Facility, Programs, Jail Alternatives, Court Holding, Court, service, Information Technology, Booking and Clerical support.
- (2) Adult Detention Operation Captain: an administrator who holds the rank of captain and is responsible for overall management of the Sheriff Detention Center East & West, Minimum Housing 1&2, Support Services, and Transition.

PROCEDURE

The commanders are charged with interpreting and implementing department policy and procedure. The commander shall also establish, review, and revise policy and procedure to ensure operations are safe, efficient, and in compliance with State and Federal Laws.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-02.03 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Facility Commanders	REVISION DATE: 05/01/19
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of the policy is to establish positional authority and assignment requirements for the Adult Detention Facility Commanders.

POLICY

Administrators holding the rank of lieutenant shall manage the Stanislaus County Adult Detention facilities and specialized units throughout the division. Each administrator shall be appointed by the Sheriff and be subordinate to the Division Commander and such other superiors as designated by policy.

Assignment to or transfer from the position of Facility Commander is at the discretion of the Adult Detention Division Commander and the Sheriff.

The Sheriff's Executive Team, Stanislaus County Personnel Department, and the Human Resources Department shall determine the qualifications required for this classification and the Sheriff will approve final appointment. The Sheriff and Executive Team shall develop the recruitment process to attract and retain the most qualified individuals for this classification.

Facility commanders will have primary authority and responsibility for operational control in their specific area of responsibility. This authority shall also include staffing assignments, program development, personnel supervision, maintenance, and auxiliary inmate services.

DEFINITIONS

- (1) Facility Commander: for the purpose of this manual, facility commander shall refer to staff holding the rank of lieutenant and having managerial authority over a specific group of supervisors and employees relating to a specific unit or facility.

PROCEDURE

- (a) Adult Detention Commander Assignments:
 - a. SDC West Commander
 - b. SDC East Commander
 - c. REACT Commander
 - d. Minimum Housing Unit 1 & 2 Commander
 - e. BAS Commander
 - f. Jail Alternatives & Inmate Programs
 - g. Transition - Sheriff's Projects/Jail Expansion

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-02.04 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Bureau of Administrative Services (BAS) Commander	REVISION DATE: 06/08/21
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of the policy is to establish positional authority and assignment requirements for the Bureau of Administrative Services (BAS) Commander.

POLICY

The Bureau of Administrative Services (BAS) Unit will be primarily directed by a single administrator holding the rank of lieutenant and appointed by the Sheriff. This manager shall be subordinate to the Adult Detention Administration Captain and such other superiors as designated by policy.

- (a) The Sheriff and Adult Detention Administration Captain may also organize managerial authority of the BAS Unit with additional commanders to manage specialized units, functions or projects.

DEFINITIONS

- (1) Bureau of Administrative Services Commander: an administrator who holds the rank of lieutenant and is appointed by the Sheriff.

PROCEDURE

Assignment to or transfer from the position of BAS Commander will be at the discretion of the Adult Detention Division Commander and the Sheriff.

The Sheriff's Executive Team, Stanislaus County Personnel Department, and the Human Resources Department shall determine the qualifications required for this classification and the Sheriff will approve final appointment. The Sheriff and Executive Team shall develop the recruitment process to attract and retain the most qualified individuals for this classification. Assignment duration will be determined at the discretion of the Adult Detention Administration Captain and by direction of the Sheriff.

The BAS Commander will have primary authority and responsibility for:

- (a) Coordinating department training and facility training
- (b) Scheduling
- (c) The Classification Unit
- (d) Title 15 and Title 24 compliance
- (e) PREA
- (f) K-9 Unit
- (g) The development and revision of policy and procedures

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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Bureau of Administrative Services (BAS) Commander	REVISION DATE: 06/08/21
<u>RELATED ORDERS:</u>	ADMINISTRATIVELY APPROVED ANNUALLY

The BAS Commander will also address specific projects and challenges pertaining to the Adult Detention Division as directed. The BAS Commander is subordinate to the Division Commander and such other authorities as designated by policy.

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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Fiscal Management	REVISION DATE: 06/08/21
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding the preparation and administration of the Adult Detention Budget.

POLICY

Stanislaus County is a general law county, i.e., its organization and functions are enumerated in the State Constitution. An elected board of 5 supervisors makes up the governing body for Stanislaus County. Among many of the Board's responsibilities are enacting ordinances, resolutions, approving contracts, setting employee salaries, adopting the budget, and levying taxes.

The Board appoints a County Chief Executive Officer (CEO). The CEO directs and coordinates the work of county departments where the department head is appointed and puts into action rules and a regulation on county policy, county budget, and establishes as well as enforces personnel policies and practices.

The Board has control, by statute and ordinance, of the Sheriff-Coroner's Department Budget. The Adult Detention Administration Captain and Sheriff's Business Manager prepare and administer the division's annual budget. The commander will develop strategies to accomplish any mandates prescribed by the Sheriff, County Board of Supervisors, CEO, and any applicable laws or judicial rulings. Fiscal expenditures shall relate directly to the budget as approved by the County Board of Supervisors.

DEFINITIONS

- (1) Appropriation: an authorization granted by the Board of Supervisors to make expenditures and appropriations.
- (2) Budget Unit: the organizational level to which appropriations are made.
- (3) Encumbrance: obligations which are chargeable to an appropriation and for which a part of the appropriation is reserved (utilities, monthly services, staffing, etc.).
- (4) Expenditure: recognition of the delivery of goods or services. During the fiscal year expenditures are recognized when the cash disbursement occurs.
- (5) Fixed Asset: furniture or equipment costing \$1,000 or more and having an estimated useful life of 3 or more years.
- (6) Revenue: the obligation of an outside party to transmit moneys to the County. Throughout the fiscal year cash collected from various sources produces revenue.
- (7) Sub-object: a secondary classification of an encumbrance or expenditure, which describes what is actually purchased by that charge.

PROCEDURE

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The CEO establishes budget targets based upon estimated available financial resources, personnel requirements, services, and programs. These factors are then then developed by each department to meet the CEO's targets. The CEO evaluates each department's program, fiscal data, and estimated available financial resources to determine their recommended funding levels.

Final recommended budgets are submitted to the board by the CEO once all department head meetings are complete. Following a number of public hearings before the finance committee and the full board, the budget is then adopted.

(a) County revenue comes from five main sources:

- a. Property Tax
- b. State Aid
- c. Federal Aid
- d. Charges for services, i.e., fees collected for various road, community development, and general services projects performed by the county.
- e. Fines, Licenses, and Permits

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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Security of Funds	REVISION DATE: 06/08/21
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures and security controls regarding funds and the accepting and releasing of money.

POLICY

Unless authorized by the Facility Commander, individuals will not be allowed to release money except within the first 24-hours after booking. If approved, the individual must release all of their money.

- (a) Money cannot be transferred from one individual's account to another individual's account.
- (b) An individual's money will not be released to persons who have been incarcerated within 30-days.
- (c) All money found on an individual after returning from a visit, work crew, or at any time during incarceration will be confiscated and may be deposited into the Stanislaus County General Fund.

In the event the Touch-Pay System is down and a debit card cannot be loaded, a check will be written to the individual who is being released.

- (a) The releasing supervisor will process the pre-signed check by using the ICJIS check printer. The record of the individual's transaction is stored in ICJIS under inmate account.
- (b) The shift supervisor will deliver the check to the releasing deputy who will verify the funds prior to release.

DEFINITIONS

PROCEDURE

When an individual is released to prison or out of county and they have funds on their books; a check is to be processed in place of a debit card. If the individual is released out of county to another agency, a check will be given to the individual, not the agency.

- (a) Individual checks will be processed for the California Department of Corrections & Rehabilitation (CDCR) for individuals transferred to a California State Prison.
- (b) When a void check is processed, the check along with the individual's information (could be a copy of the release) is sent to facility administration.

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(c) In a situation when the ICJIS check writing printer has technical issues, the releasing supervisor can use the pre-signed check book, which is in the facility administration office.

Anyone, including the individual, may post cash in the amount of bail or fine set.

(a) Custodial personnel accepting the cash bail will complete the ICJIS Bail/Fine Receipt in its entirety, including the address of the "payer".

a. The courts need the "payer" address to return the bail/fine money if it is not forfeited.

(b) The "payer" will be presented with an ICJIS receipt for the cash bail amount.

(c) Certified checks in the exact amount of the bail/fine may be accepted in lieu of cash.

a. If the individual is in custody on a local charge the certified check is made payable to the Stanislaus County Superior Court.

b. If the arrest charge is from another California County, the certified check is made payable to the current Stanislaus County Sheriff-Coroner.

(d) Cash bail is not accepted for arrests where the charge originated from an agency out of the State of California.

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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 05/01/19
SECTION: Touch Pay	REVISION DATE: 06/08/21
<u>RELATED ORDERS:</u>	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for Touch Pay.

POLICY

Funds may only be placed on an individual's money account via the Touch-Pay System.

- (a) Cash, certified checks and cashier's checks or money orders are not accepted through the mail and will be placed in the individual's property or returned to the sender.

DEFINITIONS

PROCEDURE

Touch-Pay debit cards will be kept in the Shift Sergeant's office.

- (a) Only the assigned shift supervisor will have access to the lockbox and lockbox key, which contain unused Touch-Pay debit cards.
- (b) The lockbox will be kept closed and locked. The key is to be secured when not in use.
- (c) The inmate funds pre-signed checkbook will remain secured in the Shift Sergeant's office or a location designated by the Facility commander.
 - a. To prevent fraud, all pre-signed checks will be processed using the check writing machines located in the Shift Sergeant's office.
- (d) Empty Touch-Pay debit cards shall be secured in a specified location within the facility.
- (e) Voided Touch-Pay debit cards will be sent to the facility administrative assistant with a written explanation attached.
- (f) The maximum amount that can be loaded onto a debit card is \$9,500.00.
 - a. Create a check for any individual who is schedule to be released with a fund balance of more than \$9,500.00.
 - b. As required by law; any debit card loaded for \$9,000.00 or more requires completion of the Large Dollar Transaction Form. All fields on the form must be complete with all required information including the EIN# 946000540. This form is located in the Shift Sergeant's office.

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When an individual is processed for release, the releasing deputy is provided a pre-loaded Touch-Pay debit card by the Shift Sergeant.

- (a) The releasing deputy will verify the individual's release funds match the printed receipt for the card.
 - a. The shift supervisor will clear each release and load a debit card if warranted.
 - b. The shift supervisor will print out 2 copies of the touch pay receipt.
 - i. One copy is attached to the individual's booking sheet.
 - ii. The other copy is given to the individual being released.
 - c. The shift supervisor will sign the card log and verify that the corresponding card matches the log.
 - i. The administrative assistant will audit debit cards on a regular schedule and report to the Facility Commander and finance department.

Touch pay is interactive with the Stanislaus Sheriff Criminal Justice Information System (ICJIS). All inmate account transactions, name, booking number, and Touch Pay card numbers are stored in the ICJIS system.

The following information is needed to fund an account:

- (a) Facility Locator No. 295354
Stanislaus County, CA
Individual's Booking Number
Individual's Name

The Touch-pay System accepts Visa, MasterCard, debit cards, electronic checks, or cash in the kiosk only.

- (a) There are three ways to place funds on an account:
 - a. Kiosk: United States currency may be deposited on an individual's account in the lobby of the Sheriff's Detention Center, Public Safety Center, REACT Facility, or the Sheriff's Visitation Center.
 - b. Telephone: to deposit money by telephone, have available Visa or MasterCard, debit card, or personal checking account information. Call 1-866-232-1899 toll free. Follow the voice prompts. Upon completing the transaction you will receive a confirmation number.
 - c. Internet: to deposit money by internet have available Visa or MasterCard, debit card, or personal checking account information. Go to <http://payments.touchpaydirect.net> follow

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on screen prompts. Upon completion of the transaction you will receive a confirmation number. You will need to have an email account to receive a receipt.

- (b) There is a convenience fee to use this system. Billing or checking account statements will show either Touch-Pay Direct or Correctional Payment Services as the payee.

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CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Security & Confidentiality of Inmate Records & Information	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 13000 GOV: 6254 (f) CCR MJS 15: 1041	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding the security and confidentiality of individual inmate records, systems, and the release of information.

POLICY

All inmate records are confidential. The release of any inmate information will be governed by a need to know as well as the right to know. This policy applies to the information contained in the inmate's booking record, classification file, phone and visiting systems/records, and the information stored in the Integrated Criminal Justice Information System (ICJIS) data base.

Each facility shall maintain an individual inmate record (booking pouch) for each inmate housed within that specific facility. The individual inmate record shall consist of:

- (a) Intake information, personal property receipts, commitment papers, court orders and requests.
- (b) Reports of disciplinary action taken.
- (c) Medical orders issued by a physician and staff response.
- (d) Non-medical information regarding disabilities and other limitations.

The PREA Coordinator shall collect accurate, uniform data for every allegation of sexual abuse at all of the Sheriff's detention facilities and from other facilities with which the Sheriff contracts for the confinement of Stanislaus County inmates. The data collected shall include, at a minimum, the data necessary to satisfy the reporting requirements of 34 U.S.C. section 30303(a)(1).

Classification records frequently contain privileged information and must be separate from custody records as required by the California Government Code 6254 (f). In order to safeguard legally privileged or confidential information, personnel other than classification officers or shift supervisors, must have approval of the Facility Commander prior to obtaining any information from classification files.

DEFINITIONS

PROCEDURE

The security of tangible records is strictly maintained. No department member, volunteer or contract employee will teach any unauthorized person the operation of the ICJIS Computer System.

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- (a) No inmate (including inmate workers) will be allowed in any area having a computer terminal unless accompanied by staff.
- (b) Inmate records are to be kept in a secure storage room, which is not accessible to inmates. At no time will an inmate be allowed to review official records.

Each computer terminal will have the ability to access information through the ICJIS system. Staff is approved to access ICJIS for the purpose of completing a task that is relevant to their assignment and consistent with a law enforcement purpose. When staff has completed these tasks, they will log-off of the system so no other staff can utilize their personal log-on information.

- (a) At no time will an inmate be allowed access to a staff computer or the ICJIS System.

The information described below is considered to be public information and may be released to the public, 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. All other information contained in the inmate's jail record(s) is not for disclosure except with the Facility Commander's approval or the inmate's written/signed release, excluding those covered by governmental privilege.

- (a) Any public inquiry into the immigration status of an inmate shall be referred to the ICE Public Information Line at (209) 547-3700 or (855) 448-6903.
- (b) Only the following inmate information, based on the above criteria, may be released as public information:
 - a. The full name, date of birth, current address, and occupation of the person arrested.
 - b. The arrestee's physical description including: weight, height, sex, and color of eyes and hair.
 - c. Date and time of arrest and whether the charges are felony or misdemeanors offenses.
 - d. Name of the court having jurisdiction.
 - e. Date and time of booking.
 - f. Booking number and whether individual is sentenced or un-sentenced.
 - g. Location of arrest.
 - h. Release date.
 - i. Amount of bail set and next scheduled court appearance.

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- i. Time and manner of release if known or location where the arrestee is being held (not a unit or cell number facility only).
- ii. All charges the subject is being held on including outstanding warrants and holds.
- iii. Arresting agency (not officer's name).

The inmate telephone monitoring system can be used as an investigative tool to monitor for information that pertains to specific intelligence gathering.

- (a) No department member, volunteer or contract employee will alter the phone system.
 - a. Problems with the phone system shall be reported immediately to the Information and Technology Unit (IT) or the inmate phone system administrator.
- (b) Custodial personnel, with supervisory approval only, will complete an access user agreement and be issued log-on information to monitor inmate telephone calls.
- (c) Outside agency investigators may monitor inmate telephone calls. Outside investigators must complete an access user agreement to access and monitor the inmate phone system under a legitimate law enforcement purpose.
 - a. Any intelligence concerning any staff member or the safety of an inmate, facility safety, or that contraband is being obtained by use of the inmate telephone system will be reported immediately to a supervisor. The supervisor will forward the information to the appropriate department, commander, or individual.

The Classification Unit will maintain a current and accurate case record (Classification File) for each inmate housed within the adult detention system. Non-electronic records are also maintained in the classification office or other secure areas as specified by the BAS Commander.

- (a) Access to the classification office is limited to authorized personnel only.
- (b) The classification office is to be locked at all times and no inmate shall enter this office unless under supervision.
- (c) Each supervisor is allowed access to maintain and input information into the case record.
- (d) Unless approved, staff will not have access to review or update classification records. Staff should inform their immediate supervisor when updates to a specific inmate file are required.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	1-03.06 GDP
CHAPTER 1: Administration, Organization, & Management	ISSUE DATE: 04/01/11
SECTION: Inmate Welfare Fund/Commissary	REVISION DATE: 06/08/21
RELATED ORDERS: PC: 4025, 4026 CCR.MJS 15: 1066, 1245(a)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures describing the administration and facilitation of the Inmate Welfare Fund.

POLICY

Inmate Welfare Fund revenue is deposited with the Treasurer of Stanislaus County, who is encouraged to deposit, invest, or reinvest any part of the fund, in excess of that deemed necessary for day-to-day operations. The interest accruing on such funds will be deposited in the Inmate Welfare Fund. The Inmate Welfare Fund is comprised of all moneys and property accrued through commissary store operations, inmate telephone commissions, paid video visitation commissions, found cash not claimed, and donations.

- (a) Inmate Welfare Fund expenditures, except for routine replenishment of store stock, will be expended for the benefit, education, and welfare of individuals incarcerated within Stanislaus County.

DEFINITIONS

- (1) Indigent Inmate: an indigent inmate is defined as an individual with less than \$2.00 on their account and who has not deposited any funds into their account since confinement or for a period of seven-days after their expenditures from their account has reduced the balance below \$2.00.

PROCEDURE

The Sheriff-Coroner and the Inmate Welfare Committee administer the Inmate Welfare Fund, Commissary, and associated activities. Four voting members of the committee will constitute a quorum necessary to transact business. The chairman will only be a voting member in the absence of a facility commander to break a tie or to constitute a quorum.

Due to the transient nature of the inmate population, it is not practical to have inmate representation on the Inmate Welfare Fund Committee. In order to obtain inmate input; facility commanders and Friends Outside will solicit suggestions from the inmate population and bring them to the attention of the Inmate Welfare Fund Committee. The committee consists of the following:

- (a) Adult Detention Administrative Captain (Committee Chair)
- (b) Facility Commander – REACT Facility (Inmate Programs)
- (c) Facility Commander – SDC East
- (d) Facility Commander – SDC West

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- (e) Facility Commander – MHU 1 & 2
- (f) Bureau of Administrative Services Commander
- (g) The Sheriff's Business Manager
- (h) A citizen appointed by the Sheriff
- (i) A member of Friends Outside and the Literacy Center will serve in an advisory capacity

The chair should call for a meeting of the Inmate Welfare Fund Committee quarterly. Special meetings may be called at any time deemed necessary by the chair of the committee to deal with pressing or priority issues. Minutes of each meeting will be maintained in the Inmate Welfare Fund file.

(a) Duties and responsibilities of the Inmate Welfare Committee:

- a. Meet once per quarter to discuss inmate welfare business (four committee members are required to constitute a quorum).
- b. Review prices charged and profit margin.
- c. Review and establish inmate spending limits.
- d. Plan and recommend major expenditures in excess of \$200.00 per unit cost.
- e. Each February review and recommend a budget to the Sheriff.
- f. Examine accounting practices and procedures.

(b) Duties and responsibilities of the Business Manager:

- a. Submit a monthly financial activity report to the committee members.
- b. Compiles data for the preparation of the annual budget for the committee's review.

(c) Duties and responsibilities of the Custodial Account Clerk:

- a. Act as the committee's secretary.
- b. Maintain the Inmate Welfare Fund capital equipment inventory.
- c. Maintain on file copies of all inmate purchase orders charged to the Inmate Welfare Fund.

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- d. Oversee all of the jail commissary store purchases.

During February of each year, an itemized report of all Inmate Welfare Fund expenditures covering the previous fiscal year will be prepared by the Custodial Account Clerk or Sheriff's Business Manager. The report is submitted to the Sheriff for approval and transmission to the Stanislaus County Board of Supervisors.

- (a) A copy of this report will be posted in each facility and be made available to the public and inmates by inclusion in the public information dissemination plan.
- (b) Inmate Welfare Fund Revenue:
 - a. Each facility commander will be responsible for inmate welfare property maintained within their facility.
 - b. Vendors are directed to send the agreed upon share of proceeds by check to the Business Manager who will deposit the proceeds with the County Treasurer.
 - c. The County Auditor-Controller will maintain a monthly ledger account for the Inmate Welfare Fund and Commissary. The Inmate Welfare Committee Chairperson will review expenditures monthly.
 - e. The County Auditor-Controller will audit the Inmate Welfare Fund annually to ensure compliance with standard accounting practices.
- (c) Inmate Welfare Fund income revenue generating operations:
 - a. Inmate Commissary Store.
 - b. Confectionery, postage stamps, newspapers, and other vending machines where authorized.
 - c. Inmate telephones and paid video visitation
- (d) Inmate Welfare Fund expenditures are governed as follows:
 - a. Capital items (an item costing \$200.00 or more with a useful life of three years or more) must be authorized by the Inmate Welfare Fund Committee and approved by a majority.
 - b. Expenditures in excess of \$1,000.00 are reviewed and approved by the Inmate Welfare Fund Committee.
 - c. All requisitions for the routine replenishment of commissary store stock and the purchase of equipment and supplies must be approved by the Custodial Account Clerk.

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- d. The expenditure of inmate welfare funds is authorized to provide for indigent inmates:
 - i. County transit tickets for transportation within the county/city.
 - ii. Essential clothing

Commissary store operations; selected items approved by facility commanders, which are not available through the Commissary Store, may be made available via Friends Outside.

- (a) All inmate funds are deposited into individual inmate accounts. Inmates affect the transfer of funds to purchase commissary items by executing the withdrawal authorization on the commissary request form.
- (b) Inmates are limited to a maximum commissary expenditure of \$75.00 per week not including phone cards.
- (c) A commissary order form of all items is made available to inmates or a price list will be posted at each housing area.
- (d) Prices charged in the store are established by the Custodial Account Clerk and approved by the Inmate Welfare Fund Committee. Adjustments may be made periodically, without notice, depending on inflation or vendor price increases. The Adult Detention Division Commander may authorize special sale prices to deplete inventory of slow moving items.
- (e) The Commissary Storekeeper replenishes store inventory by routine order or reorder. All items sold to the inmate population must be reviewed and approved by facility commanders.

An Inmate Welfare Fund property inventory is maintained by the Custodial Account Clerk.

- (a) Inmate Welfare Fund property is used solely for the education and benefit/welfare of the inmate.
- (b) All capital items will be assigned a permanent Inmate Welfare Fund Number and entered into the Asset Inventory Log.
- (c) Non-capital items which are durable nature, such as calculators, office supplies, etc., will be assigned an Inmate Welfare Fund Number and entered into the Asset Inventory Log.
- (d) The Custodial Account Clerk will conduct an inventory of the tagged property annually. The Inmate Welfare Fund Committee will:
 - a. Examine and approve the inventory
 - b. Authorize the replacement of unserviceable items

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- c. Acknowledge the loss of any tagged items and report such loss to the Sheriff.

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Policy & Procedure Manual - Adult Detention Division		
CHAPTER 2: Receiving & Release, Classification, and Jail Alternatives	ISSUE DATE: 04/01/11	
SECTION: Receiving Arrestees & Transfers (General Process)	REVISION DATE: 05/01/19	
RELATED ORDERS: CCR MJS 15: 1051, 1053, 1055, 1056, 1069, 1080, 1207, 1213 PC: 815, 853.6, 1269(C), 1300, 1301, 4004, 4015, 4019, 4030 GOV: 26640 W & I: 707.1	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines describing the general processes associated with receiving arrestees and transfers.

POLICY

The Facility Commander shall ensure that all arrestees and new arrivals are processed without unnecessary delay and in accordance with the law. All steps of the receiving process shall be accomplished for the good order of the facility. The receiving processes shall be performed in such a way that compliance is achieved with the following standards:

- (a) State of California and Federal Law
- (b) California Code of Regulations, Minimum Jail Standards Title 15
- (c) California Medical Association Standards for Health Services in Adult Detention Facilities
- (d) The Americans with Disabilities Act (ADA)

DEFINITIONS

PROCEDURE

General Procedures to Receive Arrestees and Transfers:

- (a) Incoming vehicles with arrestees or transfers will stop at the vehicle sally port gate and request entrance into the facility. The entrance and exit gates at the vehicle sally port shall remain secured at all times when not in use.
 - a. Staff assigned to central control will make every effort to establish identification before allowing access.
 - b. If needed, a deputy shall be sent to verify the identity of any person attempting to gain entry into the secure perimeter.
- (b) Parking and Unloading: the vehicle's engine must be turned off and the ignition keys removed once the vehicle has been parked for the purpose of unloading inmate transfers.
 - a. Staff shall make every effort to make certain that no inmates are left unattended in any county vehicle.

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RELATED ORDERS: CCR MJS 15: 1051, 1053, 1055, 1056, 1069, 1080, 1207, 1213 PC: 815, 853.6, 1269(C), 1300, 1301, 4004, 4015, 4019, 4030 GOV: 26640 W & I: 707.1	ADMINISTRATIVELY APPROVED ANNUALLY

- (c) **Securing Weapons:** before entering a facility, all firearms not secured inside the vehicle's lockbox, gun rack, or trunk will be secured inside one of the facility gun lockers.
- (d) **Processing:** all individuals shall be processed in accordance with policy. Thorough searches of the individual and their property should occur prior to entry into the facility.
 - a. Complete a thorough search of the individual and their possessions as well as the disposition of their personal property. (reference 9-03.03, Searches by Stage of Custody . Unclothed Searches)
 - b. Verify authority to detain. Ensure the probable cause declaration is complete and the individual can legally be committed to the facility.
 - c. Identify any drug or alcohol use and intoxication problems during medical, dental and mental health screening.
 - i. Screen all individuals for suicidal tendencies.
 - ii. Screen all individuals in accordance with PREA regulations.
 - d. Provide assistance and accommodation to inmates who require special care due to a disability including, but not limited to access and use of wheelchairs, walkers and the TTY phone system.
 - e. Screen all individuals for classification status and criminal history.
 - f. Provide information in regards to inmate rules and where they are posted.
 - g. Access for telephone calls.
 - i. Access to TTY phone system for individuals with disabilities.
- (e) **Movement:** inmates are to be moved by custodial personnel only.
- (f) **Create the booking record:**
 - a. Record personal data and information.
 - b. Enter charges.

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SECTION: Receiving Arrestees & Transfers (General Process)	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1051, 1053, 1055, 1056, 1069, 1080, 1207, 1213 PC: 815, 853.6, 1269(C), 1300, 1301, 4004, 4015, 4019, 4030 GOV: 26640 W & I: 707.1	ADMINISTRATIVELY APPROVED ANNUALLY

- i. The legal clerk is responsible for entering all court information in the ICJIS System. However, it shall be the responsibility of all members to be familiar with and understand how to process court paperwork, rebooking slips and probable cause declarations and updating the DA Charges Screen in ICJIS if necessary.
 - a. Explanation of mail, visiting procedures, and medical requests.
 - b. Assistance to individuals in notifying their next of kin and families of admission.
 - c. Assignment of booking number.
- (g) Identification: photographing and fingerprinting, including notation of identifying marks or other unusual physical characteristics.
- (h) Access to shower and hygiene products, if necessary.
- (i) Dress-in and issue clean clothing when the individual is assigned to a housing unit.
 - a. Take possession of personal clothing for storage and safe keeping.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 10/18/12
SECTION: Screening Arrestees & Transfers	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 815, 853.6, 1269(C), 1300, 1301, 4004, 4015, 4019, 4030	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish a plan regarding the screening of arrestees and transfers. Comprehensive health care services and classification screening are provided for the health and well-being of all individuals detained or transferred to the Stanislaus County Adult Detention facilities.

POLICY

Each facility shall have a written policy governing the admission of new arrivals. Staff shall make every effort to orientate new admissions by explaining each step in the receiving process. New arrivals are to be kept separate from the general jail population until processing is complete.

- (a) Classification and PREA screening of all new arrivals is completed by trained custodial personnel prior to issuing a housing assignment.
 - a. Eligibility for release is a factor in the screening process.

Health screening shall be performed by licensed health care professionals and trained facility staff. A health inventory and communicable disease screening for each inmate shall be completed within 14 days after admission into the facility. Health screening is a system of inquiry and observation designed to:

- (a) Prevent newly admitted persons, who pose a health or safety threat to themselves or others, from housing in the general jail population; and
- (b) To rapidly identify and transport those persons in need of immediate health care.

DEFINITIONS

PROCEDURE

Screening procedures generally include the following:

- (a) Ensure the pre-booking probable cause declaration is complete.
- (b) Verify authority to detain and that the individual can legally be committed to the facility.
- (c) Complete a thorough search of the individual and their possessions.
- (d) Complete Short Form Classification Card screening.
- (e) Identify drug or alcohol use or intoxication.
- (f) Complete medical, dental, and mental health screening to include suicide screening (Medical Pre-Screening Form).

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(g) Complete PREA screening.

(h) Orientation Information:

- a. Describe sick call procedures and medical care.
- b. Describe how inmate rules are posted in housing areas.
- c. Explanation of mail and visiting procedures.
- d. Provide assistance to individuals in notifying their next of kin and families of admission.
- e. Access to make telephone calls.

(i) Assistance and accommodation to individuals who require special care due to a disability including but not limited to, access and use of wheelchairs, walkers, assisted listening devices, and the TTY phone system.

Medical pre-screening shall minimally include the following:

(a) Inquiry into:

- a. Current illness and health problems, including medical, dental and communicable diseases (including sexually transmitted diseases);
- b. Medications taken and special health requirements;
- c. Use of alcohol and other drugs to include types and methods, amounts, frequency, date or time of last use, and a history of problems which may have occurred after ceasing use (example seizures);
- d. History or appearance of suspected mental illness, including suicidal ideation or behavior;
- e. Appearance or history of any developmental disability;
- f. Appearance of any physical disability;
- g. History of gynecological problems, possibility of current pregnancy, and present use of birth control (females).

(b) Observation of:

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- a. Behavior, which includes state of consciousness, mental status, appearance, conduct, tremors and sweating;
- b. Body deformities and ease of movement;
- c. Condition of skin including trauma markings, bruises, lesions, jaundice, rashes and infestations, needle marks or other indications of drug abuse;
- d. Slowness in speech or lack of comprehension of questions suggestive of developmental disabilities;
- e. Physical disability.

(c) Disposition:

- a. Referral to an appropriate facility for emergency health care service; or
- b. Placement in the general inmate population and later referral to an appropriate health care service; or
- c. Clearance for housing; or Isolation or special observation in the facility.

(d) Health inventory and communicable disease screening minimally includes the following:

- a. Review of screening information;
- b. Recording of temperature, pulse, respiration, blood pressure, height and weight;
- c. Testing for tuberculosis is required.
 - i. Screening for other communicable diseases shall be determined by the medical provider in consultation with the Stanislaus County Health Officer.
- d. Completion of a gender specific health history form.
 - i. The history should include, at a minimum: prior illnesses, operations, injuries, medications, allergies, systems review, family history, substance abuse and risk factors for sexually transmitted diseases.

(e) A health inventory follow-up minimally includes:

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- a. Approval of forms by the medical provider;
- b. Health history and vital signs are recorded by licensed or certified health personnel;
 - i. Any positive findings are compiled into a problem list.
 - ii. The medical provider creates an action plan to address any issues.
 - iii. Conditions requiring further evaluation or treatment are referred to an appropriate source of clinical care.
- c. Upon completion, the health inventory and action plan are reviewed and approved by the responsible physician.

Classification/PREA screening for appropriate placement:

(a) Initial Screening:

- a. All individuals shall be assessed for their risk of being sexually abused or sexually abusive towards other individuals during the screening process.
- b. All individuals shall be re-screened before transfer to another facility.
- c. An individual may not be disciplined for refusing to answer particular questions or for not disclosing complete information.
- d. If an individual discloses prior sexual victimization or predatory behavior, whether it occurred in an institutional setting or in the community, staff shall ensure the classification deputy is notified.
- e. Classification completes an initial PREA Assessment Form and ensures the individual is offered a follow-up referral with medical or mental health staff.
- f. This procedure shall also apply to inmate transfers.

(b) Follow-up screening and certain yes answers:

- a. Classification will re-screen individuals within 30 days of arrival. Individuals shall also be re-screened due to a referral, staff request, or incident of sexual victimization.

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- b. Classification is responsible for housing assignments.
- c. Classification shall be immediately notified in the following circumstances:
 - i. If staff has a significant concern that an individual may have or has been subject to sexual victimization.
 - ii. If an individual displays predatory behavior.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Consular Notification	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 834 (c)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure regarding consular notification pursuant to 834 (c) PC.

POLICY

When a foreign national is detained, the individual must be advised of their right to have a foreign embassy or consulate notified pursuant to 834 (c) PC.

- (a) The foreign national has the option to have a consular representative notified of their detention or not, if the foreign national's country of origin is not on the mandatory notification list.
- (b) If the foreign national's country of origin is on the mandatory notification list; the nearest foreign embassy or consulate must be notified without delay of the individual's detention, regardless of any request not to notify.

Consular Officials are entitled to provide consular assistance to detained foreign nationals. Consular Officials have the right to visit foreign nationals during established visiting hours (professional visiting), correspond with them and arrange legal representation for them.

DEFINITIONS

- (1) Foreign National: is anyone who is not a United States citizen.

PROCEDURE

Consular Notification:

- (a) In the absence of other identifying information, while determining the foreign national's country of origin, assume this is the country on the subject's passport or other travel document.
- (b) The foreign national's country of origin is not on the mandatory notification list:
 - a. Immediately offer to notify the foreign national's foreign embassy or consulate regarding their detention.
 - i. The clerk will note the individual's response in the memo line of the DA Charge Screen. The entry shall be dated and initialed by the clerk.
 - b. If the foreign national asks that consular notification be given; notify the nearest foreign embassy or consulate for the individual's country of origin without delay.

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- i. Find the notification form on Page 5 of the Consular Notification and Information Guide. Additional information can be located at the following website: <https://travel.state.gov/content/travel/en/consularnotification.html>
 - ii. Consular Notification & Access (CNA) U.S. Department of State CA/P SA-17, 12th Floor Washington, DC 20522-1712 Telephone: (202) 485-7703 Email: consnot@state.gov
 - iii. Urgent telephone inquiries after regular business hours (8 a.m. to 5 p.m. Eastern) may be directed to the Department's Operations Center at (202) 647-1512.
- c. Notify the shift supervisor of all requests for consular notification prior to notification being made.
- d. A copy of the notification form is kept in the individual's booking pouch.
- (c) If the foreign national's country of origin is on the mandatory notification list:
- a. Mandatory Notification Countries and Jurisdictions (refer to the Consular Notification and Information Guide for additional information):
 - i. Albania
 - ii. Algeria
 - iii. Antigua and Barbuda
 - iv. Armenia
 - v. Azerbaijan
 - vi. Bahamas
 - vii. Barbados
 - viii. Belarus
 - ix. Belize
 - x. Brunei
 - xi. Bulgaria
 - xii. China (including Hong Kong and Macau)
 - xiii. Costa Rica
 - xiv. Cyprus
 - xv. Czech Republic
 - xvi. Dominica
 - xvii. Fiji
 - xviii. Gambia
 - xix. Georgia
 - xx. Ghana
 - xxi. Grenada
 - xxii. Guyana
 - xxiii. Hungary
 - xxiv. Jamaica
 - xxv. Kazakhstan
 - xxvi. Kiribati

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- xxvii. Kuwait
- xxviii. Kyrgyzstan
- xxix. Malaysia
- xxx. Malta
- xxxi. Mauritius
- xxxii. Moldova
- xxxiii. Nigeria
- xxxiv. Philippines
- xxxv. Poland (non-permanent residents only)
- xxxvi. Romania
- xxxvii. Russia
- xxxviii. Saint Kitts and Nevis
- xxxix. Saint Lucia
 - xl. Saint Vincent and the Grenadines
 - xli. Seychelles
 - xlii. Sierra Leone
 - xliii. Singapore
 - xliv. Slovakia
 - xlvi. Tajikistan
 - xlvi. Tanzania
 - xlvi. Tonga
 - xlvi. Trinidad and Tobago
 - xlvi. Tunisia
 - I. Turkmenistan
 - li. Tuvalu
 - lii. Ukraine
 - liii. United Kingdom
 - liv. Uzbekistan
 - lv. Zambia
 - lvi. Zimbabwe

- b. Immediately notify the nearest foreign embassy or consulate office for the individual's county of origin.
 - i. Find the notification form on Page 5 of the Consular Notification and Information Guide. Additional information can be located at the following website: <https://travel.state.gov/content/travel/en/consularnotification.html>
 - ii. Consular Notification & Access (CNA) U.S. Department of State CA/P SA-17, 12th Floor Washington, DC 20522-1712 Telephone: (202) 485-7703 Email: consnot@state.gov
 - iii. Urgent telephone inquiries after regular business hours (8 a.m. to 5 p.m. Eastern) may be directed to the Department's Operations Center at (202) 647-1512.
- c. Inform the individual that notification is being made.

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- d. The booking clerk will note, in the memo section on the DA Charge Screen, that notification was made. The entry shall be dated and initialed by the clerk.
 - e. Notify the shift supervisor of all requests for consular notification prior to notification being made.
 - f. A copy of the notification form is kept in the individual's booking pouch.
- (d) Information is posted notifying the foreign national of their right to have consular officials notified.
- a. The Information is printed in 13 different languages commonly used by foreign nationals in the United States.
 - b. Information is posted in booking, dayrooms, and other common areas accessed by inmates.
 - c. Translations of this information may also be found on pages 25 through 46 of the Consular Notification and Information Guide.
- (e) Consular officials must be notified in the event of a foreign national's death while in custody.

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Policy & Procedure Manual - Adult Detention Division		
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 03/10/14	
SECTION: Compliance with the California Values Act SB 54 and Related I.C.E. Laws and Regulations	REVISION DATE: 05/28/19	
RELATED ORDERS: PC: 1192.7, 457.1, 872, 667.5, 290, 667(d) W&I: 707 (b) CVC: 20001 (c) Title 8: 287.7 GOV: 7283, 7283.1, 7283.2, 7284.6 SCSO Policy Manual: 428	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for compliance with the California Values Act SB 54 and related statutes, concerning responsibilities associated with immigration law, including cooperation with Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) or other federal agencies, regarding persons arrested and booked into the custody of the Stanislaus County Sheriff and other departmental operations.

POLICY

It is the policy of the Stanislaus County Sheriff's Department to comply with California law governing law enforcement's ability to interact and cooperate with federal immigration officers.

The discretion of California law enforcement agencies to participate in immigration-related activities is limited by SB 54 in the following ways:

Prohibits the use of resources to investigate, interrogate, detain, detect or arrest persons for immigration enforcement purposes, including:

- (a) Inquire into an individual's immigration status.
- (b) Detain an individual on the basis of a hold request.
- (c) Provide information on a person's release date, unless that information is available to the public or in accordance with the provisions of California law.
- (d) Provide personal information as defined in Section 1798.3 of the Civil Code, including home or work address unless that information is available to the public. Personal information means any information that is maintained by the department that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters and medical or employment history including statements made by, or attributed to, the individual.
- (e) Making or intentionally participating in arrests based on civil immigration warrants, which means any warrant for a violation of federal civil immigration law and includes civil immigration warrants entered in the National Crime Information Center database; and
- (f) Assisting immigration authorities in civil immigration enforcement.

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- (g) Perform functions of immigration authorities.
- (h) Place Peace Officers under supervision of immigration authorities or employ them for purposes of immigration enforcement.
- (i) Use immigration authorities as interpreters for law enforcement matters.
- (j) Members of this department may not transfer an individual in department custody to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or as otherwise set forth herein. (See Appendices I, II, III and IV).
- (k) Provide office space exclusively dedicated to immigration authorities.
- (l) Contract with the federal government to house detainees for purposes of civil immigration custody except as provided under California law.

Members of the department are not prohibited from the following:

- (a) Responding to a request from immigration authorities about a specific person's criminal history accessed through CLIPS.
- (b) Giving immigration authorities access to interview a person in custody in compliance with the law.

All law enforcement agencies are required to report statistics on all individuals transferred to immigration authorities in accordance with the law; requiring the agency to report to the California Department of Justice the number of transfers it makes in a calendar year, as well as the offense that allowed for the transfer.

The law requires that a person not be held in custody solely on the basis of an immigration detainer if he or she is otherwise eligible for release from criminal custody and the continued detention of the individual on the basis of the immigration detainer or hold would not violate any federal, state, or local law, or any local policy. To place a no-bail hold/detainer one of the following exceptions must apply:

- (a) The individual is arrested and taken before a magistrate on a charge involving a serious or violent felony, as identified in subdivision (c) of Section 1192.7 or subdivision (c) of Section 667.5 of the Penal Code, a felony punishable by imprisonment in state prison, or any felony listed in paragraph (2) or (3) other than domestic violence, and the magistrate makes a finding of probable cause as to that charge pursuant to Section 872 of the Penal Code.

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- a. A serious felony is defined as any of the offenses listed in subdivision (c) of Section 1192.7 of the Penal Code and any offense committed in another state which, if committed in California, would be punishable as a serious felony as defined by subdivision (c) of Section 1192.7 of the Penal Code. (See APPENDIX I).
 - b. A violent felony is defined as any of the offenses listed in subdivision (c) of Section 667.5 of the Penal Code and any offense committed in another state which, if committed in California, would be punishable as a violent felony as defined by subdivision (c) of Section 667.5 of the Penal Code. (See APPENDIX II).
- (b) The individual has been convicted of a serious or violent felony according to a criminal background check or documentation provided to the law enforcement official by a federal agency. (See APPENDIX I and II).
- (c) Individuals that have any conviction or prior conviction for which the person is required to register as a sex offender pursuant to PC 290 or is currently registered on the California Sex and Arson Registry .
- (d) Other factors as set forth in California law. (See APPENDIX III).
- (e) California law requires the following rules and charges apply when determining qualification for SB54. If the convictions are when the arrestee was a juvenile, at the time he or she committed the offense, the arrestee does not qualify for SB54 unless the following criteria is met:
- a. The juvenile was 16 years of age or older at the time he or she committed the prior offense.
 - b. The prior offense is listed in subdivision (b) of Section 707 of the Welfare and Institutions Code. (See APPENDIX IV).

DEFINITIONS

- (1) Civil immigration warrant: means any warrant for a violation of federal civil immigration law, and includes civil immigration warrants entered in the National Crime Information Center database.
- (2) Conviction: shall have the same meaning as subdivision (d) of Section 667 of the Penal Code.

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- (3) Eligible for Release from Criminal Custody: an inmate may be released from criminal custody because one of the following conditions has occurred:
- a. All criminal charges against the inmate have been dropped or dismissed.
 - b. The inmate has been acquitted of all criminal charges filed against him or her.
 - c. The inmate has served all the time required for his or her sentence.
 - d. The inmate has posted a bond.
 - e. The inmate is otherwise eligible for release under state or local law, or local policy.
- (4) Law Enforcement Official: any local agency or officer of a local agency authorized to enforce criminal statutes, regulations, or local ordinances or to operate jails or to maintain custody of individuals in jails, and any person or local agency authorized to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities.
- (5) Local Agency: any city, county, city and county, special district, or other political subdivision of the state.
- (6) No Bail Hold: indicates an inmate has an SB 54 exception due to prior conviction or that a judge has determined the inmate will be held to answer or becomes convicted on current SB 54 exception charges.
- (7) Zero Bail Hold: indicates an inmate has SB 54 exception charges pending while waiting for a judge to determine if the inmate will be held to answer. (Preliminary Hearing)
- (8) Hold Request, Notification Request, and Transfer Request: have the same meanings as provided in Section 7283 of the Government Code.
- (9) Hold Request: means a federal Immigration and Customs Enforcement (ICE) request that a local law enforcement agency maintain custody of an individual currently in its custody beyond the time he or she would otherwise be eligible for release in order to facilitate transfer to ICE and includes, but is not limited to, Department of Homeland Security (DHS) Form I-247D.
- a. Notification Request: means an Immigration and Customs Enforcement request that a local law enforcement agency inform ICE of the release date and time in advance of the public of an individual in its custody and includes, but is not limited to, DHS Form I-247N.
 - b. Transfer Request: means an Immigration and Customs Enforcement request that a local law enforcement agency facilitate the transfer of an individual in its custody to ICE, and includes, but is not limited to, DHS Form I-247X.

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c. Hold, Notification, and Transfer Requests: include requests issued by the United States Immigration and Customs Enforcement or the United States Customs and Border Protection as well as any other immigration authorities.

(10)Joint Law Enforcement Task Force: means at least one California law enforcement agency collaborating, engaging, or partnering with at least one federal law enforcement agency in investigating federal or state crimes.

(11)Immigration Enforcement: includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in, the United States.

(12)Judicial Warrant: means a warrant based on probable cause for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge that authorizes a law enforcement officer to arrest and take into custody the person who is the subject of the warrant.

(13)Judicial Probable Cause Determination: means a determination made by a federal judge or federal magistrate judge that probable cause exists that an individual has violated federal criminal immigration law and that authorizes a law enforcement officer to arrest and take into custody the individual.

PROCEDURE

Members of the department shall not restrict access to any educational or rehabilitative programming or credit-earning opportunity on the sole basis of citizenship or immigration status to include, but not limited to:

- (a) Whether the person is in removal proceedings; or
- (b) Immigration authorities have issued a hold request, transfer request, notification request or civil immigration warrant against the individual.

Members of the department shall not consider citizenship and immigration status as a factor in determining a person's custodial classification level to include, but not limited to:

- (a) whether the person is in removal proceedings; or
- (b) Immigration authorities have issued a hold request, transfer request, notification request, or civil immigration warrant against the individual.

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Release of information:

All Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) inquiries will be subject to guidelines outlined in California law. To ensure uniform compliance with these laws, all DHS and ICE inquiries will be directed to the on duty shift sergeant. The shift sergeant will ensure the criteria specified in the California Values Act are met prior to disclosing information to DHS or ICE agents.

Receipt of a DHS, Voluntary Notification of Release of Suspected Priority Alien (Form I-247N), or Immigration Detainer Notice of Action (Form I-247A), provided by federal authorities, shall be treated as a request to inform DHS/ICE when a person is imminently going to be released from custody. Such information may be provided to federal authorities if made available to the public on the department's web page and/or as public information. If the information has not been made publically available, the information may only be released to federal authorities if it complies with the California Values Act, which requires a conviction for the crimes and under the criteria set forth in Appendices I, II, III and IV.

Inmate release date information may be provided if that information is available to the public. Responding to requests for notifications or providing other information may be provided including, but not limited to:

- (a) Cases in which the individual has been convicted of a felony punishable by imprisonment in state prison.
- (b) Conviction of a serious or violent felony as identified in subdivision (c) of Section 1192.7 or subdivision (c) of Section 667.5 of the Penal Code.
- (c) In cases in which the individual is arrested and taken before a magistrate on a charge involving a serious or violent felony, as identified in subdivision (c) of Section 1192.7 or subdivision (c) of Section 667.5 of the Penal Code.
- (d) The magistrate makes a finding of probable cause as to that charge pursuant to Section 872 of the Penal Code and the remaining factors set forth in Appendix III.

Requested information cannot be provided to DHS/ICE except as in compliance with this policy. Information cannot be provided to DHS/ICE for individuals arrested, detained, or convicted of misdemeanors that were previously felonies, or were previously crimes punishable as either misdemeanors or felonies, prior to passage of the Safe Neighborhoods and Schools Act of 2014 as it amended the Penal Code, unless that information has been made available on the department's web page and or as public information.

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Release of Inmate:

An inmate shall not be held in custody after the inmate has become eligible for release solely on the basis of an immigration hold:

- (a) The inmate shall not be held past their release date: including but not limited to, early, calculated, or forecasted release date.
- (b) The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate release.
- (c) A federal agency may be notified of the pending release.

The Stanislaus County Sheriff's Department shall prepare a report which shall be sent annually to the Department of Justice, in a manner specified by the Attorney General, listing the number of transfers of inmates to federal custody. The report shall specify the offense that allowed for the transfer, in accordance with the criteria set forth herein.

Public Records:

Records relating to federal agency access include, but are not limited to:

- (a) Data maintained by the department regarding the number and demographic characteristics of individuals to whom the department has provided federal agency access.
- (b) The date access was provided.
- (c) Whether access was provided through a hold, transfer, or notification request or through other means.

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, that information shall not be disclosed.

Reporting Instructions for Values Act (Form BCIIS-SB54-2):

The law requires that all law enforcement agencies are required to report statistics on all individuals transferred to federal authorities. All law enforcement agencies are required to report the following information:

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- (a) Date: the date the reporting form was submitted.
- (b) Submitting Agency ORI and Name: provide the ORI and name of the agency.
- (c) Number of Transfers by Offense Code: indicate the number of transfers to federal authorities by offense code that allowed for the transfer. This is a summary count by offense, not individual records.
 - a. For example, if two individuals were arrested for arson and were subsequently transferred to ICE for immigration enforcement purposes, the agency should report 2 for the total number of transfers and Penal Code section 451, subdivision (a) for the code section. This is not limited to transfers made in response to transfer requests, as that term is defined in Government Code Section 7283.
- (d) Contact Information: indicate the name, phone number and email of the person completing the form.

Placing a DHS/ICE Hold or Detainer:

Reference Appendices I, II, III and IV

If a federal agency requests that a hold be placed on an inmate, the legal clerk will:

- (a) Run a rap sheet using the CII#. If the rap comes back as %California Record Only,+this is the only rap that needs to be run. If it comes back as a %Multi-Source Record,+run a rap sheet using %108+III NCIC inquiry criminal history, using the FBI#. This rap will include all states.
- (b) Scan through the rap sheets to see if the inmate has ever been convicted of a violent or serious crime as defined in Section 1192.7(c) and Section 667.5(c) of the Penal Code; a conviction in which the inmate is required to register as a sex or arson offender; or any prior conviction of a misdemeanor as specified in the Adult Detention Policy & Procedure Manual Chapter 2, Section 2-04.05 Pre-Trial Release, within the last five years that meet the criteria or any felony conviction that meets the criteria listed in this policy.
- (c) If the inmate does meet SB 54 requirements due to a prior conviction, place a no bail ICE hold and make a notation in the memo section of the DA Charge Screen as to why the hold is being placed.
- (d) If the inmate has no prior convictions that meet SB 54 requirements, but is currently arrested on a

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serious or violent charge as defined in section 1192.7(c) or section 667.5(c) of the Penal Code, place the ICE hold with a zero bail amount and make a notation in the memo section on the DA Charge Screen as to why the hold is being placed.

- (e) After a Judge determines the inmate will be held to answer on new eligible charges, the court clerk will change the zero bail ICE hold to a no bail hold.
- (f) If the inmate has no prior convictions or current charges that meet SB 54 requirements, the ICE detainer will not be added and no hold will be placed. Place the ICE detainer in the Clerical Manager's mailbox.
- (g) Complete an ICE Notification Form for each inmate when it has been determined the hold will be placed as no bail or zero bail. Then fax the ICE Notification Form to ICE at (209)547-3762 and place the original ICE Notification Form in the inmate's pouch.
- (h) If the inmate has a no bail hold due to a prior conviction or SB 54 requirements, the inmate will be allowed to bail on the current charges only. The bail bondsman shall be notified that the inmate has an ICE detainer in accordance with Adult Detention Policy & Procedure Section 2-04.11. Federal authorities will be notified immediately. The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate being released on bail.

Court Proceedings:

- (a) If the inmate has a no bail ICE hold placed due to a prior conviction, and the current charges are dismissed or the inmate is released on own recognizance, time served, etc., federal authorities will be notified immediately. The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate release.
- (b) If the inmate has a zero bail ICE hold due to current SB 54 requirements and is convicted on these charges or has been held to answer by a judge, the zero bail will be changed to a no bail ICE hold and a notation will be made on the DA Screen by the court clerk as to why the ICE hold bail amount has changed.
- (c) If the inmate has a zero bail ICE hold due to current SB 54 requirements only and the charges are dropped (discharged, dismissed, released OR), the ICE hold will be dropped and the inmate will be released in accordance with current release procedures.
- (d) If the inmate has a no bail ICE hold due to current SB 54 requirements only and these charges are dropped (discharged or dismissed), the ICE hold will be dropped and the inmate will be

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released in accordance with current release procedures.

- (e) If the inmate has a no bail ICE hold due to current SB 54 requirements only and the inmate is released on own recognizance or bails out, the ICE hold will remain and federal authorities will be notified immediately. The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate release.

Notification Requests:

Providing information regarding a person's release date or responding to notification requests from federal authorities, by providing an individual's release date or other information is permitted only if:

- (a) The information is available to the public; or
- (b) The individual is subject to:
 - a. The qualifying conditions in the TRUST Act, Government Code section 7282.5, subdivision (a) described above with respect to transfer requests; or
 - b. The individual has been arrested and taken before a magistrate judge on the following types of charges, and the magistrate makes a probable cause determination for the charge: a serious or violent felony or a felony that is punishable by imprisonment in state prison. (See APPENDIX I and II).

A conviction for a straight misdemeanor, i.e., a crime that is presently punishable only as a misdemeanor, is not listed in section 7285, subdivision (a), and therefore is not a valid justification for honoring a transfer or notification request. Misdemeanor convictions for crimes affected by Proposition 47 (2014), the Safe Neighborhoods and Schools Act, including felony convictions that were reduced to misdemeanors or re-designated as misdemeanors by a court as a result of Proposition 47, cannot serve as the basis for transfers or providing release date information to immigration authorities. The crimes affected by Proposition 47 include, but are not limited to: simple drug possession for personal use, shoplifting, and forgery, writing a bad check, petty theft and receiving stolen property.

Before honoring a transfer or notification request on the basis of a qualifying conviction carefully review the individual's record of arrests and prosecutions to determine whether a listed felony conviction was reduced to a misdemeanor, or re-designated as a misdemeanor, by a court under Proposition 47. If so, cooperation with federal authorities is prohibited unless there is another valid basis for cooperation (for transfers, a judicial warrant; for notifications, only if the information is publicly available).

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- (c) Federal authorities request notification as soon as possible when an inmate is ready for pick-up or has an expected release date. Notification is to be made by fax.
- (d) Upon sentencing, a copy of the detainer will be faxed to federal authorities with the inmates release date and last day for pick-up information.

Inmate Ready for Pick-up by federal authorities:

In order to provide adequate time for federal authorities to pick-up inmates on their detainers; sentenced inmates may be released to federal authorities up to 1 year or 365 days prior to their release date.

Hold dropped by federal authorities:

Should federal authorities desire to drop their hold; they may do so and will advise our agency by fax.

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APPENDICES:

APPENDIX I . 1192.7(c) PC SERIOUS FELONIES:

- (1) Murder or voluntary manslaughter;
- (2) Mayhem;
- (3) Rape;
- (4) Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person;
- (5) Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person;
- (6) Lewd or lascivious act on a child under 14 years of age;
- (7) Any felony punishable by death or imprisonment in the state prison for life;
- (8) Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm;
- (9) Attempted murder;
- (10) Assault with intent to commit rape or robbery;
- (11) Assault with a deadly weapon or instrument on a peace officer;
- (12) Assault by a life prisoner on a non-inmate;
- (13) Assault with a deadly weapon by an inmate;
- (14) Arson;
- (15) Exploding a destructive device or any explosive with intent to injure;
- (16) Exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem;
- (17) Exploding a destructive device or any explosive with intent to murder;
- (18) Any burglary of the first degree;
- (19) Robbery or bank robbery;
- (20) Kidnapping;
- (21) Holding of a hostage by a person confined in a state prison;
- (22) Attempt to commit a felony punishable by death or imprisonment in the state prison for life;
- (23) Any felony in which the defendant personally used a dangerous or deadly weapon;
- (24) Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (I) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code;
- (25) Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person;
- (26) Grand theft involving a firearm;
- (27) Carjacking;

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- (28) Any felony offense, which would also constitute a felony violation of Section 186.22;
- (29) Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220;
- (30) Throwing acid or flammable substances, in violation of Section 244;
- (31) Assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245;
- (32) Assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5;
- (33) Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246;
- (34) Commission of rape or sexual penetration in concert with another person, in violation of Section 264.1;
- (35) Continuous sexual abuse of a child, in violation of Section 288.5;
- (36) Shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100;
- (37) Intimidation of victims or witnesses, in violation of Section 136.1;
- (38) Criminal threats, in violation of Section 422;
- (39) Any attempt to commit a crime listed in this subdivision other than an assault;
- (40) Any violation of Section 12022.53;
- (41) A violation of subdivision (b) or (c) of Section 11418; and
- (42) Any conspiracy to commit an offense described in this subdivision.

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APPENDIX II . 667.5(c) PC VIOLENT FELONIES:

- (1) Murder or voluntary manslaughter.
- (2) Mayhem.
- (3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or of subdivision (a) of Section 262.
- (4) Sodomy as defined in subdivision (c) or (d) of Section 286.
- (5) Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- (6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- (7) Any felony punishable by death or imprisonment in the state prison for life.
- (8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- (9) Any robbery.
- (10) Arson, in violation of subdivision (a) or (b) of Section 451.
- (11) Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- (12) Attempted murder.
- (13) A violation of Section 18745, 18750, or 18755.
- (14) Kidnapping.
- (15) Assault with the intent to commit a specified felony, in violation of Section 220.
- (16) Continuous sexual abuse of a child, in violation of Section 288.5.
- (17) Carjacking, as defined in subdivision (a) of Section 215.
- (18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- (19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22.
- (20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22.
- (21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- (22) Any violation of Section 12022.53.
- (23) Violation of subdivision (b) or (c) of Section 11418, legislature finds and declares these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

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APPENDIX III . CONVICTION CRITERIA FOR PROVISIONS OF NON-PUBLICALLY AVAILABLE INFORMATION TO DHS/ICS OFFICIALS AND TRANSFER OF CUSTODY TO DHS/ICE OFFICIALS:

- (1) The individual has been convicted of a serious or violent felony identified in subdivision (c) of Section 1192.7 of, or subdivision (c) of Section 667.5 of, the Penal Code. See Appendices I and II above.
- (2) The individual has been convicted of a felony punishable by imprisonment in the state prison.
- (3) The individual has been convicted within the past five years of a misdemeanor for a crime that is punishable as either a misdemeanor or a felony for, or has been convicted within the last 15 years of a felony for, any of the following offenses:
 - (A) Assault, as specified in, but not limited to, Sections 217.1, 220, 240, 241.1, 241.4, 241.7, 244, 244.5, 245, 245.2, 245.3, 245.5, 4500, and 4501 of the Penal Code.
 - (B) Battery, as specified in, but not limited to, Sections 242, 243.1, 243.3, 243.4, 243.6, 243.7, 243.9, 273.5, 347, 4501.1, and 4501.5 of the Penal Code.
 - (C) Use of threats, as specified in, but not limited to, Sections 71, 76, 139, 140, 422, 601, and 11418.5 of the Penal Code.
 - (D) Sexual abuse, sexual exploitation, or crimes endangering children, as specified in, but not limited to, Sections 266, 266a, 266b, 266c, 266d, 266f, 266g, 266h, 266i, 266j, 267, 269, 288, 288.5, 311.1, 311.3, 311.4, 311.10, 311.11, and 647.6 of the Penal Code.
 - (E) Child abuse or endangerment, as specified in, but not limited to, Sections 270, 271, 271a, 273a, 273ab, 273d, 273.4, and 278 of the Penal Code.
 - (F) Burglary, robbery, theft, fraud, forgery, or embezzlement, as specified in, but not limited to, Sections 211, 215, 459, 463, 470, 476, 487, 496, 503, 518, 530.5, 532, and 550 of the Penal Code.
 - (G) Driving under the influence of alcohol or drugs, but only for a conviction that is a felony.
 - (H) Obstruction of justice, as specified in, but not limited to, Sections 69, 95, 95.1, 136.1, and 148.10 of the Penal Code.
 - (I) Bribery, as specified in, but not limited to, Sections 67, 67.5, 68, 74, 85, 86, 92, 93, 137, 138, and 165 of the Penal Code.

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- (J) Escape, as specified in, but not limited to, Sections 107, 109, 110, 4530, 4530.5, 4532, 4533, 4534, 4535, and 4536 of the Penal Code.
- (K) Unlawful possession or use of a weapon, firearm, explosive device, or weapon of mass destruction, as specified in, but not limited to, Sections 171b, 171c, 171d, 246, 246.3, 247, 417, 417.3, 417.6, 417.8, 4574, 11418, 11418.1, 12021.5, 12022, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.55, 18745, 18750, and 18755 of, and subdivisions (c) and (d) of Section 26100 of, the Penal Code.
- (L) Possession of an unlawful deadly weapon, under the Deadly Weapons Recodification Act of 2010 (Part 6 (commencing with Section 16000) of the Penal Code).
- (M) An offense involving the felony possession, sale, distribution, manufacture, or trafficking of controlled substances.
- (N) Vandalism with prior convictions, as specified in, but not limited to, Section 594.7 of the Penal Code.
- (O) Gang-related offenses, as specified in, but not limited to, Sections 186.22, 186.26, and 186.28 of the Penal Code.
- (P) An attempt, as defined in Section 664 of, or a conspiracy, as defined in Section 182 of, the Penal Code, to commit an offense specified in this section.
- (Q) A crime resulting in death, or involving the personal infliction of great bodily injury, as specified in, but not limited to, subdivision (d) of Section 245.6 of, and Sections 187, 191.5, 192, 192.5, 12022.7, 12022.8, and 12022.9 of, the Penal Code.
- (R) Possession or use of a firearm in the commission of an offense.
- (S) An offense that would require the individual to register as a sex offender pursuant to Section 290, 290.002, or 290.006 of the Penal Code.
- (T) False imprisonment, slavery, and human trafficking, as specified in, but not limited to, Sections 181, 210.5, 236, 236.1, and 4503 of the Penal Code.
- (U) Criminal profiteering and money laundering, as specified in, but not limited to, Sections 186.2, 186.9, and 186.10 of the Penal Code.

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- (V) Torture and mayhem, as specified in, but not limited to, Section 203 of the Penal Code.
- (W) A crime threatening the public safety, as specified in, but not limited to, Sections 219, 219.1, 219.2, 247.5, 404, 404.6, 405a, 451, and 11413 of the Penal Code.
- (X) Elder and dependent adult abuse, as specified in, but not limited to, Section 368 of the Penal Code.
- (Y) A hate crime, as specified in, but not limited to, Section 422.55 of the Penal Code.
- (Z) Stalking, as specified in, but not limited to, Section 646.9 of the Penal Code.
- (AA) Soliciting the commission of a crime, as specified in, but not limited to, subdivision (c) of Section 286 of, and Sections 653j and 653.23 of, the Penal Code.
- (BB) An offense committed while on bail or released on his or her own recognizance, as specified in, but not limited to, Section 12022.1 of the Penal Code.
- (CC) Rape, sodomy, oral copulation, or sexual penetration, as specified in, but not limited to, paragraphs(2) and (6) of subdivision (a) of Section 261 of, paragraphs (1) and (4) of subdivision (a) of Section 262 of, Section 264.1 of, subdivisions (c) and (d) of Section 286 of, subdivisions (c) and (d) of Section 288a of, and subdivisions (a) and (j) of Section 289 of, the Penal Code.
- (DD) Kidnapping, as specified in, but not limited to, Sections 207, 209, and 209.5 of the Penal Code. (AE) A violation of subdivision (c) of Section 20001 of the Vehicle Code.
- (4) The individual is a current registrant on the California Sex and Arson Registry.
- (5) The individual has been convicted of a federal crime that meets the definition of an aggravated felony as set forth in subparagraphs (A) to (P), inclusive, of paragraph (43) of subsection (a) of Section 101 of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101), or 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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APPENDIX IV . 707(b) W&I JUVENILE QUALIFYING CHARGES:

- (1) Murder.
- (2) Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.
- (3) Robbery.
- (4) Rape with force, violence, or threat of great bodily harm.
- (5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.
- (6) A lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.
- (7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
- (8) An offense specified in subdivision (a) of Section 289 of the Penal Code.
- (9) Kidnapping for ransom.
- (10) Kidnapping for purposes of robbery.
- (11) Kidnapping with bodily harm.
- (12) Attempted murder.
- (13) Assault with a firearm or destructive device.
- (14) Assault by any means of force likely to produce great bodily injury.
- (15) Discharge of a firearm into an inhabited or occupied building.
- (16) An offense described in Section 1203.09 of the Penal Code.
- (17) An offense described in Section 12022.5 or 12022.53 of the Penal Code.
- (18) A felony offense in which the minor personally used a weapon described in any provision listed in Section 16590 of the Penal Code.
- (19) A felony offense described in Section 136.1 or 137 of the Penal Code.
- (20) Manufacturing, compounding, or selling one-half ounce or more of a salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.
- (21) A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which also would constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.
- (22) Escape, by the use of force or violence, from a county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 if great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.
- (23) Torture as described in Sections 206 and 206.1 of the Penal Code.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 03/10/14
SECTION: Compliance with the California Values Act SB 54 and Related I.C.E. Laws and Regulations	REVISION DATE: 05/28/19
RELATED ORDERS: PC: 1192.7, 457.1, 872, 667.5, 290, 667(d) W&I: 707 (b) CVC: 20001 (c) Title 8: 287.7 GOV: 7283, 7283.1, 7283.2, 7284.6 SCSO Policy Manual: 428	ADMINISTRATIVELY APPROVED ANNUALLY

(24) Aggravated mayhem, as described in Section 205 of the Penal Code.

(25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.

(26) Kidnapping for purposes of sexual assault, as punishable in subdivision (b) of Section 209 of the Penal Code.

(27) Kidnapping as punishable in Section 209.5 of the Penal Code.

(28) The offense described in subdivision (c) of Section 26100 of the Penal Code.

(29) The offense described in Section 18745 of the Penal Code.

(30) Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code. (Amended November 8, 2016, by initiative Proposition 57, Sec. 4.2 Note: This section was amended on March 7, 2000, by initiative Prop. 21.)

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Searching & Securing Property	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1264 21 U.S.C § 841 Edwards v. US (1974) 415 US 800, 807 US v. Burnette (9 th Cir. 1983) 698 F.2d 1038, 1049 & Accord US v. Turner (9 th Cir. 1994) 28 F.3d 981, 983	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in regards to searching arrestees, property handling, which items are permissible and not permissible for booking, and property storage.

POLICY

The arresting or transporting officer will complete their own search and confiscation of property or evidence prior to entering the secured facility.

- (a) As a precaution, the arresting or transporting officer will search their prisoner in the presence of the Intake Deputy.
 - a. If the Intake Deputy is not available the arresting or transporting officer will search their prisoners in the presence of the Receiving and Release Deputy.
- (b) Alcohol, firearms, live ammunition, knives, explosive substances, dangerous substances or excessive baggage (suitcases, large purses, backpacks, sleeping bags, etc.) will not be accepted inside the facility.
 - a. Any such bulk property must be retained by the arresting or transporting agency.
- (c) Perishable items such as food and drinks, plants, etc. will not be accepted into the facility. Perishable items must be retained or disposed of by the arresting or transporting agency.
- (d) Prescribed medication belonging to an arrestee will immediately be turned over to medical, unless otherwise directed by medical personnel.
 - a. An inmate who is to be cited or released will normally have prescribed medications placed in their property.
 - b. Medical must give prior approval before an individual consumes any medication.
- (e) If an arrestee or defendant has in their possession any item or substance, that the mere possession of is in itself a crime, such an item or substance is to be turned over to the arresting or transporting officer.
 - a. It is the responsibility of the arresting or transporting officer to submit additional charges or resolve the disposition of the item or substance.

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Deputy Sheriff-Custodial personnel will search all individuals brought to the facility for booking in the presence of the arresting or transporting officer. This is a secondary search after the arresting or transporting officer completes their initial search.

- (a) This process will include but is not limited to:
- a. Taking custody of all personal effects and personal property in the individual's possession, excluding clothing.
 - i. An arrestee's property, valuables and clothing are to be stored in a secure manner consistent with current facility practice. An individual's personal clothing may be laundered if required to eliminate odors and vermin accumulation.
 - ii. Marijuana is not accepted as booking property.
 - b. The completion of an Inmate Property Form itemizing the individual's property. The arresting officer must sign the bottom of this form.
 - c. All itemized property items shall be returned to the individual upon release from custody, excluding marijuana.
 - i. The marijuana seized from arrestee or defendant shall not be released once booked into SCSD evidence, per 21 U.S.C § 841.
 - ii. The arrestee or defendant is issued a receipt for all property held.
- (b) Arrestees and detainees are not permitted to take any item of their personal possession into a holding cell or holding area, excluding approved clothing items.

When an individual has been lawfully arrested and is in custody, the effects on his possession at the place of detention that were subject to search at the time and place of his arrest, may lawfully be searched and seized without a warrant even though a substantial period of time has elapsed (Edwards v. US (1974) 415 US 800, 807).

- (a) Once an item in an individual's possession has been lawfully seized and searched, subsequent searches of that item, so long as it remains in the legitimate uninterrupted possession of law enforcement, may be conducted without a warrant.
- a. The contents of an item previously searched are no longer private (US v. Burnette (9th Cir. 1983) 698 F.2d 1038, 1049 & Accord, US v. Turner (9th Cir. 1994) 28 F.3d 981, 983).
 - b. Property taken for evidence will be noted on the Property Inventory Screen and a copy of the updated Property Inventory Screen is issued to the inmate.

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DEFINITIONS

- (1) Bulk Property: refers to large articles such as suitcases, backpacks, large purses, etc., in the possession of the individual at the time of arrest which will not fit into a property bag.
- (2) Personal Property: are an individual's valuables excluding money and clothing (wallet, jewelry, etc.).
- (3) Personal Clothing: is the clothing the individual was wearing when they were arrested.

PROCEDURE

The facility does not have sufficient storage space to accommodate more than one set of personal clothing per inmate.

Storage and Access:

- (a) All personal property and clothing is stored securely in a designated location in accordance with current facility practice. SDC and REACT store property and clothing together in the same storage bin. Minimum Housing stores property and clothing in separate secure locations.
 - a. ICJIS assigns a bin number or a storage hook location during the booking or transfer process.
 - b. The arrestee's name and booking number are written on the clothing bag.
 - c. ICJIS also generates a property slip with the inmate's name, booking number, bin location, and itemized description of clothing.
 - d. The arrestee's clothing is placed into the bag with the property slip and the bag is sealed by the property sealer.
 - i. A copy of the property slip is kept with the arrestee's booking paperwork.
 - ii. SDC: a copy of the property slip is inserted into a pocket at the storage bin location.
 - iii. To control contamination and the spread of vermin; clothing requiring decontamination is placed into a washable plastic bag. An identification card is

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attached to the bag. The bag is sent to the laundry unit to be disinfected and decontaminated.

- (b) All property and clothing storage rooms are to remain locked and secured at all times when not in use. Access is limited to authorized personnel only.
- (c) Safety Cell Placement or Disciplinary Isolation:
 - a. Deputies will take care to ensure property is not lost or misplaced.
 - b. An arrestee's clothing is secured in a plastic bag and marked with their name following a safety cell placement. The bag is stored in a secure location in the booking area or in the property room consistent with current facility practice.
 - i. A bin number and storage location is assigned to the arrestee's property once booking is complete. The property is then moved to the assigned bin.
 - c. Cell property is to be collected for an inmate who is moved from their housing location to either a safety cell or disciplinary isolation cell.
 - i. The cell property is bagged and marked with the inmate's name and booking number.
 - 1. The property is securely stored in a designated location consistent with current facility practice. This process should be coordinated with classification to ensure the property is not misplaced or lost.

Release of Property:

- (a) Under no circumstances will an inmate worker be allowed in the property storage room without direct supervision.
- (b) An inmate may not transfer personal property or clothing to another inmate without written approval of the Facility Commander.
 - a. The Facility Commander will indicate the reason for approval on the back of the Inmate Release Authorization Form and sign the form.
- (c) Inmates are not able to release the clothing they were arrested with unless they are sentenced to prison.

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- a. Female inmates sentenced to CDCR may not release their clothing.
- b. Custodial personnel will ensure the inmate is sentenced to prison before processing a clothing release request.
- c. When a male inmate is sentenced to prison all efforts should be made to assist the inmate in releasing their clothing. If the inmate is unable to release their clothing; the clothing will be sent with the inmate to prison.

Inmate Dress-In:

- (a) If an inmate cannot be taken to housing immediately after dress-in they are to be isolated in a holding cell away from other inmates who have not been dressed in or who are awaiting release.
- (b) Following the booking process; an inmate assigned to housing will be escorted to the dress in area.
 - a. The inmate will disrobe and be searched, shower if necessary and dress into facility clothing.
 - b. Custodial personnel will search and inspect the inmates' personal clothing for contraband.
 - c. Custodial personnel will ensure clothing is secured in the correct location prior to the end of shift.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Jury Clothing & Clothing for Passes	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4003 CCR MJS 15: 1264 GOV: 26640, 26641	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for processing civilian clothing that is used by inmates who are approved for jail passes and who are attending jury trials.

POLICY

Inmates are only allowed to wear civilian clothing while appearing in court in a jury trial or while temporarily out of custody on a jail pass.

- (a) Jury clothing and clothing for passes is stored in a secure manner. These items are stored in a specified location within each facility consistent with current facility practice.
- (b) Deputy Sheriffs of the same sex as the inmate will observe the inmate during the clothing change process.

DEFINITIONS

PROCEDURE

Receiving and Exchanging Clothing with Visitors:

- (a) The inmate must authorize the release of their clothing.
 - a. The inmate must complete an Inmate Property Release Form.
 - b. Custodial personnel will itemize the list of the clothing articles being released on the form.
 - c. Custodial personnel will confirm the identification of the visitor picking up the clothing.
 - d. The visitor will sign the form.
 - e. Custodial personnel will sign the release form and attach the form to the inmate's booking sheet.
- (b) Visitors wishing to leave clothing for an inmate or pick up clothing shall do so at the lobby or reception area of the facility, during normal visiting hours.
 - a. Only accept what will be worn each day (one set of clothing). Exchanges can be made daily after court for jury trials.

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(c) If a visitor leaves jury clothing:

- a. Confirm that a jury trial is scheduled for the inmate by checking the Court Screen.
- b. Custodial personnel will apply appropriate search and contraband policies while inventorying all incoming clothing. This procedure is to be completed in front of the visitor leaving or exchanging clothing.
 - i. The shift supervisor is to be notified when any contraband is discovered during this process.
- c. Jury clothing can be received 48 hours before the jury trial date.
 - i. Staff will update the Clothing Property Screen in ICJIS.
 - ii. Staff will input a full description of the items, print the updated form, and sign and date the form as the receiving deputy.
 - iii. Attach a copy of the form to the clothing bag and the booking sheet.

(d) Place the clothing with a printed out copy of the Inmate Clothing Property Form in the designated facility storage room.

(e) Custodial personnel will update the Clothing Property Screen in ICJIS when clothing is released.

- a. Print the updated form, and sign and date the form.
- b. A copy of the form is printed and given to the inmate.
- c. This clothing is to be released by the inmate when the jury trial is complete. The facility will not store jury clothing when a jury trial is not in process.

Jury Trial Clothing:

(a) Custodial personnel will search jury clothing before giving it to the inmate. One set of clothing is approved.

- a. Approved items: shirt, pants, socks, shoes, and sport jacket.
- b. Belts and ties are given to the inmate at the courthouse. The items are returned to the attorney after the appearance.

(b) On the day of the trial the inmate is brought to a specified location to change into their jury clothing.

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RELATED ORDERS: PC: 4003 CCR MJS 15: 1264 GOV: 26640, 26641	ADMINISTRATIVELY APPROVED ANNUALLY

- a. Inmates will not be allowed to dress into civilian clothing in their cells.
- b. The following options may be used to accomplish this task; holding cell, dress-in room or a multi-purpose room.
- (c) Inmates assigned to maximum security housing will utilize a secure location with a tray slot as specified by the shift supervisor.
 - a. A Deputy Sheriff will observe outside of the room through a window in accordance with policy. All security procedures applying to maximum security inmates, their movement and restraint shall be adhered to in this process.
- (d) The inmate will place their facility clothing into the clothing bag. Staff will store the clothing bag in an appropriate location until the inmate returns from court.
- (e) Upon returning from court; the inmate is escorted to a specified area to change their clothing.
 - a. Staff will ensure that no neckties of any kind, suspenders or belts are brought back into the facility.
- (f) The inmate will change out of their jury clothing and back into their facility clothing. Deputies will apply appropriate search and contraband policies while completing this task.
 - a. The inmate will place their personal clothing in the clothing bag and staff will return the bag to its appropriate storage location.
 - b. Maximum security inmates shall complete this task in a secure location with a tray slot as specified by the shift supervisor.

Civilian Clothing for Passes:

- (a) The person providing the inmate's transportation will most likely bring clothing on the date of the inmate's pass.
 - a. No hangers, neckties of any kind, suspenders or belts will be accepted.
 - b. Custodial personnel will apply appropriate search and contraband policies while inventorying all incoming clothing. This procedure is to be completed in front of the visitor.
 - i. Staff will notify the shift supervisor if any contraband is discovered during this process.

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- (b) The procedures listed in the Jury Trial Clothing section will be followed when an inmate changes clothing for a pass and returns from a pass.
- (c) This clothing is released to the visitor who provided transportation once the pass is complete.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Lost or Missing Inmate Property	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4003 CCR MJS 15: 1264 GOV: 26640, 26641	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures as it relates to processing lost or missing inmate clothing or property.

POLICY

All lost or missing inmate clothing or property is to be investigated. Facility Commanders will complete property investigations as assigned.

- (a) Supervisors may assist with the investigation, but the final report and findings are to be prepared by the Facility Commander.

DEFINITIONS

PROCEDURE

All of an individual's property and clothing will be accounted for when releasing that person from custody or transferring them to another facility.

- (a) The shift supervisor is to be notified if any of the individual's clothing or property is missing.
 - a. The staff member releasing the individual will immediately begin a search for the missing clothing or property.
 - b. A bag by bag search for the missing clothing is to be initiated if necessary.
 - c. If the clothing or property is not found after searching, a call to other facilities will be made in an attempt to locate the clothing or property.
 - d. Custodial personnel will complete a Missing Clothing/Property Report once all search efforts prove negative. This report will contain the following information:
 - i. The individual's name, booking number, address and phone number.
 - ii. Date and time of release.
 - iii. Areas searched at all facilities.
 - iv. List the missing items and give a brief description and estimated value of the items.
 - v. Describe loss circumstances.

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- vi. Signature of the deputy conducting the search.
 - vii. Inmate's signature.
 - viii. Releasing deputy's signature and badge number.
 - ix. Shift supervisor's signature and badge number.
- e. The completed report is forwarded to the facility operations sergeant and a copy placed in the inmate's jail pouch.
- f. The inmate is given a copy of the completed report before being released.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Property Claims	REVISION DATE: 05/01/19
RELATED ORDERS: GOV: 26640	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for responding to and investigating claims made against Stanislaus County for lost or missing inmate property.

POLICY

All claims made against Stanislaus County, for lost or missing inmate property, are to be investigated without delay to ensure a fair disposition is reached in a timely manner.

- (a) While the inmate is still in the facility or preparing to be released, lost or missing inmate property inquiries will be addressed immediately by custodial personnel taking/recording a complaint. All efforts will be made at this time to locate the property or determine its disposition and notify the inmate.
- (b) When the property cannot be found and the complaint is not settled satisfactorily, the inmate will be informed to file a claim with the Board of Supervisors through the Risk Management Division. Every effort will be made by staff to advise the inmate of the location and address of this office at 1010 10th Street on the 6th Floor.

DEFINITIONS

- (1) Claims Package: this is a copy of the claims report. This package includes the inmate property receipt or release forms, inmate booking form, other relevant information and a supplemental report by the Facility Commander stating action taken and recommendations.

PROCEDURE

The claim is received through the following chain of command. After the investigative report and recommendations are complete, the report will follow the chain of command in reverse order to the Risk Management Office.

- (a) Risk Management
- (b) Sheriff's Administrative Lieutenant
- (c) Adult Detention Division Commander
- (d) Facility Commander

After reviewing the claim, the Division Commander will assign the claim to a Facility Commander who will investigate the claim. Normal investigative procedures will be utilized to discover all relevant facts concerning the claim.

- (a) It is very important that all relevant information be revealed to the Risk Management Office through the claim investigation.
- (b) The investigation may determine that the Adult Detention Division is not at fault and the claim is unfounded.

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- (c) The claim can also demonstrate that policy changes are necessary or the investigation may reveal that an error was made and a settlement is appropriate.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Valid Booking Authority	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 166.4, 815, 821, 822, 825, 1203.2, 1300, 1301, 1551, 2910, 3000, 3056, 3454, 3455	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish valid booking authority and booking procedures for the Stanislaus County Sheriff's Department.

POLICY

Arrest documents presented at the time of booking are the legal authority under which an individual may be detained. Custodial personnel will review these documents to ensure they are complete and accurate and that the arresting officer's identity is established.

- (a) Custodial personnel must validate that all documents authorizing booking are intended for the individual being detained (Electronic Probable Cause Declaration).
- (b) Custodial personnel will not accept any probable cause declaration with the charge 166.4 PC. This charge is not listed in the Penal Code. Booking clerks are to use another sub-section when pertaining to 166 PC (Contempt of Court). However, warrants that have 166.4 PC listed as the charge will be accepted.

An affidavit in support of bail increase, which is signed by a judge, shall be accepted at any time for an individual in the custody of the Sheriff. A copy of the notice is placed with the individual's booking paperwork. The original is returned to the arresting officer (if present). If the arresting officer is not present the original is forwarded to the Courts.

All bookings shall be processed in a timely manner. Generally, bookings are completed in the order they are received. Cite and release, bail bond releases, and individuals with civil cases are given priority for booking over other bookings. The shift supervisor may change booking priority to suit the needs of the facility.

- (a) Custodial personnel will ensure that all newly admitted persons are photographed and fingerprinted for identification purposes. Fingerprint and photograph record entries are completed in a manner consistent with the most current training and instruction provided by the Stanislaus County Sheriff's Department.
- (b) 23152(A)/23152(B) VC is not a submittable table charge as of August 2014 and must be entered separately.
- (c) All individuals being processed for booking shall be asked if they have served in the military. There is a drop down box on the Party Description Screen for military service. The box is to be marked veteran, active, or left blank if the individual has not served in the military.

Individuals who have a U.S. Immigration and Customs Enforcement (ICE) Hold are to be given copy of the detainer pursuant to ICE I-247 Detainer Form.

- (a) The detainer has a telephone number to report complaints and civil rights violations.

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DEFINITIONS

- (1) Affidavit in Support of Bail Increase: is a supporting document signed by a Judge or Commissioner of Stanislaus County to increase the bail amount in excess of the amount set forth in the appropriate bail schedule.

PROCEDURE

Booking Record:

An individual's booking record is established from information recorded during the intake/screening and booking/identification processes. The following pieces of information establish the booking record:

- (a) Picture
- (b) Booking number
- (c) Current address or last known address
- (d) Court order or other legal document establishing a legal basis for detention or commitment
- (e) Name, title, and signature of arresting/transporting officer
- (f) Specific charges
- (g) Sex
- (h) Age
- (i) Date of birth
- (j) Place of birth
- (k) Race
- (l) Present or last place of employment
- (m) Health status, including any current medical or mental health needs
- (n) Emergency contact (name, relation, address, and phone number)
- (o) Driver's license and social security number
- (p) A record of funds and all property
- (q) Identifying information such as birthmark or tattoos

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- (r) Additional information concerning special custody requirements or service needs

Persons unwilling or unable to provide booking information:

Custodial personnel will notify the shift supervisor when an individual is unwilling or unable to provide information necessary to complete the booking record. The individual may be held in temporary housing until such information is obtained for good order of the facility. The segregation of these individuals ensures the health, safety, and wellbeing of inmates and staff.

- (a) Custodial personnel will generate an incident report documenting the non-compliant behavior of an individual who is unwilling to comply with the booking process.

Double Bookings:

If an individual is inadvertently booked twice it will result in two booking numbers being generated for one inmate, thus incorrectly increasing the facility count by one.

- (a) Notify the shift supervisor if this occurs. The shift supervisor will identify, delete, and document the double booking in the shift report.

Refiled Case:

When a case gets dismissed and the Stanislaus County District Attorney does not want the individual released; the district attorney will take steps to have a new complaint filed on the same facts, the same day as the dismissal. The district attorney may re-arrest the individual or ask a law enforcement officer to re-arrest the individual on the new filing. Custodial personnel will:

- (a) Close out the old booking register as case dismissed. The individual is not released out of the facility.
- (b) Process the re-arrest as new booking, which will have a new agency file number that is different than the original arrest.
- (c) Paperwork is processed and dispersed in the same manner as any other new booking.

Rebooking:

The following procedure is followed when an individual requires rebooking:

- (a) The arresting officer shall complete the electronic probable cause declaration (EPCD).
- (b) The arresting officer will notify department staff that the rebooking EPCD is in the system.
- (c) Custodial personnel shall review the EPCD for accuracy.
 - a. Rebooking forms are dispersed as designated on the bottom of each page.

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- (d) Custodial personnel will notify the classification officer to ensure proper housing assignment based on the new charges.

Probation Violation/Flash Incarceration (3454 P.C., 1203.2 P.C.):

Probation holds are booked as charges, not holds.

- (a) Persons charged with revocation of probation may be held up to 48-hours;
 - a. Thereafter a warrant or complaint must be secured or the defendant must be released.

Booking for Temporary Housing (Court Order):

The booking clerk will book these individuals following the same procedures as a regular booking.

Commitment:

Individuals may be required by the courts to turn themselves in to the custody of the Sheriff after sentencing. These individuals are accepted for booking on or after their commitment date. The Sheriff must have commitment papers or a failure to appear warrant before accepting the individual. Individuals under the influence of drugs or alcohol will be medically cleared before acceptance.

- (a) The shift supervisor is to be notified and an incident report generated for disciplinary review; regarding persons reporting under the influence.
- (b) If the individual cannot clear medical pre-screening due to high blood pressure or other medical issues; a deputy will transport the individual to a medical facility for clearance.

Enter the current date of surrender as their first date of sentence. If the individual surrenders late; contact Records to clear any warrant that may have been issued. Next, complete a Late Surrender Form and forward a copy to the courts and Adult Probation as notification. Staple a copy to the inmate's booking packet and file in the pouch.

- (a) Custodial personnel will:
 - a. Verify the individual's paperwork to ensure there is legal authorization to process.
 - b. Validate the individual's identity.
 - i. Check date of birth and photo identification.
 - c. Collect all personal property and paper work.
 - d. Conduct a pat down search.

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- e. Complete the Short Form Classification Card, Medical Pre-Screening Questionnaire, and Clothing/Property form.

Book and Release Commitments:

Book and release commitments will be processed similar to all other bookings. Persons who are to be booked and released are directed to leave all personal property, except valid identification and paperwork, with family, friends, or in their vehicle.

Commitment paperwork must contain the following information:

- (a) Defendant's Name
- (b) Charges
- (c) Sentencing Judge
- (d) Sentencing Court
- (e) Sentencing Date
- (f) Sentence
- (g) Case or docket number
- (h) Time served credits
- (i) Conditions of sentence - concurrent/consecutive sentences, credit for time served, diversion program, evaluation program, etc.
- (j) The Clerk will:
 - a. Select %DA Charges+Screen
 - b. Enter the D.A. case number in case number box, exactly as typed on the minute order.
 - c. Show bail as %NO BAIL+
 - d. On memo line, show date of sentence, sentence imposed by the court, CTS granted by the court
 - e. Press Update
 - f. Select %Sentence Calculation+Screen:

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- i. Select the D.A. case number
- ii. Enter the date the sentence starts
- iii. Enter sentence total
- iv. Enter CTS as shown on court paperwork
- v. Do not add the good and work time even if it is shown on court paperwork
- vi. Enter clerk #+number
- vii. Press add, then OK
- viii. Go back to DA Charge Screen. In the memo section enter the release date.

1. Example: If the sentence is 10 days with 3 days credit for time served, enter as date of sentence (6 digits), 10 days w/3 days CTS, Rel. date (6 digits). Enter first and last initial.

Remand:

A remand must contain the following information:

- (a) Issuing Court
- (b) Accused's Name
- (c) Case or Docket Number
- (d) Charges
- (e) Place of future appearance and conditions of sentence
- (f) Date and time of appearance

Walk-In Booking or Warrant:

When an individual with an outstanding warrant arrives at the facility to inquire about their warrant status, or to be booked, or to pay a bail or fine;

- (a) Contact Sheriff's Records or the appropriate agency to confirm the warrant.
- (b) Have the appropriate agency abstract the warrant.
- (c) Process the individual in the same manner as any other commitment.

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Attempt to Surrender:

If a person attempts to surrender themselves on a warrant or commitment and the paperwork cannot be located:

- (a) Check for commitment paperwork in booking area.
- (b) Check all available sources.
- (c) Request minute order from the person surrendering.
- (d) Check pouch for FTA Letter or minute order.
- (e) Check for FTA or surrender order in the Odyssey System.
- (f) Check for warrants in ICJIS.
- (g) If no warrant can be found:
 - a. Complete a ~~%~~Notice of Attempted Jail Surrender Form+. Provide a copy of the completed form to the individual attempting to surrender. Send a copy to the courts and place a copy in the pouch. Direct the subject to room 140 of the County Courthouse during normal business hours.

Failure to Surrender:

A Failure to Appear Surrender Letter (FTA Letter) is generated when an individual fails to surrender on the proper date. Custodial personnel will verify that the individual has not surrendered before issuing a FTA Letter.

When Jail Alternatives has verified that there is no record of the person surrendering, previously serving the sentence, or is pending a new surrender date; forward the FTA Letter to the courts. The courts will issue a warrant.

- (a) The person's name is fully checked, to include:
 - a. The name as it appears on the Stanislaus County Court Minute Order.
 - b. The name as it appears in the Odyssey System.
 - c. Different possible combinations of first, middle, and last name.
 - d. The name as it appeared on previous bookings.

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- e. Any listed or known aliases.
- (b) Minimally research the following areas:
- a. Check ICJIS to ensure the person is not currently in custody or on the Alternative Work Program or Home Detention Program.
 - b. Check previous bookings to ensure the sentence has not been served on a previous booking.
 - c. Check the courts Odyssey System to determine if the person has been granted a new surrender date.
 - d. Check the courts Odyssey System to determine if the person has a pending court appearance scheduled for the case.
 - i. If there is a pending court date, call the court to determine if the pending court date is for a new surrender date.
 - ii. If the pending court date is for a new surrender date, write that court date on the top of the minute order and file it for that date.
- (c) If the person is in custody, or has previously served the sentence, write the booking number and release date on the minute order and file it in the inmate's pouch, or forward the minute order to Jail Alternatives.
- (d) If there is no record of the person surrendering, previously serving the sentence, or pending a new surrender date, complete a Failure to Surrender Letter.
- a. G:\Custodial\AD Forms\Failure to Surrender Letter
- (e) Enter the Failure to Appear for surrender information on the party STANCO Information Screen in ICJIS.
- a. Click on the FTA box
 - b. Enter the FTA information
 - c. Date of failure to surrender

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- d. The case number
- e. Number of days to be served and credits
- f. Click the party detail ~~update~~ button
- (f) The original of the Failure to Surrender Letter and Court minute order are filed in the individual's pouch. Make a notation of the FTA on the pouch.
- (g) A copy of the Failure to Surrender Letter and minute order are forwarded to Jail Alternatives. Jail Alternatives will forward the paperwork to the courts so that a warrant is issued.
- (h) A copy of the FTA credits is forwarded to Adult Probation.

Bail Bond Surrender (1300 P.C., 1301 P.C.):

Bail bond surrenders will not be accepted on a warrant issued for the same case. In order to surrender a subject on bail:

- (a) The bond or a certified copy of the certificate of deposit and affidavit must be delivered to the court before whom the defendant is required to appear; or
- (b) The defendant can be placed in the custody of the Sheriff for confinement in the county in which the defendant is required to appear.
- (c) The defendant is delivered to the court within 48 hours.
 - a. If any 48-hour period terminates on a Saturday, Sunday, or holiday, the defendant is delivered to the court before noon on the next day following, which is not a Saturday, Sunday, or holiday.
- (d) Complete the bail bond surrender for and distribute accordingly.

Completing the booking record:

- (a) Confirm the accuracy of all documents and the individual's property.
- (b) A Web-ID Scan is completed on all persons committed to the facility.
 - a. Enter thumbprints and fingerprints into the Web-ID System.
 - b. A copy of the Web-ID Scan is attached to the individual's booking record.
- (c) Individuals will not retain any items of property except:
 - a. Medical alert bracelet or necklace

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- b. Address Book
 - c. Prescription glasses
 - d. Legal Papers
 - e. Items authorized by the shift supervisor or medical
- (d) Check for prior in-custody records. Update relevant booking and identification screens.
- (e) Complete a warrant check. Enter information on remaining screens:
- a. Emergency Contact
 - b. Charges
 - c. Money:
 - i. Verify balance and deposit all funds into the money management kiosk located in the booking area.
 - d. Property:
 - i. All valuables except money are placed in a sealed property pouch.
 - ii. All jewelry is placed in a separate small envelope and stored inside the sealed property pouch.
 - iii. An identification indicator is placed in the property pouch. The plastic property pouch is then sealed, securing all property in the plastic bag.
 - iv. After the property bag has been sealed; the bag is only opened when the individual is being released from custody or is releasing their property.
 - v. Medical staff will not open property bags without the approval of the shift supervisor.
 - 1. The shift supervisor authorizes the removal of items from the property pouch:
 - a. A property release form is completed indicating the individual's authorization.
 - b. The shift supervisor ensures the plastic bag is resealed.
- (f) The individual is issued a receipt for the property and money booked. The individual should verify

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that no discrepancies exist on the receipt.

(g) Print the multi-sheet report and disperse as follows:

- a. Original . on the clipboard.
- b. Pouch . copies in booking pouch.
- c. SO Identification . place in basket for fingerprinting.
- d. Arresting Agency . place copy in the arresting agency file.
- e. Inmate . gets the inmate receipt, page 3.
- f. Web-ID . Identification will be placed in the pouch.
- g. Property receipt is placed in the property bag before sealing.
- h. Bin Receipt is placed in the bin receipt file.

(h) Compile the original booking sheet, the pouch copy, SO ID copy, property sheet, clothing inventory, personal property envelope, money, and any other paperwork or property.

- a. The sealed personal property bag is placed in the assigned storage bin location.
- b. The original booking sheet is placed on the clipboard.
- c. The Adult Detention Pouch Copy of the booking sheet is placed in the booking pouch and filed in the in-custody filing cabinet.
- d. The short form classification card is placed in the Classification Basket.
- e. The medical pre-screening sheet is placed in the Medical Basket.
- f. Place the SO ID sheet and property sheet in the appropriate bin slot.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 01/12/17
SECTION: ICE Hold Notification (TRUTH ACT)	REVISION DATE: 05/28/19
RELATED ORDERS: AB: 2792 H&S: 128552(d) GOV: 7283, 7283.1, 7283.2 SCSO Policy Manual: 428	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Stanislaus County Sheriff's Department regarding notification to arrestees of Immigration and Customs Enforcement (ICE) holds, interview requests and any required notifications to federal authorities.

POLICY

The law provides individuals who are in the custody of local law enforcement agencies with information about their procedural and legal rights should a federal agencies wish to contact them.

All records relating to immigration holds on all individuals held in Stanislaus County detention facilities shall be made available for California Public Records Act requests, including all communication with immigration and customs enforcement authorities.

- (a) The law explicitly provides that personal identifying information may be redacted prior to public disclosure as provided under the California Public Records Act.
- (b) When responding to such requests, law enforcement agencies should therefore keep in mind California's privacy laws and all applicable exemptions under the California Public Records Act that protect such personal information from disclosure.
- (c) This information shall include, but not be limited to:
 - a. The data maintained by the detention facility regarding the number and demographic characteristics of the individuals who had an immigration hold placed and when immigration authorities were provided access to these records (personal identifying information may be excluded).
 - b. The date federal authorities were provided access to the individual's record.
 - c. The date federal authorities were notified that the individual was ready for release and the manner in which the federal agency was notified of this information.
 - i. Our notifications consist of faxing all information regarding the holds being placed and when individuals are ready for release to federal authorities.

The law requires that all forms discussed in this policy are made available in Korean, Spanish, Tagalog, Chinese, and Vietnamese.

DEFINITIONS

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(1) Truth Act-Form 1 - Immigration and Customs Enforcement Request to Interview

- a. Before any interview between federal authorities and an individual in-custody takes place; law requires that the Sheriff's Department provide a written consent form (Form 1) advising the individual that federal authorities wish to interview them. The form must include the options to be interviewed, decline the interview, or agree to interview only with their attorney present.
 - i. The purpose of the interview;
 - ii. That the interview is voluntary; and
 - iii. That the individual may decline the interview or may choose to be interviewed with only their attorney present.

(2) Truth Act-Form 2 - Immigration and Customs Enforcement Request

- a. Anytime the Sheriff's Department receives any immigration hold, notification, or transfer request:
 - i. Provide a copy of the request (immigration detainer) to the named individual.
 - ii. Inform the individual whether the Sheriff's Department intends to comply with the request or not. However, with respect to ICE hold requests, we may not hold an individual past the time that he or she normally would be released.
 - iii. That individual shall also be provided with an Immigration and Customs Enforcement Request Form (Form 2).

(3) Truth Act-Form 3 - Immigration and Customs Enforcement Notified of Your Release

- a. At any time an individual has a no bail immigration hold, due to qualifying charges or convictions and the individual is given a release date for any reason, federal authorities are to be notified of the release date. The Sheriff's Department will provide the same information to the affected individual and their attorney or one additional person designated by the individual (Form 3).

PROCEDURE

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To complete Truth Act-Form 1 follow the steps below:

This form is located in Receiving and Release (R & R) at the Sheriff's Detention Center.

- (a) Form 1 shall be provided to the individual in the appropriate language.
 - a. The individual will write his or her name, booking number, sign the form and mark one of the three boxes. If the individual declines, no interview will take place.
 - b. The bottom of the form will then be signed and dated by staff.
 - c. If the individual agrees to speak to federal authorities or wants his or her attorney present, the legal clerk will notify the federal agency. If the attorney is required to be present, the individual must list the attorney's name and contact information on the form. Federal authorities are responsible for coordinating the attorney's presence at the interview.
 - i. Interviews are to be conducted in interview rooms or non-contact visiting booths.
 - d. A copy of the completed form will be given to the inmate and the original will be distributed accordingly.
 - e. A new form must be completed for each interview request.

To complete Truth Act-Form 2 follow the steps below:

This form is located in Receiving and Release (R & R) at the Sheriff's Detention Center.

- (a) Form 2 shall be provided to the individual in the appropriate language.
 - a. The legal clerk will enter the hold request.
 - b. Mark to notify Immigration and Customs Enforcement of your release date; and/or
 - c. Mark to request for transfer to immigration detention;
 - d. Check the appropriate blank indicating if we do or do not intend to comply with the request from federal authorities.

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- e. Write the name of the inmate and cell location if already housed in a unit.
- f. Have the individual list the attorney's name and contact information on the form.
- g. Sign the form and list your identification number to indicate you have served the form.
 - i. If the individual is in booking, the clerk will serve the notice and sign it. If the individual is housed in a unit, the form will be given to a deputy to serve and sign.
- h. Once the individual has completed this form, a copy will be made and given to the individual. The original will be distributed accordingly.

To complete Truth Act form 3 follow the steps below:

This form is located in Receiving and Release (R & R) at the Sheriff's Detention Center.

- (a) Form 3 shall be provided to the individual in the appropriate language:
 - a. Date, inmate's name, the date and time federal authorities were notified, the date of the inmate's calculated release date and time, which will be unknown (UK). If an attorney or designee was provided, the box will be marked and the name and email for this person will be listed.
 - b. Sign and list your identification number.
 - c. Make a copy and send to the inmate; forward a copy to the attorney or designee and distribute the original accordingly.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Sentence Calculation	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4019, 4019(b)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for accurate sentence calculation pursuant to court dispositions.

POLICY

A record of accurate sentence information is to be maintained for each individual committed to the custody of the Stanislaus County Sheriff. The record shall accurately describe the individual's commitment. The record shall also include earned or forfeited good time and work time credits and a projected release date.

DEFINITIONS

PROCEDURE

The court disposition (court minute order) is interpreted as the official record of credits issued through the sentencing.

(a) Credit for Time Served

- a. The credit for time served is entered as indicated on the court minute order. The credit for good and work time must be validated.
- b. Unless a minute order specifically grants an individual credit for time served; the Clerk will calculate the proper credits for time served to include previous bookings on the same case.
 - i. This also includes situations where the Jail to Determine Credits+ box has not been checked.
 - ii. If the court has determined the credits for time served or entered zero credits, the credits or lack of credits will be the guiding factor.

(b) Additional Credits

- a. If the court has awarded additional credits on the minute order, these are added manually at the conclusion of the sentencing process in the same manner as a three-day pass.
- b. On rare occasions, the court may withhold the awarding of good and work credits. This should be noted on the minute order.
 - i. The amount of time not awarded will be deducted from the good and work credits.

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- c. These are rare exceptions. Notations of additional time or reduction in good and work time should be verified by either the minute order or by consulting with the Court Clerk.

(c) 48-Hour Sentence

- a. Unless the minute order specifically states zero credits, a 48-hour sentence receives credits from in-custody time on the case. If the credits line is left blank and the person has been in custody on that case, credits are given.

(d) Calculating Consecutive Sentences

- a. Calculating credits on more than one case; when sentencing an individual on two or more cases, which are consecutive to each other, the individual only receives credits on one case which they were previously in-custody on.

(e) Sentencing to County Time with Immigration or Out of County Hold

- a. When an individual has an immigration hold and is fully sentenced to less than 365 days, Immigration and Customs Enforcement is notified that the individual is ready for pick-up with an accelerated release.
- b. If the individual is fully sentenced with less than 90-days and has an out of county hold, a teletype is sent to the agency which placed the hold indicating the individual is ready for pick-up.
 - i. If the agency does not pick-up the individual within 5-days, the individual is accelerated released on citation for the out of county charges.
- c. A notation is made in the memo section on the DA Charge Screen example, %date and ICE notified+or %date and TTY sent for pick-up.+

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Juveniles	REVISION DATE: 05/01/19
RELATED ORDERS: FAM: 6500 W&I: 206, 208, 208.5, 707, 1766 (b) (1)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes guiding principles on booking adults for juvenile arrest warrants, receiving transfers from Juvenile Hall, and remands from Juvenile Court.

POLICY

Individuals 18 years of age and in custody on juvenile matters only should not be housed in the custody of the Sheriff unless they fall under the provisions listed in 707 W&I et. seq.

DEFINITIONS

- (1) Minor: a minor is an individual who is under 18 years of age.

PROCEDURE

Individuals 18 years of age and arrested for a juvenile warrant will be taken to juvenile hall for booking, unless they have an additional charge that is not a juvenile matter.

- (a) If there are additional charges, the individual will remain in the custody of the Sheriff until they have been adjudicated on the adult charge.
- (b) Once those charges are resolved the individual is transferred to juvenile hall. If the individual is 19 years of age when the adult charge is complete, they can remain in the custody of the Sheriff.

Individuals that are 18 years of age and transferred from juvenile hall will be accepted for booking only if they have no juvenile cases pending and are being tried as an adult in superior court.

- (a) On rare occasions, an individual 18 years of age may be found unfit for housing at juvenile hall under 707 W&I. In these instances classification is to be notified prior to transfer and make housing arrangements.

Individuals that are 19 years of age can be transferred to the custody of the Sheriff from juvenile hall to serve local time based on a contractual arrangement with the Stanislaus County Probation Department.

- (a) Under no circumstances will the Sheriff accept an individual of any age that is remanded directly from juvenile court.

When an individual who is 19 years of age is arrested with a juvenile warrant, custodial personnel will contact juvenile hall in order to arrange for a court date. The individual may attend juvenile court while in the custody of the Sheriff.

The Department of Juvenile Justice (DJJ) is no longer overseeing juvenile parole cases for re-entry disposition hearings. Probation is now responsible for these duties. These hearings are held in juvenile court.

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- (a) These individuals are housed in county jails as long as they are 19 years of age or older, while awaiting and completing the disposition hearing.
- (b) Pursuant to 1766 (b) (1) W&I, the California Department of Corrections & Rehabilitation, Division of Juvenile Justice (CDCR/DJJ) must transport these individuals to county detention facilities once a production order has been produced and the hearing date is set.
 - a. The CDCR/DJJ has between 1 and 4 days prior to the trial date to accomplish the transport.
 - b. These individuals should be booked on the production order and set-up for court as with any other booking procedure for individuals being returned from prison for testimony or a hearing.
 - c. Classification will arrange housing for individuals being returned for re-entry disposition hearings.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Computing Release Dates	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4019, 4019(b)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures to accurately compute release dates in accordance with established statutes and regulations.

POLICY

Accurate release dates shall be established for each inmate committed to the custody of the Stanislaus County Sheriff.

- (a) Custodial personnel shall accurately compute inmate release dates to ensure detainment is not continued longer than is legally justified.
- (b) The shift supervisor is ultimately responsible to verify the inmate's date of release.

DEFINITIONS

PROCEDURE

Computation of Release Dates:

- (a) Legal clerks are primarily responsible for computing release dates on commitments.
- (b) All computations of release times are generally accomplished by entering data into pre-set fields within the ICJIS System. The information required includes:
 - a. Inmate's name
 - b. Inmate's booking number
 - c. D.A. case number
 - d. Number of days sentenced
 - e. Credit for time served (CTS)
 - f. Consecutive (CS) or Concurrent (CC) time
 - g. Date the sentence started
 - h. Identification of the staff member entering the information
- (c) Commitment papers received from the courts are maintained in booking pouches and must contain the following information:

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- a. Inmate's name
 - b. Docket or case number
 - c. Charges
 - d. Length of sentence
 - e. Credit for time served
 - f. Date sentence starts
 - g. Consecutive (CS) or Concurrent (CC) time
 - h. Signature of court authority
- (d) Prior to computing a release date review commitment papers carefully to determine:
- a. Date sentence starts
 - b. Length of sentence
 - c. Credit for time served
 - i. Check with the court if inmate claims previous time served and this is not indicated on the court paperwork.
 - d. Consecutive (CS) or Concurrent (CC) time:
 - i. Concurrent (CC) time runs at the same time
 - ii. Consecutive (CS) time starts the day after a sentence ends
- (e) Some sentences begin on the date the papers are received and others may give a stay. The stay is a date for which the sentence is to begin in the future.

Good/Work Time:

- (a) All sentenced inmates will automatically be credited with good and work time unless forfeited through a disciplinary action. Good and work time is credited according to the good and work time chart or as prescribed by the court.
- (b) For the purposes of computing and allowing credits, forfeiting credits, and re-determining the length of imprisonment; an inmate serving consecutive sentences must be treated as serving a single continuous term of confinement rather than a series of distinct independent terms.

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SECTION: Permanent Release	REVISION DATE: 12/02/19
RELATED ORDERS: PC: 821, 822, 825, 849 (b) (2)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish inmate release procedures.

POLICY

Once an inmate has completed their sentence or a sentence that has been modified by an officer of the court; release shall occur expeditiously to ensure detention is not continued any longer than is required by law.

- (a) The shift supervisor has the authority to release inmates who are eligible for release.
 - a. The shift supervisor will ensure the inmate's file and all applicable documentation to confirm the eligibility of release is thoroughly reviewed.

Regarding the release of intoxicated offenders; persons arrested for driving under the influence shall be held until the shift supervisor has determined that the arrestee has detoxified to the point of being legally sober.

- (a) The arrestee may be released at the discretion of the shift supervisor if the arrestee has a responsible and sober party available to transport them.
- (b) 849(b) (2) PC, any peace officer may release from custody any person arrested without warrant, instead of taking such person before a magistrate, whenever the person arrested was arrested for intoxication only and no further proceedings are desired.
 - a. The arrestee may be released at the discretion of the shift supervisor if the arrestee is no longer a danger to themselves or others as a result of his intoxication.

Individuals who are booked on felony charges, serving a commitment, remanded from court or who are in custody on a court order shall not be eligible for citation. All arrestees charged with a misdemeanor shall be released on citation unless:

- (a) The individual is intoxicated, suicidal, or unable to safely care for themselves.
- (b) The individual continues to be unidentifiable.
- (c) The individual demands to be taken before a magistrate or persists in refusing to sign the citation.
- (d) The individual was arrested and released for a similar charge other than 647(f) or 11550 H&S in the previous 24-hours:
 - a. There is a reasonable likelihood that the offense(s) will continue or resume.
 - b. The safety of persons or property will be imminently endangered by the release of the arrestee.

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- i. The arresting officer must specify these conditions on the probable cause affidavit and the information should be noted on the Citation Release Denial Report.
- (e) The offense involves violence or the charge is 242 PC occurring at the arrestee's place of residence or the charge is 243.4 PC Sexual Battery, 647.6 PC Molest or Annoy a Child or 646.9 PC Stalking.
- (f) The arrestee is being charged with 166(a)(10) PC, 1212 PC, or 273.6 PC violation of protective order involving domestic violence; unless the arresting officer determines there is no likelihood of recurrence. The arresting officer must specify these conditions on the probable cause affidavit and the information should be noted on the Citation Release Denial Report.
- (g) The offense involves domestic violence, specifically 273.5 PC or 243(e)(1) PC.
- (h) The individual is arrested on a bench warrant involving:
 - a. An FTA Letter is located for the arrestee indicating the arrestee is sentenced and owes time.
 - b. Issuing agency agrees and is willing to pick-up and transport arrestee within 24 hours of notification.
- (i) The offense as it directly relates to 1209 CP (violation of a subpoena/contempt of the court process)
- (j) The Judge has indicated "do not cite" on the warrant or the defendant has 3 or more FTA's on a single case. This only applies to Stanislaus County warrants.

DEFINITIONS

- (1) **Bail Bond:** a bond in the amount set by the court may be posted by a licensed bondsman or his authorized agent to affect the release of an inmate.
- (2) **Permanent Release:** occurs when all pending charges and cases in this or other jurisdictions have been settled.
- (3) **Temporary Release:** is for a limited time, specified by the court or Sheriff (example: Jail Pass).
- (4) **Flex Cap Release:** is used to ensure that the adult detention facilities in Stanislaus County are in compliance with the federal court ordered maximum inmate capacities.
- (5) **Citation Release Denial Report:** is a report that is completed for a misdemeanor arrestee who is being denied release on citation. The report indicates reasons for the citation denial.

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- (6) Citation Release: is a release from custody based on the arrestee's promise to appear in court. Qualifying charges include specific misdemeanor, infraction and warrant arrests.
- (7) Youthful Defendant: is a juvenile under the age of 18 being housed at Juvenile Hall and who has been charged as an adult.
- (8) Time Served: an inmate is released after serving a specified number of days as ordered by the court.
- (9) Court Order: a court of competent jurisdiction may order the release from custody of either a sentenced or un-sentenced inmate. The court issuing the order must have jurisdiction over the matter. If the order is correct the Sheriff is obligated to accept the order and grant the release. If applicable, the court order must also include orders for all holds.
- (10) No Complaint Filed (NCF) 825 PC: is a type of release when the court files no complaint on the arrestee for cases they are in custody on.
- (11) ICE Release: when an inmate with an immigration hold is time served, released by the court or has posted bond on all local charges, notification is made to US Immigration and Customs Enforcement. The time and date of notification is documented on the ICJIS Hold Screen. The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate release.

PROCEDURE

The Release Process:

- (a) Custodial personnel will confirm the date of release and validate the authority to release an individual before fully processing a release.
 - a. Staff will verify the inmate's identity.
 - b. Staff will complete a warrant check on any individual eligible for release.
 - i. Check CLIPS
 - ii. ICJIS warrant check
 - iii. Call records
 - c. If there is an FTA letter in the pouch:
 - i. Confirm that a warrant has not been issued for the failure to surrender:

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1. The case and sentencing information from the minute order is to be added to the inmate's booking screens.
 2. The inmate's current booking date and time will be utilized as the start time for the late surrender letter.
 3. Forward a Surrender Late Letter to the Stanislaus Superior Court and Stanislaus County Adult Probation. A copy of the letter is also retained in the inmates booking pouch.
- ii. If a warrant for failure to surrender is discovered during a warrant check, the following steps shall be taken:
1. Confirm the outstanding warrant and have the original or acceptable copy forwarded to the facility where the inmate is detained. This removes the warrant from the system.
 2. Add all applicable case information derived from the warrant to the inmate's DA Screen.
 3. Assign the inmate a court date to appear in superior court on the warrant.
- iii. If the court determines that an additional jail sentence is warranted because of the failure to surrender, adjustments or a recalculation is required; the court's directives as outlined in the minute order shall be used in determining the inmates modified sentence.
- (b) The shift supervisor will clear the inmate's cash account. Staff will clear the booking from the computer after the shift supervisor has confirmed the inmate is eligible for release.
- (c) A deputy will escort the inmate from their assigned housing location to the dress-out or release area.
- (d) A deputy will give the inmate their personal clothing after verifying the inmate's identity.
- a. Inmates who have no clothing available at the time of release may be given clothing from the inmate welfare clothing bin.
- (e) Upon request, staff will disburse information regarding community agencies that provide guidance and assistance to inmates after release.
- (f) If applicable, staff will return the inmate's money and personal property and obtain the inmate's signature to verify these items were returned.

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- a. Should staff be unable to locate the inmate's personal clothing or property, the shift supervisor will ensure that lost or missing property procedures are followed.
- (g) Releasing staff will conduct a final review of the documents to ensure the following:
 - a. The inmate's identity is confirmed as the person actually authorized to be released.
 - b. The release documents including the date and time of release are verified.
 - c. Confirm release arrangements including the person or agency to which the inmate is to be released to.
 - d. All personal effects including money have been returned.
 - e. No facility property is leaving with the inmate.
 - f. All pending action such as grievances or claims for damage or lost property are complete.
 - g. The property receipt and release form are signed by the inmate.
 - h. Staff will enter their S-number on the release screen, as a confirmation of the property release.
 - i. If applicable, the inmate is aware of their next court date.
- (h) After final review:
 - a. Direct the inmate to the inner release sally port door and supervise the release.
 - b. If needed assist the individual through the exit.
 - c. Place the inmate's booking record in the release file.
- (i) Inmates may be released at all times, regardless of the time of day, once the supervisor has cleared all release documents.
 - a. Special attention should be given regarding the timing of release for inmates who were under the influence of drugs or alcohol.
- (j) A bus pass may be given to an inmate upon request regardless of their inmate account balance.

Citation Denial:

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Custodial personnel will complete a Citation Release Denial Report when an arrestee charged with a misdemeanor is denied citation release.

- (a) Staff will make notation on the DA Charges Screen listing the reasons why citation was denied to the arrestee.
 - a. Example: "CRDR # 2" would indicate the reason as the arrestee demands to be taken before a magistrate or persists in refusing to sign the citation.
- (b) The shift supervisor shall review and sign the report.
- (c) The original copy of this report shall be stored in the inmate's booking pouch and a copy of the report shall be forwarded to BAS.
 - a. Classification will update the inmate's Classification Remarks Screen listing the reasons why citation was denied.

Bail Bond Release:

A bail bond in the amount set by the court may be posted by a licensed bondsman to affect the release of an inmate. The bond must be an authorized and un-expired bond of an amount equal to or exceeding the amount of bail. It must contain the inmate's name and date of birth, name of the court, charge(s), amount of bail, appearance date, booking number and either the docket number or case file or warrant number. A licensed bondsman must deliver the bond to the facility in which the inmate is being released from.

- (a) All bond agents and bail bond solicitors are to be licensed by the State of California. All bail agents are required to produce their license and proper identification.
- (b) A bail bond agent shall not write or prepare a bond in any lobby or reception area of the facility.
- (c) Section 2074 of Title 10, California Administrative Code; except as provided in sections 2079 and 2079.5 no bail licensee shall solicit any person for bail in any prison, jail or other place of detention of persons, court or public institution connected with the administration of justice; or in the halls or corridors adjacent thereto provided that a bail licensee may, in such halls, corridors, or in other rooms or areas where not prohibited by local rule or ordinance transact bail with persons specified in section 2079 who have, prior to transaction, requested his services.
- (d) A bail bond for the release of a federal prisoner must be approved by a U.S. District Court Judge prior to the release of the inmate.
- (e) All bailouts must have their next court date entered into the memo section of the DA charge Screen prior to release.

Cash Bail:

- (a) Anyone including the inmate may post cash in the amount of the bail set. Certified checks in the exact amount of bail are accepted in the following manner:

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- a. For Stanislaus County cases the certified check is made payable to Stanislaus Superior Court.
 - b. For out of county cases the certified check is made payable to the Sheriff (the name of the current Stanislaus County Sheriff).
 - c. Cash bail cannot be accepted for warrants originally issued outside the State of California.
- (b) Anyone may post cash bail for any other person or themselves. A licensed California Bail Bond Agent may post a surety bond.
- a. The first person to physically appear at the facility with the required amount of bail or the properly prepared surety bond will be allowed to post bail and the inmate shall be released to that person.

Fine Paid:

- (a) Anyone including the inmate may post cash in the amount of the fine assessed. Certified checks in the exact amount of bail are accepted in the following manner:
 - a. For Stanislaus County cases the certified check is made payable to Stanislaus Superior Court.
 - b. For out of county cases the certified check is made payable to the Sheriff (the name of the current Stanislaus County Sheriff).

Parole Violation Release:

- (a) State Parole requires notification when an inmate who is serving a parole violation is released from custody.

Release to Other Agency (OTA):

- (a) An inmate held on another agency's warrant and with no local charges pending may be released to agency issuing the warrant.
 - a. To ensure consistency; when computing the 5-Day Rule, in compliance with 821 PC and 822 PC, the following shall be followed:
 - i. Once an inmate becomes eligible with no local charges and falls within the guidelines of 821 PC and 822 PC, the responsible agency shall be notified immediately via teletype.
 - ii. The date and time of the last day for pick-up will be noted on the teletype.

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- iii. The date and time noted shall be 5, 24 hour days from the date and time the inmate became eligible or 5 court days if the law enforcement agency is more than 400 miles from Stanislaus County. This applies to felony arrest only.
- b. When an inmate is released due to the pick-up time expiring, the supervisor authorizing the release shall ensure the responsible agency is notified via teletype and a copy of the notice is filed in the inmate booking file.
- c. Due to the penal code requirement of immediate notification; if only one agency is notified and fails to appear, the inmate must be released on all warrants even though the other agencies were not notified.
 - i. The following should be used as a guiding factor:
 1. Consider the seriousness of the charge and distance to be traveled by the responsible agency.
 2. When any doubt exists, a teletype can be sent to all agencies including a request for an RSVP teletype.
 - a. The agencies may also be contacted by telephone to determine which agency wants the inmate first.
 3. When an inmate requests to appear before a magistrate in compliance with 821 PC, the 5 days start after the court appearance.

Release on Own Recognizance – Video Court (OR):

- (a) Inmates who are released on their own recognizance from video court must sign a citation release form before being released.
 - a. The citation release form should be completed in the same manner as other types of citation releases to include a case number, charges and next court date.
 - b. By signing this form the inmate acknowledges they are required to appear in court on their next scheduled court date.
 - a. All citation releases must have their next court date entered into the memo section of the DA Charge Screen.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Flex Cap Release	REVISION DATE: 02/07/20
RELATED ORDERS: PC: 4024.1, 4018.6, 853.6 Rodriguez v. Stanislaus et al Stipulated Judgement	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish flex cap release procedures in accordance with United States District Court, Eastern District of California, Rodriguez v. Stanislaus County et al Stipulated Judgment.

POLICY

Public safety is the main priority when considering the release or transfer of inmates from one facility to another. The Sheriff must also consider the United States District Court, Eastern District of California, Rodriguez v. Stanislaus County et al Stipulated Judgment concerning inmate population capacities at any of the Stanislaus County Adult Detention facilities.

- (a) Release of un-sentenced felons will not occur without the approval of the Adult Detention Division Commander or the Sheriff.
- (b) Classification officers are responsible to constantly monitor inmate population capacities at each facility.
- (c) Classification officers will maintain a current list of inmates who are eligible for release and pose the lowest risk to the community. Established policies and classification criteria will be used in establishing this list.
- (d) Only the number of inmates required to lower the count to an acceptable and manageable level shall be released.

When the total housing capacity at the Sheriff's Detention Center West facility surpasses the flex cap rating and classification cannot house inmates properly; the flex cap release process is to be implemented.

- (a) Sheriff's Detention Center West Capacity Rating.
 - a. Flex Capacity = 444
 - b. Max Capacity = 534
- (b) Maximum capacity is formulated by tallying all of the useable beds currently in operation at the Sheriff's Detention Center PSC West facility.
 - a. Non-operational beds are not figured into the maximum capacity rating.
 - b. Facilities which are designed to only house specific types of classifications (programs or minimum housing) are not used in the maximum capacity rating.
- (c) Flex capacity is formulated by multiplying the maximum capacity total by 90%.

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- a. The flex capacity rating is adjusted by the Classification Unit as beds are activated or de-activated at the Sheriff's Detention Center PSC West facility.

DEFINITIONS

4018.6 PC- Release sentenced inmates using a 3-day pass, pursuant to 4018.6 PC, when the inmate is serving the last 3 days of their sentence. This provision shall apply to inmates serving both civil and criminal sentences and is discretionary for the Sheriff.

4024.1 PC-Release of sentenced inmates pursuant to 4024.1 PC. This provision shall apply to inmates serving both civil and criminal sentences, without exception. The formula is 1 day for every 10 days sentenced, up to a maximum of 30 days. This provision is also discretionary for the Sheriff.

PROCEDURE

Simply reaching the flex cap will not guarantee the initiation of early releases. Classification in conjunction with the shift supervisor may initiate the following procedure sequence until the population is at a manageable and acceptable level. Manageable and acceptable is defined as classifiable bed space.

- (a) Release sentenced inmates using a 3-day pass, pursuant to 4018.6 PC, when the inmate is serving the last 3 days of their sentence. This provision shall apply to inmates serving both civil and criminal sentences.
- (b) Invoke the early release order up to 10 days pursuant to 4024.1 PC. This provision shall apply to inmates serving both civil and criminal sentences.
- (c) Invoke the early release order up to 20 days pursuant to 4024.1 PC. This provision shall apply to inmates serving both civil and criminal sentences.
- (d) Invoke the early release order up to 30 days pursuant to 4024.1 PC. This provision shall apply to inmates serving both civil and criminal sentences.
 - a. The formula is 1 day for every 10 days sentenced, up to a maximum of 30 days.
 - b. Classification maintains a current release list. This list utilizes certain formulas relating to the time an inmate is required to serve. The formula changes based on a manageable and acceptable bed space level.

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- c. Classification will employ the established release list if the need to conduct flex cap or accelerated releases arises.

- (e) Release low level sentenced misdemeanants.

- (f) Sentenced inmates with immigration holds may be released to Immigration & Customs Enforcement (ICE) when they have 365 days remaining to serve on their sentence.

- (g) Sentenced inmates with out of county holds may be released to the agency which placed the hold when they have 90 days remaining to serve on their sentence.

- (h) Accelerate the release of sentenced inmates who are approved and authorized by the Bureau of Administrative Services.

- (i) Pre-trial misdemeanor remands will be released by citation.

- (j) All pre-trial felony arrestees, certified as pre-trial misdemeanants in court, will be released by citation.

- (k) The Classification Commander may release sentenced inmates, who are eligible and have 365 days remaining to serve on their sentence, to the alternative work program or home detention program. The inmate must complete an application, be approved, and receive a report date for the program prior to release.

- (l) Only the number of inmates required to lower the count to an acceptable and manageable level shall be released.

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SECTION: Temporary Release	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4011, 4018.6	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish temporary release procedures.

POLICY

Individuals who are to be released temporarily from the custody of the Sheriff shall be held accountable to established temporary release rules and guidelines.

- (a) The shift supervisor has the authority to release individuals who are eligible for temporary release.

The Sheriff under certain circumstances, such as a family emergency or as preparation for an individual's return to the community, may allow an individual to be released from custody for up to 72 hours on a Sheriff's Pass.

- (a) The Facility Commander will make the decision to approve or deny the pass request.
- (b) The Facility Commander may require certain limitations for the pass, for example the individual must be guarded while on pass.
- (c) Guard fees and mileage rates are updated annually in June for the new fiscal year by the Stanislaus County Finance Department.
- (d) Deputy Sheriff-Custodial staff guarding rates shall be calculated for at least a minimum of 2 hours.
- (e) Only cash or a cashier's check from a certified banking institution may be accepted for pass fees. The check must be made payable to the Stanislaus County Sheriff's Department. The pass fees are deposited to the county treasury.

DEFINITIONS

- (1) Court Order: a court of competent jurisdiction may order the temporary release of an individual. The release order could be for a temporary pass, pre-sentence evaluation, hospitalization or temporary commitment.
- (2) Removal Order: an individual may be released from custody on a removal order from another county. For the removal order to be valid it must contain the individual's name, date and time the person is due in court and the reason for the court appearance. It must also contain the name of the agency requesting the removal, the agency where the inmate is to be released from, and the issuing judge's signature. It must also be stamped and filed with the county clerk's office of the county requesting the removal. The removal order is retained in the inmate's booking pouch.

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- (3) Out of County Housing: an individual may be temporarily housed under contractual agreement or by court order in another jurisdiction if certain circumstances dictate: classification issues, overcrowding, circumstance surrounding the case, etc.
- (4) Medical Treatment or Hospitalization (4011 PC): a prisoner may be taken to a medical facility within the county for specialized treatment, without a court order. Hospitalization is not to exceed 48 hours. A 4011 PC order, signed by a judge, is required if hospitalization exceeds 48 hours. Medical is also notified of the transfer to ensure orders, charts, and medications go with the prisoner.
- (5) Probation Officer Pass: when an individual is confined as a term of probation; a probation officer may authorize a release from custody to prepare the individual for their return to the community. The release can be ordered with or without guard. The release shall not exceed 72 hours and the individual must be within 30 days of their release date. The probation officer can also require the individual to reimburse the county for all necessary expenses caused by their release.

PROCEDURE

Temporary Release Process:

- (a) The shift supervisor will be notified when an individual is scheduled for temporary release. The shift supervisor will confirm the release date and the authority to release the individual.
- (b) The shift supervisor will review the booking record to ensure the following:
 - a. Individual's identity
 - b. Verification of release arrangements including the person or agency to which the individual is to be released.
 - c. When applicable, all personal property and money are released to the individual or the transporting agency.
- (c) Deputy Sheriff-Custodial staff shall accompany all inmates being temporarily released to local agencies and organizations.
 - a. If the individual is being temporarily released with an official escort, the individual will not be dressed out in civilian clothing nor will any of the individual's money or personal property be returned.
 - b. If the individual is being temporarily released on a court order, removal order or for out of county housing; the individual is to receive all of their personal property and clothing or it is to be released to the transporting agency. The individual must sign for their property and clothing acknowledging that it has been returned.

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SECTION: Temporary Release	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 4011, 4018.6	ADMINISTRATIVELY APPROVED ANNUALLY

(d) If the individual is being temporarily released on a jail pass and no official escort is required; staff will read to the individual the conditions of the pass including the date, time, and place of return. The individual must sign the original pass document acknowledging the conditions of the pass.

a. The shift supervisor will give a copy of the signed pass to the individual leaving on pass.

(e) The individual's booking pouch is placed in the Temporary Release File or Out on Pass File until the inmate returns.

Out to Court in Another County:

(a) The individual's name will be electronically transferred into OC Status. The individual's pouch is maintained in a specific location for OC inmates.

(b) Clerks will track and update the individual's status and record the information in ICJIS. Individuals in this status are not included as part of the facility's recorded count.

(c) In all cases a valid removal order must be produced by the receiving agency and in all cases a detainer will accompany the individual.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 02/13/13
SECTION: Pre-Trial Release	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1192.7(c), 667.5(c), 290 Rodriguez v. Stanislaus County et al Stipulated Judgment	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

A Pre-Trial Assessment Probation Officer assesses in-custody offenders to establish the offender's level of risk to the community when being released from custody. The assessment process is intended to assist the Stanislaus County Sheriff's Department in managing the offender population pursuant to United States District Court, Eastern District of California, Rodriguez v. Stanislaus County et al Stipulated Judgment.

POLICY

The following criterion is used by Probation when determining which offenders to assess:

- (a) Only offenders who have already been arraigned will be assessed.
- (b) Offenders will be assessed, to the fullest extent possible, prior to their first pre-trial court hearing.
- (c) Only offenders charged with non-serious, non-violent, and non-sexual offenses will be assessed.
 - a. Serious offenses are defined in 1192.7(c) PC.
 - b. Violent offenses are defined in 667.5(c) PC.
 - c. Sexual offenses are defined as any offense which would subject the offender to Sex Offender Registration if convicted, 290 PC.
- (d) Any offenders who are presently subjected to the Sex Offender Registration Act resulting from a prior conviction will not be assessed.

Offenders who are released on their own recognizance by court order shall be released in an expeditious manner to ensure detention is not continued any longer than is required by law. The shift supervisor will have the ultimate release authority after reviewing the inmate's file and all applicable documentation to confirm the eligibility for release.

DEFINITIONS

- (1) Pre-Trial Assessment Probation Officer: is a probation officer assigned to assess in-custody offenders for their level of risk to the community when being release from custody prior to their first pre-trial court hearing.

PROCEDURE

Probation will review the in-custody roster to determine which offenders meet the criterion for assessment as defined in the policy section above.

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- (a) One or all of the following will be used to assess the offender. This is not an exhaustive listing and other sources may be utilized if needed.
- a. Stanislaus County Sheriff's Office's Jail screen: ICJIS-SO
 - b. Stanislaus County District Attorney's screen: ICJIS-DA
 - c. Stanislaus County Probation Department's screen: ICJIS-PB
 - d. Stanislaus County Superior Court case index: <http://caseindex.stanct.org/>
 - e. Stanislaus County Superior Court: Odyssey System
 - f. CLIPS Report
- (b) The qualifying offender shall be interviewed in one of the adult detention facilities.

The Assessment Tool:

- (a) The Ohio Risk Assessment System-Pre-Trial Assessment Tool (ORAS-PAT) is used to conduct the assessment.
- (b) Only Deputy Probation Officers who are trained to use the ORAS-PAT will assess in-custody offenders.
- (c) The interview shall be used as information gathering only. The review of official records and documents shall be the determining factor in establish an accurate offender assessment.
- (d) A total score is calculated by tabulating the scores from the interview and ORAS-PAT assessment.

Reports:

- (a) Probation will complete the report on behalf of the Stanislaus County Sheriff's Office once the total assessment score is calculated.
- (b) Probation shall consider other factors, which may not be represented in the total assessment score of the ORAS-PAT, prior to making a recommendation on the Sheriff's report.
 - a. The severity of the offender's prior convictions is one example.
 - b. Any additional relevant information for the court, which may not be covered in the ORAS-PAT, shall be noted in the additional information for consideration portion of the report.
- (c) The completed report is forwarded to the Bureau of Administrative Services for review.

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- (d) The report shall be forwarded to the BAS Sergeant or Lieutenant for approval after being approved and signed by the reviewing deputy.
- (e) Once approved and signed by all parties; the report recommending a release on own recognizance is forwarded by Probation to the Stanislaus County Superior Court, the District Attorney's Office and the offender's assigned attorney.
 - a. The report shall be forwarded no later than 1 business day before the offender's next scheduled court hearing.
- (f) No collateral or supporting documents are attached to the report, including the hand-scoring sheet from the ORAS-PAT assessment.
- (g) Only an officer of a legally constituted court jurisdiction may approve the final recommendation for a release on own recognizance.
- (h) No offenders recommended for release on their own recognizance shall be released absent an order by the court.

Statistics:

- (a) Probation shall track the number of assessments completed for each calendar month.
- (b) Probation shall track the number of offenders released at their subsequent pre-trial hearing.
 - a. Probation will track whether the offender was re-arrested prior to their next court hearing.
 - b. Probation will track whether the offender attended their next court hearing.
- (c) Probation shall submit monthly statistical information, as outlined above, to the Supervising Probation Officer, by the fifth day of each calendar month.

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Policy & Procedure Manual - Adult Detention Division		
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11	
SECTION: Victim Notification	REVISION DATE: 05/01/19	
RELATED ORDERS: PC: 679.02, 679.03 CA Constitution Article I, section 28	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for notifying victims prior to an inmate's release from custody.

POLICY

The arresting officer has the ability to place a victim notification hold on the arrestee at the time of booking. The notification requirement is usually requested by the victim of the arrestee.

- (a) All reasonable attempts to complete the notification requirement shall be made prior to the inmate's release from custody.
 - a. The victim is to be contacted as soon as possible once the inmate has been cleared for release.
 - b. All numbers listed for notification will be called until the victim is notified. If the victim cannot be reached after a reasonable amount of attempts; staff attempting the notification will leave the victim a message if possible.
 - c. Staff attempting to contact the victim will also notify the arresting agency if the victim was unable to be contacted.
 - d. This information is to be documented on the inmate's booking sheet and the ICJIS Hold Screen.

DEFINITIONS

PROCEDURE

Notification Process:

- (a) The shift supervisor or designated staff will attempt to contact the victim as soon as possible once the inmate is cleared for release.
- (b) If the victim cannot be reached; notify the arresting agency of the inmate's impending release and advise that attempts to contact the victim have been unsuccessful.
- (c) If no victim notification number is given by the arresting agency; notify the arresting agency that the inmate is being released.
- (d) Staff shall make a reasonable effort to contact the victim. If a message is left at the notification number; contact the arresting agency notifying them that a message was left for the victim but no

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RELATED ORDERS: PC: 679.02, 679.03 CA Constitution Article I, section 28	ADMINISTRATIVELY APPROVED ANNUALLY

actual contact was made with the victim.

- (e) Attempt notification on all numbers listed until you have notified the victim or left a message.
- (f) If notification is successful note the information on the booking sheet by listing the date and time, the person notified and initial in the designated area.
- (g) Note the information on the ICJIS Hold Screen as is done with a Positive ID Hold. This practice will ensure the notification information is retained after the booking sheet has been purged.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-04.07 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Bail	REVISION DATE: 12/19/19
RELATED ORDERS: PC: 1269	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for setting and accepting bail amounts.

POLICY

All bail amounts are set in accordance with the current bail schedule as adopted by the Superior Court of Stanislaus County unless a signed affidavit in support of bail increase is submitted by a peace officer.

All bail amounts shall be combined for all new felony charges within each case. The total bail amount for the case is calculated by adding all bail amounts for each offense within the case.

- (a) For each offense with multiple counts; the bail amount is calculated by totaling the bail amount for each count.

Bail shall be accepted in all cases where applicable and when the subject is not eligible for other methods of pre-arraignment release. Felonies not listed in the General Felony Bail Schedule are booked according to Schedule A of the Stanislaus County Felony Bail Schedule. The appropriate top term for the unlisted felony may be found in the CJER Felony Sentencing Handbook. These publications are located in the booking area of the facility.

DEFINITIONS

PROCEDURE

If an arrest is for multiple offenses, the offenses and their respective case line designations shall be determined by each distinctive probable cause declaration submitted, regardless of the arresting agency.

- (a) Bail is set in accordance to the General Felony Bail Schedule for each separate offense within each case. (See Schedules B and C for addition of enhancement and special allegation bail increments).

If the arrest is for multiple felony offenses, each distinctive probable cause declaration submitted shall determine the offenses and their respective case line designations, regardless of the arresting agency.

- (a) The assignment of bail to specific case, as detailed in the Stanislaus County Felony Bail Schedule, shall be determined by totaling the bail for each separate offense within the case.
 - a. This means that one probable cause declaration will equate to one set of case lines. (See Schedules B and C for addition of enhancement and special allegation bail increments for each separate offense within each case).

If the arrest is without a warrant and is for felony and misdemeanor offenses, bail shall be set for the felony offense(s) only, unless a charge of 23152(a) or (b) is added.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Bail	REVISION DATE: 12/19/19
RELATED ORDERS: PC: 1269	ADMINISTRATIVELY APPROVED ANNUALLY

- (a) If so, the additional amount for 23152(a) or (b) shall be added to the felony bail amount.
- (b) No additional bail should be set for other misdemeanor offense(s) unless approved by a magistrate or the misdemeanor arrest was based on a warrant for which bail was previously set.
- (c) In the event an individual is booked only on misdemeanors (two or more misdemeanor charges) the bail amounts will be set for the highest misdemeanor charge.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Compliance with 40304.5 CVC	REVISION DATE: 05/01/19
RELATED ORDERS: CVC: 40304.5	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes compliance with Section 40304.5 of the California Vehicle Code.

POLICY

Custodial personnel will comply with Section 40304.5 CVC. Whenever any person is taken into custody for bail, to be collected on two or fewer outstanding warrants for a parking offense or a traffic infraction, the person shall be provided the opportunity to immediately post bail and not be booked, photographed or fingerprinted. Nor shall an arrest record be made until the person has been given at least three hours to arrange bail.

DEFINITIONS

PROCEDURE

- (a) If the person has sufficient cash in their possession, that person shall be given the opportunity immediately to post bail.
- (b) If the person does not have sufficient cash in their possession, that person shall be informed of their rights and given the opportunity to do all of the following:
 - a. Make not less than 3 completed local or collect long distance telephone calls to obtain bail.
 - b. Have not less than 3 hours in which to arrange bail.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Cash Bail or Fine	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1295, 1297	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for processing cash bails and fines.

POLICY

Anyone including the inmate may post cash for a bail or fine.

- (a) Cash or a certified check for the exact amount, made payable to the Stanislaus County Superior Court, is accepted for local cases.
- (b) Anyone including the inmate may post cash or a certified check for an out of county bail or fine.
 - a. Cash or a certified check for the exact amount, made payable to the Sheriff (the name of the current Stanislaus County Sheriff), is accepted for out of county cases.

DEFINITIONS

PROCEDURE

Processing a cash bail or fine:

- (a) Access the ICJIS System under Bail & Fines.
- (b) Enter the inmate's booking number and then click search.
- (c) The individual posting the bail or fine must use a valid form of identification. Enter the individual's information in the Payer Section. You may need to add the individual into the system under the Add Party area. Make a copy of the ID.
- (d) Take the cash at the lobby or reception window. Count the cash money in a secure location. Additional staff may want to double check the cash count.
- (e) No check other than a certified bank check is accepted for a bail or fine.
 - a. In the Bail/Fine Information Section; start at the bail area and make the correct selection.
 - b. In the DA Case Number Section; use the pull down menu and select the correct case number for the bail or fine. The Charge, Type and Amount Sections should update automatically. Enter the warrant number and any additional charges if required. Use the pull down menu and select Stanislaus Superior Court.
- (f) Issue a court date in the same manner as a citation or a bail bond; 30 days out with felony cases

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scheduled in the afternoon and misdemeanor cases scheduled in the morning. The date is entered in the following format: DDMMYYYY.

- (g) Ask the payer if they wish to have the bail applied to a fine. Change the pulled down menu to the correct response.
- (h) Make a note of the receipt number and then click the Add Button once all steps are complete. ICJIS will update itself if all information was added correctly. Fix any errors and make sure the receipt number is the same and hit Add again.
- (i) Press the Receipt Button once the information is added correctly. A receipt window will open. Print the receipt. The receipt is treated in the same manner as a citation.
- (j) Explain the court date and appearance information and have the inmate sign the receipt. The releasing deputy will sign and make 4 copies of the receipt. The original and other copies are disbursed as follows:
 - a. Copy to payer posting the cash bail or fine.
 - b. Copy to inmate being released.
 - c. Copy to pouch.
 - d. Copy to Court Clerk.
 - e. The original is placed in an envelope with the cash or check and a copy of the payersq identification. The entire envelope is placed in the drop safe located in the Receiving and Release Area.
- (k) The inmate is then processed using normal release procedures.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Scheduling Court for Citations & Bail Bond Releases	REVISION DATE: 05/01/19
RELATED ORDERS: CRC: 4.115 (a)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for scheduling court appearance for individuals released from custody on bail bond and citation releases.

POLICY

Citations releases are to be scheduled for court at 0830 hours, 60 days from the date of release.

Bail bond releases for misdemeanors offenses are to be scheduled for court at 0830 hours, 30 days from the date of release.

Bail bonds releases for felony offenses are to be scheduled for court at 1330 hours, 30 days from the date of release.

Misdemeanor Warrants for Violation of Probation as well as Bench Warrants for misdemeanor offenses are to be scheduled for court at 0830 hours, 30 days from the date of release.

Bench warrants for felony offenses are schedule for court at 1330 hours, 30 day from the date of release.

DEFINITIONS

PROCEDURE

General Scheduling Guidelines:

- (a) If the court appearance date falls on a Tuesday; schedule the appearance for the following day (Wednesday).
- (b) If the court appearance date falls on a Saturday; schedule the appearance for the day prior (Friday).
- (c) If the court appearance date falls on a Sunday; schedule the appearance on the following day (Monday).
- (d) If the appearance date falls on a holiday; schedule the appearance for the next court day, including Tuesdays when Monday is a holiday.
 - a. This is the only time a Tuesday is used for a court appearance on a bail bond or citation release.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 06/08/11
SECTION: Bail Bondsman Notice for an Inmate with an ICE Detainer . Hold	REVISION DATE: 07/01/19
RELATED ORDERS: PC: 1269	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures which provide bail bondsmen with written notice in regards to posting a bail bond for an inmate who has a current Immigration and Customs Enforcement (ICE) detainer or hold. Stanislaus County Counsel or the Stanislaus County District Attorney's Office may likely use this proof of service notice in subsequent court proceedings.

POLICY

If a bondsman makes an inquiry regarding the bail amount for an inmate with a no bail immigration detainer or hold; custodial personnel will immediately advise the bondsmen of the inmate's status regarding the immigration hold or detainer.

- (a) If after being advised the bondsman persists, demanding to post a bond for local charges only; custodial personnel will give the bondsman a Bondsman ICE Notice Form and instruct the bondsman to complete the form.
 - a. The Bondsman ICE Notice form is available at the following location: G: Custodial/AD Forms/R&R Forms/Bail Bond Documents/Bondsman ICE Notice
 - b. After the bondsman completes the form; keep the original in the inmate's booking pouch for use in any subsequent legal proceedings. Send a copy of the completed notice to the District Attorney's Office.
- (b) The Bondsman ICE Notice Form shall serve as official notice to the bail bondsman.
- (c) When a bail bond is accepted for local charges, for an inmate with a no bail detainer or hold; ICE should be notified for immediate pick-up of the inmate. The inmate shall not be held longer than the reasonable amount of time necessary to prepare release documents, consistent with any other inmate being released on bail.

DEFINITIONS

PROCEDURE

If the bail bondsman refuses to complete and sign the notice form:

- (a) Read the notice form to the bondsman.
 - a. Complete the section on the bottom of the form.

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- b. Sign on the witness line and place the date and time in the appropriate spaces.
- c. Make a copy of the notice with your notation and give it to the bondsman.
- d. Place the original in the inmate's booking pouch.
- e. Send a copy of the completed notice to the District Attorney's Office.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-04.12 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 10/18/12
SECTION: DNA Collection	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 290, 296 . 296.2, 298.1, 299, 835 W&I: 707 CCR MJS 15: 1059	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures to ensure that individuals convicted of offenses listed in Section 290 and Sections 296 . 296.2 of the Penal Code submit requisite specimen, biological samples, or impressions as required by law, prior to being released from custody, for law enforcement identification analysis.

POLICY

The use of reasonable force is not authorized to obtain any requisite specimen, biological sample or impression from an offender refusing to voluntarily provide such samples for law enforcement identification analysis without first obtaining a warrant.

DNA samples are not to be collected from the following individuals:

- (a) An adult arrested for an immigration hold only.
- (b) An adult who is arrested as a fugitive from another state, 1551 PC hold only.
- (c) An adult who is arrested on an out of county warrant only.

All adults arrested for any felony offenses must provide a buccal swab inner cheek scraping DNA sample and thumb and palm print impressions for the State of California's DNA (CAL-DNA) Data Bank program.

- (a) Adults arrested for a felony registerable sex offense, murder or voluntary manslaughter including attempts of these crimes must provide samples for the CAL-DNA Data Bank.

Collection of DNA samples from an adult arrested for a felony offense must be based solely upon the offense that the adult was arrested for. Sample collection is not retroactive and not based upon the individual's criminal history, including prior felony convictions or adjudications.

- (a) If the person is currently on probation or parole, the prior felony convictions would mandate DNA collection as a convicted offender independent of his or her arrestee status.

DNA collection from arrestees should occur during the booking process or as soon as possible after the arrest and before the subject is released from confinement or custody. An arrestee's California Automated Criminal History Record and any available local databases that may be established to help prevent collection of duplicate samples should also be reviewed for a DNA collection flag.

- (a) A qualifying individual must provide a DNA sample and palm print impressions for the CAL-DNA Data Bank if a suitable DNA sample and print impressions are not already on file for that individual with the Department of Justice (DOJ).

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Policy & Procedure Manual - Adult Detention Division		
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 10/18/12	
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RELATED ORDERS: PC: 290, 296 . 296.2, 298.1, 299, 835 W&I: 707 CCR MJS 15: 1059	ADMINISTRATIVELY APPROVED ANNUALLY	

- a. The facility in which the collection takes place is responsible for transmitting the completed sample collection kit to the DNA Laboratory of the DOJ for analysis of DNA and other forensic markers.

DEFINITIONS

- (1) Arrest: for purpose of DNA collection, lasts as long as the subjects remain in continuous physical custody after the arrest and prior to conviction or adjudication (835 PC).

PROCEDURE

Any adult convicted of a felony or misdemeanor, with a prior felony conviction as well as sex and arson registrants, will remain subject to DNA collection mandates.

- (a) Custodial personnel will screen and identify every arrestee.
 - a. Staff will positively identify each arrestee by collecting fingerprints.
 - b. Staff will review the ICJIS database to determine the DNA status of each arrestee.
 - c. Staff will secure a RAP Sheet if no record of DNA submission can be documented.
 - d. The RAP Sheet will be reviewed to evaluate the status of the arrestee as required by law.
- (b) Custodial personnel will update ICJIS in the DNA Section of the Party STANCO Information page with any changes in DNA status. Any additional notes are added into the memo section as necessary.
- (c) Court clerks are responsible to make notification of all changes in the custody status of any inmate.
 - a. Court clerks will comply with all court ordered DNA collections and update ICJIS as necessary.
- (d) Custodial personnel will run a DNA Sample Required Report on each shift to collect DNA samples from those identified on the report.
 - a. Custodial personnel will ensure that ICJIS is updated in the DNA Section of the Party STANCO Information page after collection and any additional notes are added into the memo section as necessary.
- (e) All required DNA samples and palm print impressions will be collected prior to an inmates release from custody.

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RELATED ORDERS: PC: 290, 296 . 296.2, 298.1, 299, 835 W&I: 707 CCR MJS 15: 1059	ADMINISTRATIVELY APPROVED ANNUALLY

- (f) If at the time of release; the inmate has not been required to submit a DNA sample:
 - a. Staff will review the inmate's RAP Sheet and court paperwork to determine the legal criteria for a DNA collection.
- (g) Completed DNA packets are sealed and placed in a designated location at each facility. The department's mail clerks will pick-up the packets and mail them through the US Mail to the Department of Justice.

The shift supervisor will document the refusal of an inmate to voluntarily comply with required DNA sample collection. Documentation will include any efforts of staff to gain voluntary compliance and that the inmate was asked to provide the required specimen, sample, or impression and refused.

- (a) The use of reasonable force is not authorized to obtain a required DNA sample without first obtaining a warrant.
- (b) DNA sample collection from a non-compliant inmate will consist of a phlebotomist at medical facility drawing a blood sample.

Inmate refusing to voluntarily comply with DNA sample collection:

- (a) Staff shall immediately notify their supervisor.
- (b) The shift supervisor will notify the inmate of their legal requirement to provide the required sample and explain the consequences of non-compliance.
 - a. The shift supervisor will complete the Written Notice: Refusal of Offender to Submit DNA Sample Collection form.
 - i. This form is located at: G/Custodial/AD Forms/DNA Forms/Refusal to Submit to DNA Sample Collection.
 - ii. The shift supervisor will read and explain the criteria defined on the form.
 - iii. Ensure the inmate understands that refusing to voluntarily submit the required DNA sample is a violation of Penal Code Section 298.1, which is a misdemeanor and punishable by a \$500 fine and up to a year in county jail.
 - b. A copy of the completed form is to be given to the inmate for review.
 - c. If the inmate continues to refuse voluntary compliance after reviewing the form; the shift supervisor will assign a staff member to complete a disciplinary report and serve the inmate.

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RELATED ORDERS: PC: 290, 296 . 296.2, 298.1, 299, 835 W&I: 707 CCR MJS 15: 1059	ADMINISTRATIVELY APPROVED ANNUALLY

- d. The inmate is not to be released from custody.
 - i. The shift supervisor will contact dispatch and request a patrol deputy to rebook the inmate on new charges regarding the refusal to submit to the required DNA sample collection.

- e. If needed, classification is to re-house the inmate. The disciplinary hearing is to be conducted in accordance with established disciplinary policy.

- f. The shift supervisor will notify the Facility Commander. The shift supervisor will contact SO Detectives at the direction of the Facility Commander.
 - i. A copy of the disciplinary report and the completed Written Notice: Refusal of Offender to Submit DNA Sample Collection form will be given to detectives.
 - ii. SO Detectives will request a warrant for the blood draw and process the sample collection in accordance with the warrant.
 - iii. AD Transportation will transport the individual to the medical facility at the request of detectives.
 - 1. The Buccal Collection Test Kit will not be used in seizing a DNA sample from a non-compliant individual. The service of a phlebotomist at a medical facility shall be utilized to seize the blood sample in accordance with the warrant.
 - iv. The individual is to be scheduled for court and the disposition of the case is to be decided by the court.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-04.13 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 10/19/15
SECTION: 290 Registration Requirements	REVISION DATE: 05/01/19
RELATED ORDERS: PC 290, PC 290.017, FORM 8047	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures which ensure individuals who are required to register as sex offenders, pursuant to Penal Code Section 290, are notified of registration requirements in writing prior to their release from custody.

POLICY

Pursuant to 290.017 PC; Form 8047 Notice of Sex Offender Requirement is to be completed, signed and given to offenders prior to their release from custody. The form provides an explanation of registration requirements to persons being released from confinement who are required to register as a sex offender.

DEFINITIONS

PROCEDURE

Form 8047 is to be processed as follows:

- (a) The Court Clerk shall photocopy any minute order where a person is required by the courts to register as a sex offender, pursuant 290 PC. The Clerk will send the documents via email to the Classification Clerk and copy the following email address: 290@stanislaussheriff.com.
- (b) The Classification Clerk will determine if this is a new case or an existing case.
 - a. If this is an existing case, the Classification Clerk will check in the CSAR System to ensure the person is in fact registered for that case. Form 8047 must be completed if the case is not registered.
 - b. If it is a new case, the person is required to register. Form 8047 form must be completed.
- (c) The Classification Clerk will fully complete both pages of Form 8047, excluding the address where the person expects to reside upon release.
- (d) The Classification Clerk will mark the box on the ICJIS Release Transfer Screen: Needs to Sign Registration Requirements before Release.
- (e) The Classification Clerk will file the form along with an instruction cover sheet in the pouch of the individual required to register. These forms are to be given to the individual upon release.
 - a. At the time of release; releasing staff will ask the individual for an address where they expect to reside.
 - b. If the individual is a transient ask for a relative's address and document the individual's status on the form.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-04.13 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 10/19/15
SECTION: 290 Registration Requirements	REVISION DATE: 05/01/19
RELATED ORDERS: PC 290, PC 290.017, FORM 8047	ADMINISTRATIVELY APPROVED ANNUALLY

- c. Releasing staff will print their name on the form and sign and date.
- d. The individual being released will sign and date the form, and give a right thumb print impression on the form.
- e. Releasing staff will instruct the individual to read page 2 of the form and initial all 22 items. Releasing staff will record the date on the top right corner of Page 2.
- (f) Releasing staff will notify the individual that this is just a notification process of their requirement to register and not the registration process itself.
 - a. The individual is to be advised that they must report to their respective police department to complete the registration process.
 - b. Releasing staff will verify the individual understands these requirements.
- (g) A copy of both pages will be given to the individual upon release.
- (h) Both pages of the original form will then be placed in an interdepartmental envelope and sent to the Classification Clerk at the Sheriff's Detention Center (SDC).
- (i) The Classification Clerk will make a copy of both pages of the form and mail them to the law enforcement agency where the individual is required to register.
- (j) The Classification Clerk will put the date the original was sent to Department of Justice and initial and scan both pages of the form. The form is then to be emailed to: 290@stanislaussheriff.com.
 - a. A spreadsheet is to be maintained by the Classification Clerk. The spreadsheet will record each person who is required to register and their booking number, STANCO number and date the form was completed.
 - b. The original form is to be mailed to the Department of Justice at the address on the top of the form within 3 business days.
 - c. The on duty court clerk will process the form in the absence of the Classification Clerk.
 - i. Once the form is complete the original is sent to the Classification Clerk to complete the process.
 - d. The shift supervisor will ensure all registration documents are kept in the qualifying individual's pouch for processing at the time of release.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Jail Alternatives Unit Organization	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1029, 1050, 1069, 1080, 1081, 1082, 1083, 1084, 1200 PC: 1203.016, 1203.017, 1203.018 1208, 1208.2, 1209, 3074, 3075, 3076, 3077, 3078, 3079, 3083, 3084, 3086, 3087, 4024.2	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes the overall organization and operation procedures of the Jail Alternatives Unit.

POLICY

The Stanislaus County Sheriff's Department offers a wide range of alternatives to incarceration for qualifying individuals.

- (a) Program qualification is determined by the individual's commitment requirement and classification status.
- (b) Each individual considered for program participation is to be screened in accordance with established program standards.

DEFINITIONS

PROCEDURE

- (a) The Alternative Work Program is a fee-supported process that allows inmates with 365 days or less remaining on their sentence to perform community improvement projects and manual labor in support of non-profit organizations.
 - a. The program was started in October 1987 pursuant to Penal Code Section 4024.2 and with authorization of the Stanislaus County Board of Supervisors.
 - b. Pursuant to Penal Code Section 1209; a sign-up fee is charged to those who apply to the program.
 - c. The program is open to sentenced, low risk offenders and minimum-security inmates meeting established program qualification criteria.
- (b) The Electronic Monitoring Program is a fee-supported program where qualifying un-sentenced and sentenced inmates may voluntarily participate or involuntarily be placed in a home detention program before sentencing, in lieu of bail or during their sentence in lieu of confinement in a county jail facility.
 - a. The program, with authorization from the Stanislaus County Board of Supervisors, was started in May 1992 and is administered pursuant to Penal Code Sections 1203.016, 1203.017, and 1203.018.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Jail Alternatives Unit Organization	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1029, 1050, 1069, 1080, 1081, 1082, 1083, 1084, 1200 PC: 1203.016, 1203.017, 1203.018 1208, 1208.2, 1209, 3074, 3075, 3076, 3077, 3078, 3079, 3083, 3084, 3086, 3087, 4024.2	ADMINISTRATIVELY APPROVED ANNUALLY

- b. Under Penal Code Section 1208.2, a sign-up fee may be charged to those who apply to the program.
 - c. After program acceptance, the participant may then be charged a daily fee while in the program.
 - d. The program is open to sentenced and un-sentenced offenders meeting established program qualification criteria.
- (c) Sheriff's Parole is not supported by any type of fee process. The process was started pursuant to Penal Code Section 3074.
- a. Sheriff's Parole is open to any sentenced inmate who has completed one-third (1/3) of their commitment.
 - b. Applications are reviewed by members of the Parole Board. The board is made up of a Sheriff's Office Facility Commander, a representative from Probation and a citizen of Stanislaus County.
 - c. If parole is granted, terms and conditions may be set by the Parole Board.
 - d. In this program the participant may rejoin the community, but will continue to be monitored by the Jail Alternatives Unit until their parole expires.
- (d) An individual may request administrative review, through the appeal process, of a ruling to deny the individual participation on a Jail Alternatives Unit Program.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-07.02 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Alternative Work Program	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1209, 4024.2	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes operational procedures for the Alternative Work Program.

POLICY

The Alternative Work Program is authorized by the Stanislaus County Board of Supervisors, pursuant to Penal Code Section 4024.2

- (a) The Alternative Work Program is a component of the Stanislaus County Jail Alternatives Unit.
- (b) The program is a fee-supported process which allows inmates with 365 days or less remaining on their sentence to perform community improvement projects in support of non-profit organizations as an alternative to incarceration.

An individual may appeal the denial for program participation through the unit's chain of command:

- (A) Jail Alternatives Unit Sergeant
- (B) Jail Alternatives Unit Commander
- (C) Adult Detention Division Commander

DEFINITIONS

PROCEDURE

- (a) Individuals applying for the Alternative Work Program will be considered on a case by case basis. Approval or denial is at the sole discretion of the Sheriff's Department.
- (b) The following factors are used to screen applicants for the Alternative Work Program:
 - a. Severity of the individual's criminal charges.
 - b. Circumstances surrounding the case and victim impact.
 - c. The individual's criminal history.
 - d. Any prior participation or performance in the program.
 - e. In-custody behavior history.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Electronic Monitoring Program	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1203.016, 1203.017, 1203.018, 1208.2	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes operational procedures for the Electronic Monitoring Program.

POLICY

The Electronic Monitoring Program is authorized by the Stanislaus County Board of Supervisors pursuant to Penal Code Sections 1203.016, 1203.017 and 1203.018.

- (a) The program was started in May 1992 with authorization from the Stanislaus County Board of Supervisors.
- (b) The program is administered pursuant to Penal Code Sections 1203.016, 1203.017 and 1203.018.
- (c) Pursuant to Penal Code Section 1208.2; a sign-up fee may be charged to those who apply to the program.
 - a. After acceptance, participants may be charged a daily fee while in the program.

An individual may appeal the denial for program participation through the unit's chain of command:

- (A) Jail Alternatives Unit Sergeant
- (B) Jail Alternatives Unit Commander
- (C) Adult Detention Division Commander

DEFINITIONS

- (1) The Electronic Monitoring Program: is a fee-supported program where qualifying un-sentenced and sentenced inmates may voluntarily participate or involuntarily be placed in a home detention program, before sentencing in lieu of bail, or during their sentence in lieu of confinement in a county detention facility.

PROCEDURE

- (a) The Electronic Monitoring Program is open to sentenced and un-sentenced offenders who meet established program qualification criteria. Approval or denial is at the sole discretion of the Sheriff's Department.
- (b) The following factors are used to screen applicants for the Alternative Work Program:
 - a. Severity of the individual's criminal charges.
 - b. Circumstances surrounding the case and victim impact.

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CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: Electronic Monitoring Program	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1203.016, 1203.017, 1203.018, 1208.2	ADMINISTRATIVELY APPROVED ANNUALLY

- c. The individual's criminal history.
- d. Any prior participation or performance in the program.
- e. In-custody behavior history.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	2-07.04 GDP
CHAPTER 2: Receiving & Release, Classification, & Jail Alternatives	ISSUE DATE: 04/01/11
SECTION: County Parole Program	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 1208.2, 1208.5, 3074 . 3088	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes operational procedures for the Stanislaus County Parole Program.

POLICY

The Stanislaus County Board of Parole Commissioners adopts the following rules and regulations, pursuant to Sections 1208.2, 1208.5, 3074 through 3088 of the California Penal Code.

- (a) The Stanislaus County Sheriff's Department, Jail Alternative Unit, located at 194 East Hackett Road Modesto, California is designated as the office of the Board.

The Stanislaus County Board of Parole Commissioners consists of the following individuals:

- (a) Stanislaus County Sheriff
- (b) Stanislaus County Chief Probation Officer
- (c) A member of the public who is appointed by the Presiding Judge of the Stanislaus Superior Court, pursuant to Penal code section 3075.
 - a. A Custodial Commander appointed by the Sheriff acts as Parole Officer and Secretary of the Board.

No inmate shall be released on parole unless he or she has signed an agreement accepting the terms and conditions of parole.

DEFINITIONS

PROCEDURE

The Sheriff and Chief Probation Officer may appoint staff from their respective offices to serve.

- (a) The public member may not appoint a temporary commissioner to serve. Any reference in these regulations to the Board or its members shall include and apply to temporary commissioners.

When parole is granted, the Parole Board Secretary shall deliver a certificate granting parole, to the officer in charge of the facility where the inmate is confined. This certificate will direct the release of the prisoner in accordance with the rules and terms of parole.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	3-01.01 GDP
CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Inmate Rights	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1072, 1073, 1080, 1081, 1082, 1083, 1211, 1212, 1214, 1215, 1266, 1267 PC: 2656(c)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures defining the rights inmates are entitled to during their term of incarceration in the Stanislaus County Adult Detention System.

POLICY

To ensure compliance with the intent of this policy; specific procedures fulfilling the requirements described in this policy, pertaining to inmate rights in relation to conditions of confinement, are referenced in other specific sections and chapters of the Stanislaus County Sheriff's Department Adult Detention Policy and Procedure Manual.

The Stanislaus County Sheriff's Department recognizes that inmates have certain rights relative to the conditions of their confinement. The following rights are recognized as inmate rights:

- (a) Access to the courts and legal counsel.
- (b) Clean and orderly surroundings.
- (c) Adequate toilet, bathing, and laundry facilities.
- (d) Adequate lighting, heating, and ventilation.
- (e) Compliance with federal, state and county fire and safety laws and regulations.
- (f) A wholesome, properly prepared, nutritionally adequate diet.
- (g) Clean and seasonable clothing.
- (h) Basic medical and dental services comparable in quality to those available to the general public.
- (i) Access to both recreational opportunities and equipment.
- (j) Access to clergy which allows inmates to practice their legitimate religious practices, subject only to the limitations necessary to maintain institutional order and security.
- (k) Visitation with family members and friends in a visiting area, which is limited only by those facility requirements necessary to maintain order and security. Private areas are available for confidential visitation between inmates and attorneys, except where substantial justification for restriction is provided.
- (l) Sending sealed letters to a specified class of persons or organizations, including but not limited to: courts, attorneys, officials of the confining authority, government officials, administrators or grievance systems and members of the parole authority. Inmates seeking judicial or administrative redress are not subjected to reprisals or penalties as a consequence.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	3-01.01 GDP
CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Inmate Rights	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1072, 1073, 1080, 1081, 1082, 1083, 1211, 1212, 1214, 1215, 1266, 1267 PC: 2656(c)	ADMINISTRATIVELY APPROVED ANNUALLY

- (m) Maintaining contact with attorneys, their representatives, or experts retained by them. This is to be accomplished through uncensored correspondence, telephone communication and official visits, limited only as necessary to maintain order and security. Inmates will have the right to request assistance in preparing and filing legal papers. This will include assistance from persons with legal training, law school legal assistance programs, the Public Defender's Office, and law library facilities.
- (n) Freedom from discrimination based on the inmate's race, religion, national origin, sex, age, disability, or political belief.
- (o) The protection from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.
- (p) A dignified conversational form of address. All inmates will be addressed by name rather than booking number or other derogatory manner.
- (q) Participation in the classification process allowing the inmates input in all stages of program planning. Inmates are entitled to present opinions, preferences, and requests for appropriate classification procedures and to participate in deliberations involving that programming.
- (r) Personal grooming choices regarding appearance. This choice is limited only by requirements for: safety, security, identification and hygiene.

Interpretation of these regulations may be necessary in regards to the security level of the inmate and for the good order of the facility.

- (a) The expectation that unnecessary force, embarrassment or indignity to the inmate is avoided during a search.
- (b) Access to paper and other supplies and services related to legal matters at the inmate's expense, unless inmate is indigent.
- (c) Pursuant to election codes; inmates have the right to participate in county, state and federal elections.
- (d) The availability of a written grievance procedure including at least one level of appeal.

DEFINITIONS

PROCEDURE

Prisoner's Rights to Bodily Aids (Orthopedic and Prosthetic Appliance):

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Inmate Rights	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1072, 1073, 1080, 1081, 1082, 1083, 1211, 1212, 1214, 1215, 1266, 1267 PC: 2656(c)	ADMINISTRATIVELY APPROVED ANNUALLY

Persons booked or housed into a Stanislaus County detention facility shall not be deprived of the possession or use of any orthopedic or prosthetic appliance if such appliance has been prescribed and fitted by a physician.

- (a) If the Facility Commander determines that possession of an orthopedic or prosthetic appliance constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, such appliance may be removed.
 - a. If an orthopedic or prosthetic appliance is removed from a prisoner, the Facility Commander shall ensure the following:
 - i. Department members can document probable cause for removal.
 - ii. The prisoner is examined by a physician within 24 hours after the appliance is removed.
 - b. If the examining physician determines that removal of an orthopedic or prosthetic appliance is harmful to the health or safety of the prisoner, the physician shall inform the prisoner and the Facility Commander of such a condition.
 - i. If the Facility Commander refuses to return the appliance to the prisoner; the Facility Commander shall promptly notify the physician and the prisoner of the reasons for the refusal.
 - ii. The Facility Commander will ensure that the prisoner is provided a form, as specified in Section 2656(c) of the Penal Code, by which the prisoner may petition the Superior Court for the return of the appliance.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	3-01.02 GDP
CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Access to Legal Research Materials (LRA)	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1064 Rodriguez v. Stanislaus County et al Stipulated Judgment	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding the manner in which legal research materials are provided to inmates through Legal Research Associates (LRA), as prescribed in United States District Court, Eastern District of California, Rodriguez v. Stanislaus County et al Stipulated Judgment.

POLICY

An inmate requesting legal information will do so through Legal Research Associates (LRA).

- (a) Inmates are allowed to submit two legal request forms in the first half of a calendar month and submit another two legal request forms from in the second half of a calendar month.
 - a. Four total legal requests may be submitted per each calendar month.
- (b) Pro-per inmates, certified by the court, are able to submit an unlimited amount of legal requests to LRA each calendar month.
 - a. Legal or court ordered telephone calls are to be approved by the Facility Commander.
 - b. Copying of documents; pro-per inmates must obtain this service from an approved outside source. The facility will not sustain the cost for copies.
 - c. Pro-per inmates must obtain legal forms from an approved outside source. The facility will not sustain the cost of these forms.

Each facility shall post information regarding the LRA process and make available forms for inmates to request legal research materials.

- (a) Inmates who wish to file a grievance against LRA shall do so in accordance with established policy and procedures.
- (b) Legal Research Associates will answer all inmate grievances regarding to the LRA program.
 - a. All inmate grievances regarding the LRA program are to be time dated and stamped and faxed to LRA at (510) 581-3748. The original grievance is to be stored in the facility's Grievance Binder.

DEFINITIONS

- (1) LRA: Legal Research Associates is a capable provider of tailored legal research materials for inmates. The LRA program provides attorney supervised research and research performed by persons trained in the law. LRA prioritizes inmate requests and provides individualized

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responses. Written interactive inmate assistance is given as needed. Key legal research materials are accessible to all inmates and information is updated daily.

- (2) Pro-per Inmate: a pro-per inmate is an inmate who is acting as his or her own attorney in a criminal court case, which he or she is currently in-custody for, and is certified by the court as such.

PROCEDURE

Information about Legal Research Assistance (LRA) shall be posted in each inmate housing area. LRA request forms shall be made available as needed.

- (a) The inmate will complete the front of the form. The reverse side contains instructions to help inmates complete the form.
- (b) Inmates are allowed to request up to 5 items on each request, Monday through Friday.
- (c) Inmates will place the LRA form in their unit mailbox or department members will collect all legal request forms and take them to an area for processing.
 - a. The form is to be time dated and stamped. A fax cover sheet is completed including the date sent and the tracking numbers sent (mentioned below).
 - b. A tracking number is to be written at the bottom of each request form. The tracking number will begin with facility indicator and a three-digit number.
 - c. Fax the requests to LRA at (510) 581-3748. After faxing, update the LRA tracking log indicating the date sent, inmate's name, and booking number.
- (d) LRA will ship each request back to the inmate within 3 working days.
- (e) Once the information is received from LRA, count the number of pages in each packet.
 - a. Department members will deliver the LRA information packets to inmates.
 - b. Enter the number of pages and the inmate's name on the tracking form located on the G Drive.
 - c. Completing the Tracking Log:
 - i. Date Received-Inmate: the date the form was received from the inmate.
 - ii. Tracking # Facility: follow the current tracking number for the facility.
 - iii. Date Faxed: the date the legal request was faxed to LRA.

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RELATED ORDERS: CCR MJS 15: 1064 Rodriguez v. Stanislaus County et al Stipulated Judgment	ADMINISTRATIVELY APPROVED ANNUALLY

- iv. Inmate's Name: the inmate's name as it appears on the form.
 - v. Booking #: the inmate's booking number.
 - vi. Date Information Received: the date the information is received back from LRA.
 - vii. # Of Pages: the number of pages received for each inmate's request.
- d. Tracking logs are located at: G/Custodial/LRA Tracking Logs
- i. Open the folder corresponding to the facility. At the bottom of the page are tabs by month. Enter each inmate's request for that month.

Pro-per inmates with funds are expected to purchase legal supplies through the commissary system. Other authorized items, which are not sold on commissary, are provided by approved outside sources.

Pro-per inmates without funds will obtain authorized supplies from approved outside sources. The facility will not sustain the cost of these supplies.

(a) Authorized items and approved amounts:

- a. Numbered, 28 line legal paper. Three sheets per request.
- b. Yellow legal pad with no cardboard back. One per request.
- c. Manila file folder. Two per request.
- d. Legal size envelopes. Two per request.
- e. Legal mailing envelopes with no metal clasps. Two per request.
- f. Pencil eraser. One per request.

Legal Forms:

- (a) Requests for a petition of Writ of Habeas Corpus will be forwarded to the facility operations sergeant for processing.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 10/18/12
SECTION: Inmate Correspondence	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1063, 1066 PC: 2601(b)	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for processing and delivering inmate correspondence. This policy also establishes regulations for inmates to send and receive correspondence through the US Mail.

POLICY

Inmates are permitted to send and receive an unlimited amount of correspondence through the US Mail to maintain communication with their families, friends, business associates, the courts, and other government authorities.

- (a) Correspondence is to be uncensored, but inspected to prevent the introduction of contraband in the facility.
- (b) Department members shall maintain the overall safety and security of the facility by preventing the introduction of contraband.
- (c) Legal correspondence may be opened and inspected in the presence of the inmate only. This inspection is conducted to search for contraband.
 - a. Inmates are approved to confidentially correspond with the Facility Commander and their attorneys.
 - b. Inmates are approved to confidentially correspond with certified PREA auditors and PREA related entities.
- (d) Indigent inmates without funds are permitted two postage-paid letters each week to maintain communication with their family, friends and business associates.
- (a) Indigent inmates without funds are permitted unlimited postage-paid to correspond with the courts, government authorities and other legal representatives which qualify as legal mail.

DEFINITIONS

- (1) Correspondence: sending or receiving communication.
- (2) Legal Correspondence is correspondence between an inmate and:
 - a. All state and federal elected officials.
 - b. All state and federal officials appointed by the governor or the President of the United States.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 10/18/12
SECTION: Inmate Correspondence	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1063, 1066 PC: 2601(b)	ADMINISTRATIVELY APPROVED ANNUALLY

- c. All city, county, state, and federal officials having responsibility for the inmate's present, prior, or anticipated custody, parole or probation supervision.
 - d. All state and federal judges, and the courts.
 - e. An attorney at law listed with a state bar association.
 - f. The Board of State and Community Corrections (BSCC).
 - g. Certified PREA auditors and PREA related entities such as Havens Women's Center, etc.
- (3) Contraband: any item or article in the possession of an inmate or found within the facility, that has not been officially issued, purchased from commissary, altered from its original state or approved by the Facility Commander.

PROCEDURE

Incoming Mail:

Correspondence to inmates should be addressed as follows:

- (a) Sheriff's Detention Center, Inmate's Name, Booking Number, 200 East Hackett Road Modesto, CA 95358
- (b) REACT Facility, Inmate's Name, Booking Number, 194 East Hackett Road Modesto, CA 95358
 - a. All incoming inmate mail will be processed through the U.S. Postal Service, UPS, Fed-Ex and other postal carriers.
 - b. All incoming mail is delivered to the mailboxes located in front of the Sheriff's Detention Center and the REACT Facility.
 - i. Large packages may be delivered to the reception window in the public lobby. Department members should direct carriers to place deliveries in the package room or other specified areas.
 - c. Incoming mail will be processed in a timely manner. Processing is generally conducted within 24 hours, excluding weekends and holidays.
 - i. Department members will collect all incoming mail and only process mail for individuals who are in-custody.
 - 1. If staff receives mail for an inmate housed at another facility; staff is to forward that mail to the facility where the inmate is located using inter-department mail.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 10/18/12
SECTION: Inmate Correspondence	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1063, 1066 PC: 2601(b)	ADMINISTRATIVELY APPROVED ANNUALLY

2. Mail marked as Legal Mail is not to be opened. Legal Mail is to be forwarded to the inmate's housing unit.
- ii. Mail received for individuals who are not in-custody is to be marked NIC/RTS and placed in the outgoing US Mailbox.
- iii. Mail containing obvious contraband items is to be marked RTS with a brief description (i.e. No Cards) and placed in the outgoing US Mailbox. If there is no return address the mail is to be destroyed or in the rare instance placed in the inmate's personal property at the discretion of staff.
- iv. Department members will sort and deliver all incoming mail to the appropriate locations. Housing deputies will process, scan and deliver the incoming inmate mail.
 1. Mail is inspected for the purpose of intercepting money, contraband and other prohibited items.
 2. Certified checks, money orders and cash sent through the mail will be returned to sender.
 3. Greeting cards and Polaroid pictures are considered contraband and are to be returned to sender.
 4. Mail that has foreign substances or heavy markings on the envelope or letter such as lip stick, perfume, dark marker, or crayons may be returned to sender at the discretion of staff.
 5. Staff returning mail will mark RTS or REFUSED on the mail with a brief explanation of why the mail was refused.
- v. Mail is processed, scanned and delivered on all shifts by department staff.
 1. Staff will hand deliver inmate mail directly to the inmate and ensure the inmate, to whom the mail is addressed, receives the mail.
 2. All mail received on shift is to be processed and delivered by staff before the end of shift, unless circumstances prevent otherwise.
- vi. Inmate correspondence is not to be censored unless there is clear and convincing evidence to justify such censoring.
- vii. Legal Mail is to be opened and inspected for contraband only in the presence of the inmate to whom the mail is addressed to.

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1. Legal Mail is not to be read or scanned without approval of the Facility Commander and substantiating a valid security reason.

Outgoing Inmate Mail: all outgoing inmate mail is to be sent through the U.S. Mail.

- (a) Department members will instruct inmates to place outgoing mail in the locked housing unit mailbox. Staff can accept outgoing mail directly.
 - a. Department members can receive outgoing mail and other correspondence directly from inmates in segregation having limited privileges and who may not have access to a unit mailbox.
- (b) Outgoing mail is to be processed in a timely manner and not delayed more than 24 hours, excluding weekends and holidays.
 - a. Graveyard staff will collect all outgoing inmate correspondence and inmate forms from the housing unit mailbox. Graveyard staff will process, scan and route all correspondence and forms to the correct location during their shift.
 - b. Legal correspondence; inmates are permitted to send sealed letters to a specified class of persons and organizations, including but not limited to:
 - i. Courts
 - ii. Attorneys
 - iii. Officials of the Confining Authority
 - iv. Government Officials
 - v. Administrators of the Grievance Systems
 - vi. Members of the Parole Authority.
 - c. Any outgoing prepaid reply cards for retailers or distributors, bulk rate mail, pre-sort or bulk mail will be deemed as contraband and will not be processed.
- (c) All outgoing inmate mail will include the inmate's last name, first name and their booking number in the return address. The return address is to be written in the upper left hand corner of the envelope. No nicknames are allowed and mail containing contraband will not be delivered. All outgoing inmate correspondence is to be return addressed as follows:
 - a. Sheriff's Detention Center, Inmate's Name, Booking Number, 200 East Hackett Road Modesto, CA 95358

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- b. REACT Facility, Inmate's Name, Booking Number, 194 East Hackett Road Modesto, CA 95358
- (d) United States postage stamps and postage paid envelopes are sold through the inmate commissary. Proper US postage should be placed in the upper right hand corner of the envelope. Department members will ensure the inmate's mail is sealed after scanning and before processing for the outgoing mail.
- (e) Indigent inmate mail:
 - a. Inmates who zero-out their account balance purchasing commissary and fail to purchase postage stamps or postage paid envelopes will not receive postage paid mail for two weeks after they zero-out their account.
 - b. Indigent inmates are allowed an unlimited number of postage paid envelopes for legal mail correspondence.
 - i. An assigned clerk shall determine the inmate's indigent status. Mail without postage will be forwarded to the clerk for processing.
 - ii. Any mail sent to the clerk, for an inmate who has previously been issued two postage paid envelopes in that week, shall be returned to the inmate for postage.

Inmate to Inmate and Inter-Facility Inmate Mail:

- (a) Inmate to inmate or walkover mail is not allowed.
- (b) Inmates will only use the US Mail system to correspond with other inmates incarcerated in Stanislaus County detention facilities.
- (c) The Facility Commander may approve inmate to inmate inter-facility correspondence. The only inmate to inmate correspondence which shall be considered for approval is that going between husband and wife, parent and child, or family member to family member.
 - a. Inmates must request permission from the Facility Commander before being allowed to correspond using inter-facility mail. If this process is approved the following regulations shall apply:
 - i. Each letter will be limited to two sheets of paper using both sides.
 - ii. The correspondence will not be sealed.
 - iii. Only paper and pictures may be sent.
 - iv. No commissary items are allowed.

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- v. Postage is not required.
 - vi. The letter is to be addressed using the inmate's full name and booking number. Nicknames are not to be used.
 - vii. The return address is to include the inmate's complete name, booking number, and cell number.
 - viii. Inmate to inmate correspondence is process through inter-department mail.
 - ix. The department member scanning the letter will seal the envelope, initial the envelope, and forward the correspondence through inter-departmental mail to the inmate.
- b. Any violation of these rules will result in the letter being returned to the inmate. The letter will be destroyed if no return address is listed on the envelope.

Mail Containing Contraband:

- (a) Department members finding contraband in any incoming mail will notify the shift supervisor.
- (b) An incident report shall be completed at the discretion of the shift supervisor.
- (c) If the contraband constitutes a criminal act, the shift supervisor will request a patrol deputy to complete a crime report and collect evidence.
 - a. Any evidence recovered by staff is to be properly marked or tagged and secured in an evidence locker or drop safe.
- (d) Patrol should be notified regarding any recovered contraband which is of a criminal nature or which could be used as a weapon or in an escape attempt.
- (e) The following is a sample list of banned contraband items:
 - a. Polaroid pictures
 - b. Any kind of nude or partially nude pictures
 - c. Raised decorative stickers on or in the envelope
 - d. Personal checks or money orders
 - e. Mail containing substances such as powder, liquids, etc.
 - f. Gang insignia or drug paraphernalia material in letter, book, or magazines.

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- g. Discolored or previously dried liquid on the paper, letter, or envelope
 - i. The shift supervisor will inspect any recovered contraband and:
 - 1. Assign a staff member to investigate and write an incident report;
 - 2. Forward the items to patrol for investigation; or
 - 3. Return the mail and non-criminal contraband items to sender and take no further action.
 - ii. The staff member returning the mail will:
 - 1. Indicate a brief reason for the rejection on the front of the envelope, i.e., "no lipstick or stickers".
 - 2. Using a black pen, cover the bar scan code on front of the envelope.
 - 3. Stamp or write "Return to Sender" or "RTS" on the front of the envelope.
 - 4. The staff member will write their initials on the front of the envelope.

Questionable Mail:

- (a) Should any incoming or outgoing mail contain information about a crime, a threat to staff, or security of the facility; department members will copy the letter and forward the copy to the Classification Sergeant at Bureau of Administrative Services.
 - a. The letter is to be reviewed by the Classification Sergeant and forwarded to the District Attorney's Office.
 - b. The Bureau of Administrative Services Unit will maintain a file of all letters sent to the District Attorney's Office containing questionable information.

Processing Books, Magazines, Newspapers and Periodicals:

- (a) All books, magazines, and periodicals must be prepaid and delivered to the facility by the US Postal Service, UPS, or Fed-Ex or other authorized delivery services.
- (b) Such books, magazines, and periodicals must come directly from the publisher or book club.
- (c) Obscene publications or writings including magazines such as Playboy, Penthouse, Hustler, etc., and mail containing information concerning where, how or from whom such material may be obtained; and any information tending to incite murder, arson, riot, racism or any other form of violence; any information tending to incite crimes against children; any other information

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concerning gambling or a lottery; and any information as to the manufacture or use of weapons, narcotics or explosives is prohibited.

- a. Department members will not cancel subscriptions for inmates. It is the responsibility of the inmate to cancel or change address information on all subscriptions.
- b. Books, magazines, and periodicals will not be forwarded upon the inmate's release. Such material is to be stamped "Return to Sender / NIC" and placed in the outgoing mail.
- c. All newspapers not sent from the publisher by mail must be delivered to the facility by an employee of the publisher. All newspapers must have the inmate's name clearly marked on the newspaper.
- d. Books, magazines, periodicals, and newspapers are to be delivered to the housing areas with other incoming mail.
- e. Inmates are authorized to have a total of 5 books and or magazines in their possession and one newspaper, excluding a bible and school materials, at any one time.
 - i. It is the responsibility of the inmate to dispose of their magazines, books and newspapers prior to receiving additional material. The inmate may donate these items to the library cart or throw them away. These items are not to be placed in the inmate's personal property without the approval of the shift supervisor.

Processing Inmate Request Forms and Other Inmate Forms:

- (a) All department members who interact with inmates shall accept and process inmate forms in accordance with established standards and in the manner they were trained.
- (b) Department members shall route submitted inmate forms to the correct person or location.
 - a. Department members shall attempt to address any request at the lowest level possible.
 - b. Housing unit staff will process all forms and request generated by inmates under their supervision before the end of their shift, unless circumstances prevent otherwise.

Violations of Correspondence Rules and Regulations:

- (a) Violation of correspondence regulations shall be addressed in accordance with established disciplinary policy.
- (b) Violation of criminal laws, by a person corresponding with any inmate, may result in criminal prosecution and that person being denied correspondence privileges.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Inmate Telephone Calls	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1067 PC: 851.5 GOV: 7296.2	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures governing the access and use of telephones by persons detained or confined in Stanislaus County detention facilities.

POLICY

The rights set forth in this policy shall be enforced regardless of the arrestee's immigration status.

Hearing impaired persons will be allowed access to hearing impaired telephone equipment used in conjunction with the inmate phone system. This equipment when not in use is to be stored in a designated location.

Persons detained or confined within Stanislaus County detention facilities shall have equal access to telephones in order to maintain community ties and contact with legal representatives.

- (a) An arrested person has the right to make at least 3 completed telephone calls upon being brought to the facility for booking, except where physically impossible, and no later than 3 hours after arriving at the facility.
- (b) The telephone calls are to be made at no expense to the individual if made within the local calling area or at his or her own expense if outside the local calling area.

Department members shall inquire as to whether the arrested person is a custodial parent with responsibility for a minor child.

- (a) Department members shall notify the custodial parent that he or she is entitled to make 2 additional telephone calls to a relative or other person for the purpose of arranging for the care of a minor child or children in their absence.
 - a. The calls are to be at no expense if completed within the local calling area or at his or her own expense if outside the local calling area.
- (b) These telephone calls shall be given immediately upon request or as soon as practical.
- (c) The shift supervisor should be contacted to determine the appropriate steps to arrange for care if an arrestee is unable to resolve the care of any child or dependent adult through this process.
 - a. These steps may include additional telephone calls or contacting a local, county or state services agency.

Pursuant to Section 7296.2 of the Government Code; posted signs in the facility's receiving area shall make the following notifications in English and Spanish. This information is to be in bold-block type print and posted in a highly visible location.

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You have the right to free telephone calls within the local calling area, or at your own expense if outside the local calling area, to three of the following:

- (1) An attorney of your choice or, if you have no funds, the public defender or other attorney assigned by the court to assist indigents. This telephone call shall not be monitored, eavesdropped upon, or recorded.
- (2) A bail bondsman.
- (3) A relative or other person.

If you are a custodial parent with responsibility for a minor child, you have the right to two additional telephone calls within the local dialing area, or at your own expense if outside the local area, for the purpose of arranging for the care of a minor child or children in your absence.

Public Defender (209) 558 -7520
Penal Code 851.5
Government Code 7296.2

DEFINITIONS

- (1) Custodial Parent: is a parent who has physical or legal custody of a child by court order.

PROCEDURE

Inmate Telephone Calls:

- (a) Protective custody inmates receive the same telephone privileges as those available to general population inmates.
- (b) Administrative segregation inmates receive telephone privileges on a regularly scheduled basis during recreation.
- (c) Inmates in disciplinary separation do not have telephone privileges as a condition of imposed discipline.
 - a. This should not preclude emergency telephone calls to designated practicing attorneys in connection with prospective or pending litigation.
- (d) General population inmates receive telephone privileges during recreation.

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SECTION: Inmate Voting	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1071	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for inmate voting.

POLICY

Stanislaus County inmates may correspond with the County Clerk in their county of residence for the purpose of registering to vote and applying for an absentee ballot.

- (a) Voting materials are available to inmates upon request.
- (b) All outgoing voter related mail including voter registration forms and vote by mail ballots, are treated in a manner consistent with legal mail.

Stanislaus County inmates shall meet the following requirements to establish voting eligibility in the State of California:

- (a) Must be a citizen of the United States of America.
- (b) Must be a resident of California.
- (c) Must be at least 18 years of age or older on or before the next election day.
- (d) Must not be in prison, on parole or under post-release community supervision as a result of a felony conviction.
- (e) Must not be serving a sentence in county jail for the conviction of a low-level felony as defined by the Criminal Justice Realignment Act of 2011 (CJRA).
- (f) Must not be on probation as an alternative to serving the concluding portion of a sentence in county jail for the conviction of a CJRA defined low level felony.
- (g) Must not have been declared mentally incompetent by a court of law.
- (h) Must not be serving a state prison term in a county jail under contract between state and local authorities.

Stanislaus County inmates are eligible to vote if they are:

- (a) In a local jail as a result of a misdemeanor conviction.
- (b) In a county jail as a condition of probation when entry of judgment and sentencing has been suspended following a felony conviction.
- (c) Awaiting trial or are currently on trial and have not yet been convicted of a crime.

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- (d) Completed parole or post-release community supervision for a felony conviction.
- (e) On probation, unless the probation is an alternative to serving the concluding portion of a sentence in county jail for the conviction of a CJRA defined low level felony.

DEFINITIONS

PROCEDURE

Duties and Responsibilities of Staff:

- (a) If an inmate expresses a desire to vote; department members will ask the inmate if he or she is a resident of Stanislaus County.
- (b) The facility operations sergeant will send a voter's registration form to the inmate if the inmate is a resident of Stanislaus County.
 - a. The inmate should complete an inmate request form to request the voter registration form. The request should be routed to the shift supervisor.
- (c) If the inmate is a resident of another county; instruct the inmate to write the County Clerk's Office in their county of residence to request a voter's registration form.
- (d) Inmates will mail voter registration forms like any other personal mail, but this mail should be treated like legal mail.
- (e) Inmates will not use any Sheriff's facility as their address. They will use the address of their last known residence if they do not have a current address.
- (f) Should an indigent inmate wish to correspond with the County Clerk to register to vote or request an absentee ballot; he or she will use the postage provided to them from the Inmate Welfare Fund. The inmate will not be provided with additional postage for this purpose.
- (g) If an inmate desires an absentee ballot; the inmate must to write to the County Clerk's Office requesting that an absentee ballot be mailed to them.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 05/01/19
SECTION: Dismissal Request Under 41500 CVC	REVISION DATE: 00/00/00
RELATED ORDERS: PC: 1170(h) CVC: 41500	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures defining the process for requesting dismissal of Failure to Appear (FTA) violations under 41500 CVC.

POLICY

Pursuant to 41500 CVC, a driver's license shall not be suspended or revoked, and the issuance or renewal of a driver's license shall not be refused as a result of a pending non-felony offense occurring prior to the time a person was committed to the custody of a county jail pursuant to subdivision (h) of Section 1170 of the Penal Code.

- (a) 41500 CVC allows the Department of Motor Vehicles (DMV) to remove eligible FTA violations and terminate corresponding suspensions of violations that occurred prior to a person's incarceration date.

DEFINITIONS

PROCEDURE

Request for Dismissal of FTA Violations:

- (a) Individuals, qualifying under subdivision (h) of Section 1170 of the Penal Code, may request to have FTA violations for traffic court terminated.
 - a. The individual must complete a request to have DMV Form DL114 processed.
 - b. Staff receiving the requests will confirm the individual qualifies under 1170(h) PC.
 - i. If the individual does not qualify, return the request to the individual stating that he/she does not meet the criteria for violation dismissal under 1170(h) PC.
 - ii. If the individual does qualify, forward the request to the Classification Clerk for processing.
 - c. The Classification Clerk will complete the entire form including all three sections.
 - i. Section 2 - Commitment Dates: only list the dates the individual was in custody, sentenced and qualified under 1170(h) PC.

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- ii. Stamp the form with the County Stamp in the section marked %stamp required.+
- iii. Use one of the pre-addressed envelopes and mail the form to:
 - 1. Department of Motor Vehicles
 Mandatory Actions Unit, MS J233
 PO Box 942890
 Sacramento, CA 94290-001

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SECTION: Rules for Visiting	REVISION DATE: 10/27/20
RELATED ORDERS: PC: 2601(b), 4570, 4571, 4573.5, 4573.6, 4574, 6030 CCR MJS 15: 1006, 1062	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The Stanislaus County Sheriff's Department recognizes the importance of inmate visiting. Opportunities to maintain ties with family and community shall be provided to inmates whenever possible.

Paid video visitation services at the Stanislaus County Sheriff's Office are being discontinued until further notice.

POLICY

It is the policy of the Stanislaus County Sheriff's Department to provide for visitation with family members, clergy, legal counsel and others as safety, security and operational concerns allow. Staff shall ensure the visitation process is safe for inmates, staff, and visitors and does not interfere with the security or operation of the facility.

- (a) All visiting is conducted in accordance with Minimum Jail Standards Title 15 Section 1062 and Section 6030 of the California Penal Code.
- (b) Department members will monitor all visits for duration.
- (c) A visitor may only visit one inmate at a time and one inmate per day, excluding official visitors.
- (d) All persons required to possess a jail pass must apply for a jail pass and be entered on the Jail Pass List in ICJIS.
 - a. The only official visitors not required to possess a jail pass are Attorneys, Investigators, and Law Enforcement.
 - b. All other official visitors are required to either have a jail pass, court order, or approval from the Facility Commander or Operations Sergeant to enter the facility.
 - i. If the Facility Commander or Operations Sergeant is not available the shift supervisor may grant approval.
- (e) Visitation can be revoked at any time for disciplinary reasons or for violating visiting rules.
- (f) Each facility shall provide an area which allows communication between inmates and their visitors, but does not jeopardize the safety and security of the facility. Visits will only take place in

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designated visitation areas. Visitation may also be accomplished by moving a mobile kiosk to a specified cell or room.

- a. If minors are housed in an adult detention facility they will visit alone in a separate visit area away from other adult inmates.

Visitation is conducted on scheduled days and hours as determined by the Facility Commander.

- (a) All visiting must be scheduled electronically online.
- (b) A facility may limit or deny visitation during meals or as safety and security needs facilitate.
- (c) Visitation times are subject to change and visitation is scheduled on a "first come – first serve" basis.

Each visitation segment, including paid visiting, is limited to 30 minutes in duration. Official visiting and contact visiting are excluded from this requirement.

- (a) These guidelines are in place to ensure each inmate has the opportunity to complete the minimum number of visits they are eligible to receive within each visiting week.
 - a. An inmate may only receive 1 public visit per day, free or paid.
 - b. An inmate is eligible for 2 free visits per week, excluding official visits.
 - c. Workers or program inmates may be eligible for up to 3 free visits per week at the discretion of the Facility Commander or as part of a specific program.
 - i. An inmate, who is classified as an inmate worker and has medical paperwork to be excused from work for an extended period of time, shall not be eligible for 3 visits per week until returning to work.
 - d. An inmate is eligible for 4 paid visits per week as a part of video visitation only.

All potential inmate public visitors must have an email address to register for visitor approval and to schedule visitation.

- (a) All potential visitors must complete and electronically submit a Stanislaus County Sheriff's Visitor Request Form and be approved before visiting.

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- (b) The request for approval includes a background clearance process.
- (c) Only approved visitors will be granted approval to visit.
- (d) If a visitor applicant is denied visiting privileges; they may appeal the denial to the Facility Commander.
- (e) Visitors must electronically review and agree to the visiting rules and policies before submitting a visitor approval application.
- (f) Forms may be submitted any time after the inmate has been booked.

Inmates may have as many approved visitors as they wish listed on their visit screen.

- (a) Due to space constraints, only 3 visitors per inmate may visit at one time.
- (b) Minor children must be submitted for approval and do count towards the total number of approved visitor's.
- (c) Only 3 visitors per inmate may visit at one time in a contact visit. Minor children must be submitted for approval and do count towards the total number of approved visitors.

In relation to the Americans with Disabilities Act (ADA) and the Fair Employment & Housing Act (FEHA) and more specifically the issue of service animals; the following policy shall apply to visitors with disabilities:

- (a) When it is not obvious what service an animal provides, only limited inquiries are allowed. Department members may ask two questions:
 - a. Is the service animal required because of a disability?
 - b. What work or task has the service animal been trained to perform?
- (b) Department members cannot ask about the person's disability or:
 - a. Require medical documentation.
 - b. Require a special documentation card or training documentation for the animal.
 - c. Ask that the animal demonstrate its ability to perform the work or task.
 - d. A person with disabilities cannot be asked to remove their service animal from the premises unless:

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- i. The animal is out of control and the handler does not take effective action to control it.
 - ii. The animal is not housebroken.
- (c) Department members must offer the disabled person the opportunity to obtain goods or services without the animal's presence when there is a legitimate reason to ask that a service animal be removed.

DEFINITIONS

- (1) Facility Chaplain: a religious representative employed or contracted by the Stanislaus County Sheriff's Department and appointed by the Sheriff. The Facility Chaplain shall screen and approve all chaplain aides or religious advisors and authorized community clergy as well as coordinate the issuance of jail passes with the Program's Sergeant.
 - a. A jail pass is issued to these individuals once approved by the Facility Chaplain.
 - b. Once authorized; the Facility Chaplain shall submit documentation authorizing visitation between the advisor and the inmate.
 - i. The advisor must display a jail pass at all times and possess valid identification.
 - ii. Displaying a letter of introduction is not required at the time of the visit.
 - iii. The Facility Chaplain shall coordinate the number of inmates with whom an advisor can visit.
- (2) Authorized Community Clergy: lay or ordained ministers from a religious organization who are authorized for official visits by approval of the Facility Chaplain.
 - a. Identity and clergy status must be confirmed. The visitor must have a valid identification and be on the Jail Pass List in ICJIS.
 - b. Official visits in this capacity must be approved through the chain of command if the visitor is not on the Jail Pass List.
 - c. A notation is placed in the inmate pouch by the Facility Chaplain.
 - d. The Jail Pass Holder List is updated and approved by the Programs Sergeant.
 - e. The Chaplain must present an inmate request from the inmate requesting the visit.

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- (3) Chaplain's Aide or Religious Advisor: a religious volunteer selected for specific duties. A chaplain's aide or religious advisor is afforded the same considerations as a staff chaplain, including access to housing areas in designated facilities. Volunteers in this capacity work directly under the supervision of the Facility Chaplain and must meet all of the criteria listed above for Authorized Community Clergy.
- (4) Community Clergy: lay or ordained ministers from a religious organization who are authorized for inmate visiting through the chain of command. These clergy have not been pre-authorized by the Facility Chaplain.
- a. This type of visit will normally be treated as a special visit for family deaths, religious counsel, etc. Approval for these visits comes from the shift supervisor or higher authority.
- (5) District Attorneys and Public Defenders: attorneys with the District Attorney's Office or Public Defender's Office should have a county identification card and/or Bar Card along with valid identification. They must enter the facility through the public entries points. They must disclose all inmates they wish to visit upon entering the facility.
- (6) Private Defense Attorneys: all should have a valid Bar Card and valid identification. They must enter the facility through the public entries points. They must also disclose all clients they wish to visit upon entry into the facility.
- (7) Letter of Introduction for Legal Visitor Status: a formal letter, when presented with valid identification and a State of California Private Investigator's License, qualifies legal personnel for visitor status. Each form letter must be an original and signed by the attorney of record at the time of the visit.
- a. The letter must be presented as an attachment to a signed original letter, if the attorney of record is not present at the time of the visit.
 - b. The original letter must be on official letterhead including a street address and business phone number of the legal firm sponsoring the visitor. This information must be confirmed by staff. The person signing the letter may or may not be the visitor.
 - c. The letter must state the name of the visitor, name of the inmate; the inmate's booking number and the purpose of the visit.
 - d. A separate letter is required for each inmate being visited. Each letter is valid for 90 days after its original issuance. A copy of the letter of introduction for legal visitors shall be placed in the inmate's pouch.
 - e. All visitors of this type will enter the facility through public access points and be screened in accordance with policy.

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(8) Officers of the Court: professionals who are authorized to have official visits with inmates. These visits are not monitored. The visitor must produce valid identification along with the court documents ordering the inmate visit. The visitor will enter the facility through public access points and be screened in accordance with policy. Officers of the court include, but are not limited to the following:

- a. Attorneys, Probation Officers, or State Parole Officers.
- b. Legal assistants, attorney paralegals, mitigation specialists and investigators with valid identification and State of California Private Investigators License, and Stanislaus County Court Employees.
- c. District Attorney or Public Defender Investigators must have a county identification card and valid identification.
- d. Private investigators with valid identification and a State of California Private Investigators License.
- e. Doctors, licensed psychiatrists or psychologists, and counselors with current Stanislaus County employee identification and valid identification, Wellpath identification or those who have court orders. Out of county or non-Wellpath medical staff may be approved by the Facility Commander or their designee.
- f. Court reporters, paralegals, and legal assistants from private law firms, and court appointed interpreters when accompanied by an attorney.

(9) Visitation types and methods used by the Stanislaus County Sheriff's Department:

- a. In-Person Visit: means an on-site visit including interactions in which an inmate has physical contact with a visitor, the inmate is able to see a visitor through a barrier, or the inmate is otherwise in a room with a visitor without physical barrier.
 - i. Pursuant to Title 15 Section 1006; an in-person visit does not include an interaction between an inmate and a visitor through the use of an on-site two-way audio or video terminal.
- b. Attorney Contact Visit: a visit authorized by request, except during emergencies or when the contact visit space unavailable. A court order is not required when an attorney is presenting audio evidence or video recordings to their client.
 - i. A court order is required if the Facility Commander denies a request for a contact visit. This includes contact visits by the attorney of record or their investigators.

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- ii. Attorney visits will not be restricted by the official visit schedule. Attorneys will be allowed access to the facility between the hours of 0800 and 2100 unless exigent circumstances exist.
- iii. Facility staff must be able to articulate and will document any event that denies an attorney access. The decision to deny access will be evaluated by the shift supervisor.
- c. Contact Visit: a visit that authorizes limited physical contact between inmates and their visitors.
- d. Non-Contact Visit: a visit that allows communication between the inmate and their visitors through a secure barrier prohibiting physical contact. The inmate and visitor are usually separated by a transparent partition.
- e. Video Visitation: inmate visitation conducted through a kiosk, terminal or other form of technology such as a tablet; utilizing a camera, speaker or receiver, and a video monitor.
 - i. Visitors may visit from an off-site location. Visitation can also be conducted from the visitor's home or office for professionals.
 - ii. Additional visiting above the normal allotment may be accomplished for a fee.
 - iii. All public visits are capable of being monitored and recorded.
 - iv. Official visiting is not subject to monitoring or recording.

(10) Categories of visitation are used by to identify specific details related to a type of visit.

- a. Regular: a visit made by an individual who resides within the State of California. Visits by friends and family members are regular visits.
- b. Out-of-State: a visit made by an individual who resides outside of the State of California. The visitor must be an approved visitor and the visit may occur during normal visiting hours unless otherwise approved by the shift supervisor.
- c. Public Visit: a visit made by an approved visitor on the inmate's approved visitor list. This can also be considered a regular visit. Public visits are subject to monitoring.
- d. Official: a visit made by officers of the court, attorneys, a consular or embassy officer, chaplain's aide, religious advisor, community clergy or authorized community clergy.

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- i. Official visiting is normally achieved through video visitation or non-contact visiting, regardless of the inmate's classification. These visits normally occur during regularly scheduled visitation hours and have no set time limit unless limiting the visit is required for safety and security reasons.
 - 1. Official visits do not count against the inmate's total number visits for the week.
- ii. Prior approval must be granted by the Facility Commander before an official visitor is allowed to bring into the facility any specialized equipment: video, photographic equipment, or voice recorders.
- e. Special or Courtesy Visit: the Facility Commander or shift supervisor grants approval to an inmate or visitor for a visit that does not fall under normal visiting policies or procedures. Special visits can be accomplished through video visitation, contact visiting, or non-contact visiting in accordance with the inmate's security level.
 - i. Examples for approving this type of visit may include: a death notification by the family member or an out-of-state visit having unique circumstances.
- f. Medical Isolation: inmates in isolation may be allowed to receive visitors however; special conditions or limitations may be placed on their visitation privileges at the direction of medical staff.

PROCEDURE

Visitation schedules are posted in each facility lobby, online at stanislausca.gtlvisitme.com or at the Sheriff's Visitation Center.

(a) Sheriff's Detention Center East & West and the REACT Facility:

- a. This schedule applies to face-to face non-contact visits and video visitation.
 - i. Official Visiting Hours: 0800 to 2100 daily
 - ii. No visiting Wednesday.
 - iii. Thursday through Tuesday: 0800 – 1100, 1200 – 1600 & 1900 – 2100
 - iv. Visiting Closed: 1100 – 1200 & 1600 – 1900
 - v. All visiting shall be 30 minutes in length with a 30 minute break before the next visit begins (i.e. 0800 to 0830, 0900 to 0930, etc.).

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(b) MHU1 & MHU2:

- a. The maximum number of inmates for each visit block is 10.
- b. The maximum occupancy for the Minimum Housing Visit Room is 49
- c. Official Visiting Hours: 0800 to 2100 daily.

- i. Saturday:

Session 1: MHU2A	0700	0800
Session 2: MHU2A	0830	0930
Session 3: MHU2B	1100	1200
Session 4: MHU2B	1230	1330
Session 5: MHU2C	1400	1500
Session 6: MHU2C	1530	1630

- ii. Sunday:

Session 1: MHU1A	0700	0800
Session 2: MHU1A	0830	0930
Session 3: MHU1B	1100	1200
Session 4: MHU1B	1230	1330
Session 5: MHU1C	1400	1500
Session 6: MHU1C	1530	1630

(c) Sheriff's Detention Visitation Center (Video Visitation) 801 11th Street Modesto, CA 95354 – Operating Hours:

- a. Closed Wednesday, Saturday & Sunday
- b. Open Monday, Tuesday, Thursday, & Friday
- c. Closed Holidays
 - i. Session 1: 0800 to 1030
 - ii. Session 2: 1200 to 1530

(d) Sheriff's Detention Visitation Center Staff Hours 0700 – 1700:

- a. Monday – Tuesday – Thursday – Friday (Closed Holidays)
 - i. 0700 to 0800: Administrative Hours

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- ii. 0800 to 1030: Visiting
- iii. 1030 to 1130: Closed
- iv. 1200 to 1530: Visiting
- v. 1600: Closed to Public
- vi. 1600 to 1700: Administrative Hours

Scheduling Visitation:

Visitors are encouraged to schedule their visit appointments online at stanislausca.gtlvisitme.com. All visiting must be scheduled electronically online. A scheduling kiosk is available in the public lobby of the Sheriff's Detention Center, REACT facility, and Sheriff's Visitation Center to aid visitors in scheduling visitation.

(a) Official Visits:

- a. Official visits may be scheduled up to 3 days or 72 hours in advance of the visit.
- b. Minimally, an official visit can be scheduled 12 hours prior to the actual visit time.
- c. Official visitors may make changes to their visit appointments 12 hours prior to the visit.

(b) Public Visiting:

- a. Public visits may be scheduled up to 7 days in advance of the visit.
- b. Minimally, a public visit can be scheduled 24 hours prior to the actual visit time.
- c. Public visitors may make changes or cancel their visit appointment up to 24 hours prior to the visit.

Visitor Approval, there are no exceptions for the following:

- (a) If it is determined that an individual is a victim of the inmate they are attempting to visit; they are prohibited from visiting that inmate.
- (b) If it is determined that an individual has a valid and active restraining order against the inmate, they are prohibited from visiting the inmate named on the restraining order until the order has expired or a judge has rescinded the order.
- (c) Visit request forms must be submitted online at www.stanislausca.gtlvisitme.com.

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- a. Visitor Appeal Form: visitors can appeal denied visitor status.
 - i. The appeal form is available online at www.scsdonline.com.
 - ii. This form must be filled out completely.
 - iii. There is a space for the individual to clearly explain the circumstances regarding the appeal.
 - iv. The form can be turned in at the Sheriff's Detention Center Lobby.
 - v. Appeals are administratively reviewed.
- b. The visitor applicant's name may be run through ICJIS, CLIPS, and the local court databases to determine eligibility.
- c. Visit request forms are processed by the visitor approval clerk. The clerk will review all requests for visitor approval.
 - i. Approval may take up to 24 to 48 hours.
 - ii. Special visits can occur prior to visitor approval at the discretion of the shift supervisor or facility commander.
- d. Visitor approval forms are retained for future reference and archival purposes. Forms are stored electronically in the visitation system.

Visitation:

- (a) If the visitor is approved to visit staff will determine the availability of a visiting room or kiosk and assign the visitor to the specified space.
 - a. The classification of an inmate and the number of operable visiting rooms, kiosks or phones will determine availability in some areas.
 - i. Staff will direct the visitor to their assigned visit area or kiosk.
 - ii. Staff will then place the visitation slip in the designated room identifier slot or write the inmate on a visiting roster.
 - iii. Staff will then notify the housing area of the inmate requested for visitation.

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- (b) For visitors entering into a facility to visit; staff will notify the visitor to remove all items from their pockets and place those items into a locker. Items being brought into the facility are to be scanned through the package scanner and the visitor is to successfully pass through the metal detector.
 - a. Under no circumstances will staff accept any personal property from a visitor for safekeeping.
- (c) Minor children must be accompanied by their parent or legal guardian during visitation and listed as a scheduled visitor when registering.
- (d) The accompanying parent or legal guardian must be an approved visitor and present proof of guardianship if requested to do so by department members.
- (e) An inmate may refuse to visit.
 - a. If an inmate refuses a visitor; that person may be removed from the approved visitor list.
- (f) Inmates must submit an inmate request form to delete visitors from their approved visitor list.

All visitors will conform to the following rules:

A visitor who does not conform to these rules will lose all privileges to visit. A visitor who violates visiting rules, regulations or procedures will be escorted from the facility and denied approval to visit. All visiting rules addressed in this section apply to all visiting offered by the Stanislaus County Sheriff's Department to include on-site, off-site, and visiting from home or an internet based connection.

- (a) Visitation Dress Code:
 - a. Visitors must conform to the dress code approved by the Facility Commander. This information is posted in the Inmate Orientation & Rules Manual, at the Stanislaus County Sheriff's Visitation Center, and in facility lobbies.
 - b. Displays by visitors of gang colors, symbols, marks or attire representing gang affiliation are strictly forbidden in visiting areas or when visiting inmates during video visitation sessions.
 - i. Wearing or displaying clothing or paraphernalia which identifies a specific gang by name, color, or logo is prohibited.
 - ii. Any visible gang related tattoos must be covered.
 - c. The visitation dress code will be strictly enforced prior to and throughout the visit. Questions concerning appropriate dress shall be referred to the shift supervisor to determine whether

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the visit will be permitted or not. Dress code violations include but are not limited to the following:

- i. Wearing any swimming attire.
- ii. Wearing clothing which is above mid-thigh, to include cutoffs, shorts, dresses and skirts.
- iii. Wearing see-through clothing including but not limited to, sheer blouses or any other clothing considered to be revealing.
- iv. Visitors must wear undergarments. No see through clothing or wearing clothes which make the breasts visible irrespective of the visitor's gender.
- v. Wearing clothing such as a tube top, tank top or halter top which exposes excessive cleavage, the midriff, or the shoulders irrespective of the visitor's gender is prohibited.
- vi. Having bare feet is prohibited.
- vii. No hats of any kind are allowed.

(b) Termination or Suspension of a Visit:

- a. A visit may be terminated or suspended at any time by facility staff. The shift supervisor may determine whether or not the visit is counted against the inmate's allotted visits for the week.
- b. Reasons for terminating or suspending a visit include, but are not limited to the following:
 - i. Disciplinary or medical restrictions.
 - ii. The visitor appears, in the opinion of staff, to be under the influence of alcohol or drugs.
 - iii. The visitor is refusing to submit to search protocol.
 - iv. The visitor is refusing to provide proper identification or has provided false identification or has registered a visit and allowed an unauthorized person to visit during their visit (video visitation).
 - v. The visitor is in violation of the visitation dress code, displays inappropriate behavior, or full or partial nudity.

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- vi. The visitor(s) and/or inmate are engaging in physical contact including but not limited to, removal of clothing, partial or full nudity, fondling, inappropriate touching or fighting.
- vii. The visitor is disrupting other visitors.
- viii. The visitor or inmate is violating facility rules.
- ix. There is vandalism, destruction or damage to the visitation room, area or video visitation equipment. This will result in permanent removal from the visiting list and criminal prosecution.
- x. Facility security.
- xi. There is insufficient visitation space or visits are full.
- xii. Children are not properly supervised or are left unattended during the visit.
- xiii. Possession of prohibited items (firearms, explosives, alcoholic beverages, narcotics, controlled substances, etc.).

(c) Loss of Privileges:

- a. A visitor found to be visiting any inmate, other than the specified inmate they signed-up to visit, will be escorted from the facility and denied approval to visit until re-approved by the Facility Commander.
- b. A visitor who is found to be destroying, damaging or de-facing any facility property shall lose visiting privileges. The visitor may be detained and arrested if the damage is determined to be a crime.

(d) Minors:

- a. Any visitor under the age of 18 must be accompanied by a parent or legal guardian at all times while inside of the facility, unless the visitor is married to the inmate. It is the responsibility of the visitor to provide proof of relationship to the satisfaction of staff.
 - i. Minors under 18 years of age are counted as visitors and must be submitted on the visitor's approval request form before being approved to visit.

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- ii. Minors under the age of 14 shall not be required to provide identification unless their age or identity is in question.
- iii. Any minor between the ages of 14 and 18 shall be required to present a current ID such as a school ID or State of California ID card.
- iv. A minor who is married to an inmate must provide a marriage certificate and valid identification. The minor is not required to be accompanied or supervised by an adult.

(e) Valid Identification:

- a. Visitor applicants must present valid government identification each time they request to visit an inmate. For identification to be considered valid, it must be issued to the bearer, be current and contain at a minimum a picture of the visitor and the visitor's name, sex, physical description, signature and date of birth. Any person, who falsely identifies him or herself, to gain admittance into a county detention facility is guilty of a misdemeanor and subject to prosecution.
- b. Personal identification not indicating a current address must be substantiated with other forms of identification or current postmarked mail with the individual's name and address on the envelope.
- c. The following are valid types of identification approved for visitation and facility access purposes; no other types of identification are acceptable unless authorized by the shift supervisor or facility commander:
 - i. State-issued driver's licenses.
 - ii. Federal, state and local government issued identification cards.
 - iii. Valid passport issued to the visitor with a photo.
 - iv. Valid United States Military identification card.
 - v. Valid Immigration identification card (green card) or any other valid identification card with a picture, physical description and signature.
 - vi. State of California Bar Association card in conjunction with another form of acceptable identification.
 - vii. Court orders in conjunction with another form of acceptable identification.

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- viii. Letters of Introduction in conjunction with another form of acceptable identification.
 - ix. High school identification cards if the visitor is under the age of 18 and does not possess any other valid identification.
 - x. Social Service Card with the bearer's photograph.
- d. Once identity is verified staff will check the eligibility of the inmate to visit and the inmate's approved visitor list. If the inmate has lost the privilege to visit or the visitor is not identified on the inmate's approved list, the visitor will be denied access.
- (f) Visitor Storage of Personal Property:
- a. A visitor shall not be permitted to bring anything into the visitation area. A locker or secured area will be provided for visitors to store personal property at their own risk. Personal property not allowed in the visitation area includes but is not limited to:
 - i. Excess clothing
 - ii. Cell phones
 - iii. Tablets
 - iv. Cameras
 - v. Keys, purses, cigarettes, wallets, jewelry and money
- (g) Subject to Search:
- a. Visitors entering the facility are subject to search of their person, vehicle or property. The type and scope of the search is determined by the level of access being granted to the visitor.
 - b. All visitors are subject to a search prior to, during or after a visit with an inmate. All visitors regardless of age must minimally pass through an electronic metal detector or be searched with a hand-held metal detector wand prior to entering the visitation area or the facility.
 - c. Visitors who cannot clear a metal detector because of medical reasons (knee replacement, hip replacement, pace maker, etc.) may submit a signed letter from their physician explaining the medical condition.
 - d. Refusal to be searched will automatically cause the visit to be canceled and all future visits to be denied.

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- i. A memorandum shall be completed and forwarded through the chain of command to the appropriate custody commander and the individual's name will be added to a list of prohibited visitors.

(h) Contraband:

- a. No items shall be brought into the visitation area. Any items located by staff shall be considered contraband and either destroyed, held until the visit is complete or placed in evidence.
 - i. At the completion of a visit; staff will check the visit area for damage or contraband before returning the inmate to their housing area.

Rules for Visitors:

- (a) See Appendix A on pages 17 – 18.

Appendix A

Rules for Visitors:

1. All fields on the visitor request form must be complete. Incomplete forms will not be accepted or submitted.
2. Visit request forms and visitor appeal forms are available online at www.scsdonline.com.
3. All visitors must have an email address to register for visitor approval and to schedule visitation.
4. Visitors must present valid governmental identification each time they visit an inmate. Acceptable ID must depict, at a minimum, the bearer's name, date of birth, physical description, and signature. Any person who falsely identifies themselves to gain admittance into a Stanislaus County detention facility, is guilty of a misdemeanor and may be prosecuted (4570.5 PC).

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5. All visit request forms will be reviewed and processed within 72 business hours from the time of submission. Minors must be listed on the visitor's request form before being approved to visit.
6. Any visitor applicant who has been confined in a state prison facility within the last five years will not qualify for visitor approval. Visitor applicants who have been incarcerated in any county Jail may not visit within 30 days of their release. Any visitor applicant who has been incarcerated for charges involving weapons, violence or any felony controlled substances may not visit an inmate in Stanislaus County within 3 years of their release from custody, final disposition of sentence, or release from probation or other alternative to custody.
7. If it is determined that an individual is a victim of the inmate they are attempting to visit; they are prohibited from visiting that inmate.
8. If it is determined that an individual has a valid and active restraining order against an inmate, they are prohibited from visiting the inmate named on the restraining order until the order has expired or a judge has rescinded the order.
9. A maximum of 4 visitors are allowed at one time for visits at the Sheriff's Detention Center East & West, REACT, and the Sheriff's Visitation Center. A maximum of 3 visitors are allowed at Minimum Housing Units 1 & 2 (contact visiting).
10. Minor children must be accompanied by their parent or legal guardian during visitation. The accompanying parent or legal guardian must be an approved visitor and present a birth certificate or proof of guardianship at the time of the visit.
11. Visitors who are unable to adequately supervise their children while inside the facility will not be allowed to visit and will be asked to leave the facility. Visitors who are disruptive or cause disturbances that result in a crime may be arrested. If a visitor is escorted from the facility for disruptive behavior, the visitor will be denied approval to visit until re-approved by the Facility Commander.
12. An inmate may refuse to see a visitor at any time. Inmates must submit an inmate request form to delete visitors from their approved visitor list.
13. Visitors must conform to the dress code approved by the Facility Commander and posted in public lobbies. Displays by visitors of gang colors, symbols, marks, or attire representing gang affiliation are strictly forbidden in visiting areas. Appropriate attire is required. No short shorts or dresses, no spaghetti strap tops or dresses, no inappropriate verbiage on clothing, shirts must cover the stomach area completely. Visitors who do not meet these criteria will not be allowed to visit.
14. Suspension of regular visitation for reasons of safety, security or under exigent circumstances may occur at the direction of the shift supervisor or facility commander.

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15. Visitors who aid or assist, or attempt to aid or assist, an inmate in escape from jail will be permanently banned from visitation and may be prosecuted under California Law (4534 PC, 4535 PC, 4550 PC).
16. Bringing firearms, explosives, alcoholic beverages, narcotics and controlled substances into a detention facility is a crime and cause for arrest (2772 PC, 2790 PC, 4573 PC, 4573.5 PC, 4573.6 PC, 4573.8 PC, 4573.9 PC, 4574 PC).
17. Visitors who appear to be under the influence of alcohol or drugs will not be allowed to visit and may be subject to arrest.
18. Cameras, radios, cell phones, audio and video recording devices, purses, bags, baby strollers, car seats, diaper bags, oversized hats, keys, backpacks, briefcases, wallets, food or drinks, or similar objects that could be used to compromise facility security are banned from visiting and the secure perimeter areas within the grounds of the facility.
19. Visitors will not give or take anything from an inmate without prior approval from the shift supervisor (2540 PC, 2541 PC, 4570 PC, 4570.1 PC).
20. Any person found to be communicating, in any manner, with an inmate other than the inmate they signed up to visit; may be found to be in violation of a crime, which could be cause for arrest (4570 PC, 4570.1 PC).
21. Any visitor who destroys, damages, or defaces any facility property will lose visiting privileges and be escorted from the facility. If the damage is determined to be a crime, the visitor may be arrested (4600 PC).
22. Visitors entering a Stanislaus County detention facility may be subject to a search of their person, vehicle or property. The type and scope of the search will be based on the facility and the potential access the visitor has to the facility or inmates.
23. Hostages will not be recognized for bargaining purposes during escape attempts by inmates.
24. Visitors may only visit one inmate per day.

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RELATED ORDERS: PC: 2601(b), 4570, 4571, 4573.5, 4573.6, 4574 CCR MJS 15: 1062	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for delivering and managing video visitation.

POLICY

All visiting policies and procedures listed in 3-02.01 Rules for Visiting shall apply to video visiting.

The Stanislaus County Sheriff's Department and the video visitation vendor are not responsible for the quality of the visitor's internet and/or Wi-Fi connection. The Sheriff's Department is also not responsible for the set-up and/or operation of the visitor's home or work computer, web camera, or any other hardware being used for video visitation.

- (a) The Stanislaus County Sheriff's Department takes no responsibility regarding technical support of the visitation system. The visitation vendor is solely responsible to provide technical support of the visiting system, its operation, and the processes included within the system.

Paid visitation shall occur within the approved visiting schedule. Inmates may have a total of 4 paid visiting sessions in any given visitation week once standard visiting is completed.

- (a) Paid video visitation shall not occur when visitors are onsite and participating in video visitation. On-site is defined as the location where the inmate is housed. Paid visitation shall only occur from a kiosk at the Sheriff's Detention Visitation Center or when visitors use a mobile device or home computer to conduct video visitation.

The Stanislaus County Sheriff's Department is not responsible to collect or refund payments associated with paid visitation. All financial transfers shall occur between the visitor and the visitation vendor. It shall be the visitor's responsibility to settle financial disputes with the visitation vendor.

DEFINITIONS

PROCEDURE

The public can accomplish video visitation using the following methods:

- (a) Kiosk at the Sheriff's Detention Visitation Center during normal operating hours at 801 11th Street Modesto, CA 95354.
- (b) Kiosk in the Sheriff's Detention Center East Public Lobby during visiting hours.
- (c) From home or an office using a personal computer during visiting hours.
- (d) From a smart phone or tablet with the visitation application during visiting hours.

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Video Visitation:

- (a) Visitation will start at the precise scheduled time. No changes or modifications will be made once the visit has been assigned. If the visitor is late for a scheduled visit appointment, the visit will not take place. The cancelled visit will not count against the inmates' allotted visits for the week.
- (b) If the inmate or visitor ends the visit before time has expired, the visiting session is complete. The visit will not be restarted or rescheduled.
- (c) If it is determined that there is a malfunction, power loss or other problem with department scheduling or visitation equipment; the visit can be rescheduled at the discretion of the shift supervisor.
- (d) Inmates shall be restrained during movement to visitation appointments as is consistent with their classification status and department policy.
- (e) An inmate may only have one public visit per day, whether paid or free.
- (f) Inmates who have other pending appointments; medical, court, facility work, etc. will not be scheduled for visitation. Visits are to be scheduled when all appointments are complete.
- (g) Housing units will be contacted by visitation staff. Housing staff will escort or direct the inmate to the assigned video visitation room or kiosk.
 - a. Once the inmate is in place and ready for the visit; notification is made to visitation staff for the visit to begin.
 - b. Staff shall inspect equipment prior to and at the conclusion of each session for damage.

Scheduling:

When an appointment is scheduled the visitor is given an appointment time and kiosk location. The visitor must either report to or conduct the visit appointment from the specified location.

Visitors who wish to visit an inmate at any Stanislaus County Adult Detention Facility or from The Sheriff's Detention Visitation Center must schedule an appointment prior to the visit occurring. The appointment can be scheduled online at stanislausca.gtlvisitme.com or in person at the Sheriff's Detention Center East Public lobby, the REACT Facility lobby, or at the Sheriff's Detention Visitation Center.

- (a) The visitor must be on the inmates' approved visitors list.
- (b) Once scheduled, the visitor is issued an appointment time and a location for the visit to occur.

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Sheriff's Detention Visitation Center Hours:

- (a) Closed Wednesday, Saturday & Sunday (Closed Holidays)
- (b) Open Monday, Tuesday, Thursday, & Friday:
 - a. 10 visitation kiosks are located in the visitation center capable of hosting 70 total visits per day.
 - b. 0730 . 0800 open to the public, administrative preparation period
 - c. Session 1: 0800 to 1030 allows for 3, 30 minute visit sessions capable to host 30 total visit sessions.
 - i. 0800 to 0830 (visit appointment)
 - ii. 0900 to 0930 (visit appointment)
 - iii. 1000 to 1030 (visit appointment)
 - d. Each visit period is 30-minutes with a 30-minute break before the start of the next appointment
 - e. Closed: 1030 to 1130
 - f. 1130 open to the public, administrative preparation period
 - g. Session 2: 1200 to 1530 allows for 4, 30 minute visit sessions capable to host 40 total visit sessions.
 - i. 1200 to 1230 (visit appointment)
 - ii. 1300 to 1330 (visit appointment)
 - iii. 1400 to 1430 (visit appointment)
 - iv. 1500 to 1530 (visit appointment)
 - h. Each visit period is 30-minutes with a 30-minute break before the start of the next appointment.
 - i. Visitation Center closes at 1600 to the public
 - j. 1600 . 1700, closed to the public . administrative hours

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Sheriff's Detention Visitation Center Staff Hours:

- (a) Monday, Tuesday, Thursday, Friday (off holidays)
 - a. 0700 to 0800: Administrative Hours
 - b. 0800 to 1030: Visiting
 - c. 1030 to 1130: Closed
 - d. 1200 to 1550: Visiting
 - e. 1600: Closed to Public
 - f. 1600 to 1700: Administrative Hours

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SECTION: Contact Visiting	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 2601(b), 4570, 4571, 4573.5, 4573.6, 4574, 6030 CCR MJS 15: 1062	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for conducting contact visiting.

POLICY

All visiting policies and procedures listed in 3-02.01 Rules for Visiting shall apply to contact visiting.

- (a) The Facility Commander shall establish the facility visiting schedule and specific contact visiting procedures for a facility choosing to allow contacting visiting.
- (b) Contact visiting may occur by one or more visiting sessions per week totaling at least one hour per week.
- (c) Program inmates may be eligible for contact visiting as a part of a specific program.
- (d) Due to space constraints; only 3 visitors per inmate may visit at one time in a contact visit. Minor children must be submitted for approval and do count towards the total number of approved visitors during a visit.

DEFINITIONS

- (1) Contact Visit: a visit between an inmate and a visitor, which permits the visit to take place without a secure barrier to separate the inmate from the visitor. This visit also allows for some minor contact between the inmate and the visitor.

PROCEDURE

Department members who supervise contact visits may allow the visitor to maintain possession of a jacket and car keys.

- (a) Visitors will not give to or take any item from an inmate without prior approval from the shift supervisor.
- (b) Visitors attempting to throw items over the fence into a secure perimeter may be detained and arrested.

Visiting Hours:

Please refer to each facility's posted contact visiting schedule and hours.

- (a) Minimum Housing Units 1 & 2 Visitation Hours:
 - a. Saturday:

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Session 1: MHU2A 0700 0800
 Session 2: MHU2A 0830 0930
 Session 3: MHU2B 1100 1200
 Session 4: MHU2B 1230 1330
 Session 5: MHU2C 1400 1500
 Session 6: MHU2C 1530 1630

b. Sunday:

Session 1: MHU1A 0700 0800
 Session 2: MHU1A 0830 0930
 Session 3: MHU1B 1100 1200
 Session 4: MHU1B 1230 1330
 Session 5: MHU1C 1400 1500
 Session 6: MHU1C 1530 1630

Contact Visiting:

- (a) Staff will open the visiting area at the scheduled session time.
- (b) Staff will verify the visitor's identity. The visitor will be denied approval to visit if the visitor's identity cannot be verified.
 - a. All visitors must be able to pass through a metal detector and establish identification to the satisfaction of staff. If either of these requirements cannot be met, the visitor will be denied.
- (c) Visitors participating in contact visits will follow all rules defined for regular visitors. Visitors are allowed to bring a jacket, identification and car keys into the visit area. All other items are prohibited in the visiting center.
- (d) Department members will not take any item or property from a visitor for safekeeping.
 - a. If circumstances dictate the need to secure property for a visitor; the visitor is to be made aware that the Sheriff's Department assumes no responsibility for the safekeeping of the visitor's property.
- (e) Department members will print the visitation schedule and verify each visitor's identity prior to starting visits.
- (f) Once the visitor's identity is verified; staff will check the inmate's eligibility to visit and the inmate's approved visitor list.
 - a. The visitor will be denied if the inmate has lost the visiting privileges or the visitor is not identified on the inmate's approved list of visitors.

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- (g) Department members will enter visit information into the ICJIS System.
- (h) Staff will close the visiting center door at the conclusion of the sign-up period.
- (i) Staff will advise facility housing areas, via the radio or telephone, regarding the inmates needed for visiting.
- (j) The housing deputy will page for those inmates with visits to report to the deputy station.
- (k) All of the inmates identified for a visit session will be moved at one time from their housing area to the visiting center.
 - a. Inmates who do not conform to this procedure will not be allowed to visit.
- (l) Any attempt by an inmate to leave the visiting center without permission from staff will be considered an escape and dealt with accordingly.
- (m) Any contact between an inmate and a visitor such as a hug, handshake or a brief kiss is at the discretion of staff supervising visiting.
 - a. Generally, contact is prohibited and should be discouraged by staff.
 - b. Staff will warn both the inmate and visitor once regarding prohibited contact.
 - c. If the behavior continues, the visitor will be ordered to leave the visiting area and denied future approval to visit.
 - d. The visitor must be re-approved by the Facility Commander.
- (n) Visits will be one hour in duration. Department members will monitor the length of each visiting session.
- (o) Staff will vacate visitors from the visiting center at the conclusion of the visit. Visitors will be directed to exit the facility.
- (p) All inmates will be subjected to search before returning to their housing areas once visiting has concluded.
- (q) Department members will search the visiting center for damage or contraband and report any noteworthy findings to the shift supervisor.

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SECTION: Official & Court Ordered Visits	REVISION DATE: 05/01/19
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PURPOSE AND SCOPE

This policy establishes procedures for admitting official visitors and conducting official or court ordered visiting.

POLICY

All visiting policies and procedures listed in 3-02.01 Rules for Visiting shall apply to official or court ordered visiting.

- (a) Official visitors will follow all rules defined for regular visitors.
- (b) Any visitor who cannot establish their identity to the satisfaction of department members will not gain entry into the facility.
- (c) All visitors, including law enforcement personnel and contract providers, are required to secure all weapons before entering the facility.
- (d) Official visitors will sign the visitor log before visiting and sign-out when the visit is complete.

Business hours are posted in each facility. Official and court ordered visitors are admitted to the facility during normal business hours, between the hours of 0800 and 2300 hours. Department members must be able to articulate and document any incident that denies an official or court ordered visitor access to the facility.

- (a) Any decision to deny access to an official or court ordered visitor shall be evaluated by the shift supervisor or the Facility Commander.

If an official or court ordered visit is in progress during an inmate count or meal; the visit will be allowed to continue, but no new visits are to be initiated. Under exigent, emergency or lockdown situations, all official visits will be cancelled, visitors will be directed out of the facility, and inmates returned to their cell or housing location.

Official visitors are encouraged to bring only those items into a facility that are necessary in regards to their visit. Visitors will not bring into the facility any item which could possibly compromise facility security.

- (a) All items brought into a facility by an official visitor are subject to search by staff.
- (b) The Facility Commander shall approve any questionable items before the items are brought into the facility.

Law Enforcement personnel must be in uniform or have a badge and their official law enforcement identification displayed prominently on their outer clothing when inside of the facility for visiting.

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- (a) Law enforcement personnel are exempt from searches as a professional courtesy.

Civilian visitors (non-law enforcement personnel) must display a current jail pass and any other valid government issued identification card with a picture, physical description and a signature, when entering a facility for an official or court ordered visit.

- (a) Attorneys must display valid identification with a picture, physical description and a signature; a current BAR card, and an official identification card which states their official capacity.
- (b) Official visitors will openly display their official identification, valid jail pass or facility identification badge at all times while inside of the facility.
 - a. If a private investigator does not have a valid jail pass, they must have a letter of introduction from the inmate's attorney. The letter of introduction must be on the attorney's letterhead and signed by the Facility Commander. A copy of this letter is to be kept in the inmate's pouch for future reference.

Inmates are to be searched when being moved from their cell or living area for an official or court ordered visit and before placement into an interview room.

- (a) Inmates will be searched before being placed back into their cell or living area after completing an official or court ordered visit.
- (b) The type of search is to be in accordance with established policy.
- (c) All administratively segregated, maximum security and medium security inmates are to be secured in leg irons, waist chains and a black box whenever they are out of their assigned housing unit for an official or court ordered visit.
 - a. These inmates are to be secured to the cuffing bench or stool in the interview room during the official or court ordered visit.

DEFINITIONS

- (1) Official Visit: a contact or non-contact visit between an inmate and an attorney, law enforcement officer, or other professional.
- (2) Court Ordered Visit: a special visit which is ordered by a superior court judge.

PROCEDURE

Official Visiting:

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Before entering the facility; the visitor must establish identification, secure any unnecessary belongings, be subject to search, and sign the visitor's log.

(a) Valid Identification:

- a. A valid Driver's License (United States)
- b. A State Identification Card (United States)
- c. A valid passport
- d. A valid United States Military Identification Card
- e. A valid Immigration Identification Card (green card)
- f. Any other valid identification card with a picture, physical description and signature.

(b) The visitor will sign the visitor log. When a visitor signs the log, the visitor will list their name, date, agency, time-in and the inmate's name.

(c) Items such as briefcases, audio and video recording devices, laptop computers, purses, smart phones and cameras are banned from the facility and non-contact attorney visiting booths, unless approved by the Facility Commander.

- a. These items are subject to search if approved by the Facility Commander.

(d) Official visits may be conducted in an interview room, a dayroom, multipurpose room, and a non-contact attorney visiting booth or any area specified by the shift supervisor.

(e) Inmates will be pat searched when moved from their cell for an official visit.

- a. Administratively segregated inmates are to be moved with 2 staff at all times to and from an official or court ordered visit.

(f) Upon completion of the visit; staff will secure the inmate and stand-by while the visitor leaves the area.

- a. Department members will use reasonableness and their discretion as to what type of search is conducted on the inmate before placement back into a housing unit or cell.

Court Ordered Visit:

(a) Department members will notify the shift supervisor when a superior court judge orders a visit for an inmate.

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- (b) If the shift supervisor reviews the order and determines the visit to be within normal operating procedures, the shift supervisor will allow the visit to take place.
- (c) If the shift supervisor determines the court order to be unreasonable as it relates to staff, the inmate or facility security; the shift supervisor will notify the Facility Commander.
 - a. The Facility Commander may alter the court order to allow completion of the visit. The Facility Commander will define any special criteria and procedures for completing the visit.
- (d) The shift supervisor will note that the order was completed in the official visitor log and Sergeant's Watch Report.
 - a. Documentation of the completed order shall be retained in the inmate's pouch.

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SECTION: Searching Visitors	REVISION DATE: 05/01/19
RELATED ORDERS: PC: 2601(b), 4570, 4571, 4573.5, 4573.6, 4574 CCR MJS 15: 1062	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for searching visitors who are believed to be concealing weapons or in possession of contraband, controlled substances, escape instruments or similar items deemed illegal to possess.

POLICY

All visitors are prohibited from possessing controlled substances, weapons, escape instruments, items deemed illegal to possess, or any item potentially capable of concealing weapons, controlled substances, escape instruments, or items deemed illegal to possess within the secure perimeter of the facility.

- (a) Any exceptions to this policy must be approved in writing by the Facility Commander.
- (b) Approval for visitors to possess such items inside of the facility, which could potentially impact facility security, must be based on clear justification.
- (c) All visitors attempting to enter the custodial facility shall be subjected to a metal detector search.

Where there is reasonable suspicion, based on specific and documentable facts, that any visitor is concealing a weapon, controlled substance or contraband or items deemed illegal to possess and that a strip search or a pat search could reasonably result in the discovery of these items; department members will advise the visitor they will not be allowed to enter the facility without first submitting to a pat search or an unclothed search.

- (a) The visitor is to be given the opportunity to leave the facility before being subjected to a search.
- (b) The type of search conducted shall be at the discretion of the shift supervisor and in accordance with established department search policies.

DEFINITIONS

PROCEDURE

Searching Visitors:

When a visitor refuses to submit to a pat down and thorough clothing search; documentation of the refusal shall be reported on an Authorization to Search form.

- (a) Department members will verbally advise all visitors of their right to refuse a search.

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- (b) The visitor is to be allowed to leave the facility.
- (c) The Facility Commander is to be notified of the incident in writing.
 - a. A copy of the completed Authorization to Search form and supporting incident reports, documenting the visitor's refusal to submit to being searched, shall be forwarded to the Facility Commander for review.
- (d) The visitor is to be denied visiting privileges until re-approved by the Facility Commander.
 - a. The completed Authorization to Search form and supporting incident reports shall be maintained at the facility where the attempted search occurred.

In the event that a visitor agrees to being pat searched; staff conducting the search will be of the same gender as the visitor. The staff member that conducts the search will generate an incident report to include the following:

- (a) The time, date and location where the search was conducted.
- (b) The name, gender and badge numbers of the staff members conducting or participating in the search.
- (c) The visitor's name, gender, date of birth, and California Driver's License number.
- (d) The reasonable suspicion and circumstances that produced the need to search.
- (e) A statement of the search results including a list of any items removed from the visitor.

In the event that a visitor agrees to a strip search, the following procedures are to be followed:

- (a) Note; an exact description of the circumstances causing reasonable suspicion for a strip search of the visitor should be well documented and supported on the Authorization to Search form.
 - a. The visitor is required to sign the Authorization to Search form.
 - b. The staff member conducting the search of the visitor is to be a peace officer of the same gender as the visitor and generate an incident report.
 - c. The report will articulate the reasons for the search and what, if anything was recovered. The Authorization to Search form is to be attached to the incident report.
 - d. The incident report will include:
 - i. The time, date and location where the search was conducted.

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- ii. The name, gender and badge numbers of the staff members conducting or participating in the search.
- iii. The visitor's name, gender, date of birth, and California Driver's License number.
- iv. The reasonable suspicion and circumstances that produced the need to search.
- v. A statement of the search results including a list of any items removed from the visitor.
 - 1. Any items recovered during the search are to be recorded on the Authorization to Search form and the incident report.
- e. A copy of the Authorization to Search form and the incident report is to be retained at the facility where the search occurred.
- f. An entry shall be made in the Strip Search and Visual Body Cavity Search Log referencing the search and results of the unclothed search.
- g. In the event that the search produced a weapon, controlled substance or a similar item deemed illegal to possess; dispatch is to be notified and a patrol deputy requested to take a crime report.
 - i. The person searched is to be detained until a patrol deputy arrives and takes custody of the person.
 - ii. Any criminal conduct by a visitor may result in the visitor's arrest.

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PURPOSE AND SCOPE

This policy establishes procedures in which the Facility Commander or shift supervisor may grant approval for visits not defined within established visiting policies.

POLICY

The Facility Commander or shift supervisor may approve a special visit at their discretion. A special visit is any visit not falling within an established visiting category or visiting policy.

- (a) A visitor who is granted a special visit will follow all rules pertaining to visitors.
- (b) When a special visit is approved, the Facility Commander or shift supervisor will define the criteria and the procedures in which the visit is to be completed.

DEFINITIONS

- (1) Special Visit: a visit between an inmate and a visitor that is not defined by a specific visiting policy.

PROCEDURE

Special visits may occur by video visiting, contact visiting, or non-contact visiting.

- (a) The special visit is to be noted as taking place in the Official Visitors Log, for record keeping and documentation purposes.
- (b) The inmate's security level is to be considered when defining the visiting method.
 - a. Inmates will not be called upon for translation.
- (c) Special visits should occur during regular visitation hours if at all possible.
- (d) The visit does not count against the inmate's total visits for the week.

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SECTION: Legal Server or Public Notary Visit	REVISION DATE: 05/01/19
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PURPOSE AND SCOPE

This policy establishes procedures for a legal server or a public notary to serve an inmate legal documents.

POLICY

Only legal servers or public notaries with current identification credentials are approved to serve legal documents within the detention facilities. A jail pass is not required, but their notary license and credentials must be current.

- (a) If a regular visitor requests this type of service, they are to be directed to mail the documents to the inmate or hire a legal server or public notary to formally serve the documents.

DEFINITIONS

PROCEDURE

Legal Server or Public Notary Service:

- (a) When a server is required to serve an inmate legal documents, the server will schedule the service through the facility operations sergeant if possible, but it is not required. The facility operations sergeant will define a specific location or process in which this service is to take place.
 - a. This service is conducted during regular visiting hours.
 - b. Service of documents is to be completed using the following method:
 - i. The server is escorted to the inmate's housing area:
 1. The server will complete service in one of the interview or multi-purpose rooms.
 2. Staff will stand by with the server until the process is complete.

Deputy Sheriff Service:

- (a) Upon request of a legal server or notary; Deputy Sheriff-Custodial personal are not to serve legal documents to inmates. Only Deputy Sheriffs from the Civil Division will complete the service of

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RELATED ORDERS: PC: 2601(b), 4570, 4571, 4573.5, 4573.6, 4574 CCR MJS 15: 1062	ADMINISTRATIVELY APPROVED ANNUALLY

documents to an inmate. Legal servers or public notaries must arrange this service through the Civil Division.

Service using a non-contact visiting booth with a pass window:

- (a) The legal server or notary can complete service through a pass window in a non-contact visiting booth.
 - a. The server is directed to the specified visiting room.
 - b. Staff will move the inmate to the visiting room. Staff will unlock the pass window and stand by with the inmate until service is complete.
 - c. Staff will lock the pass window and move the inmate back to their assigned housing location once service is complete.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 04/01/11
SECTION: Probation Phone Interview	REVISION DATE: 05/01/19
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for conducting a probation phone interview.

POLICY

Department members will work with the Probation Department to reduce the need for a Probation Officer to physically enter a facility for the purpose conducting an inmate interview.

- (a) Probation will phone the facility with a list of inmate names and schedule calling times for inmates to call the Probation Department. This is a free call using the inmate phone system.
- (b) Probation interviews will take place using the inmate phones or the video visitation system located within the housing unit.

DEFINITIONS

PROCEDURE

Staff will contact the housing deputies assigned to the units in which the inmates are located and notify them of the scheduled calling times or visiting kiosk times.

- (a) Housing staff will record this information on their duty log and record the time when the interview was completed.
- (b) If the inmate is out of the housing area, staff will notify the inmate upon their return and attempt to complete the interview.
- (c) Staff will contact the probation officer if the interview is not able to be completed and reschedule.

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CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 10/18/12
SECTION: Inmate Discipline	REVISION DATE: 05/04/21
RELATED ORDERS: CCR MJS 15: 1054, 1080, 1081, 1082, 1083, 1084, 1247 CCR 24: 1231.2 PC: 147, 673, 4019, 4019.5	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for inmate discipline that include:

- (a) Statutory and constitutional mandates and procedures which provide due process to ensure fairness and equal application.
- (b) Establishing rules and disciplinary penalties to guide inmate conduct.
- (c) Posting or issuing written rules to inmates in housing units or booking areas.
- (d) Providing verbal instructions in a manner that is understandable to inmates with disabilities that limit their ability to read or illiterate inmates and other inmates unable to read English.

POLICY

The discipline of inmates and the reporting of rule violations is the responsibility of every employee, regardless of work assignment. Inmates who refuse to conform to facility rules and regulations will be disciplined. Discipline will result when other methods of maintaining control and order have failed.

- (a) In no case shall access to courts and legal counsel be suspended as a disciplinary measure.
- (b) Pursuant to 4019.5 PC; records of all disciplinary infractions and dispositions of discipline administered to inmates shall minimally be maintained in ICJIS.

All personnel who work with inmates will receive sufficient training to be thoroughly familiar with the rules of inmate conduct, sanctions available, and the rationale for the rules in order to preclude discrepancies among staff members in interpretation. Disciplinary action will not be impulsive, retaliatory, or inhumane.

The Stanislaus County Sheriff's Department practices a system of progressive discipline, designed to be administered commensurate with the seriousness of the offense. Inmate discipline shall be administered as to maintain proper control, conserve human values, individual dignity, and to promote socially desirable changes in attitude and behavior. The Stanislaus County Sheriff's Department shall administer a discipline plan that includes, but is not limited to, the following elements:

- (a) A shift supervisor or designated subordinate will act on all formal charges of facility rule violations or violations of criminal law and shall have investigative and punitive powers as the hearing officer. Staff so designated shall not participate in a disciplinary hearing if they are involved in the charges.
- (b) Minor acts of non-conformance or minor violations of facility rules may be handled informally by any staff member by verbal counseling or instructing the inmate of expected conduct.

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- (c) When there is a temporary loss of privileges (television, telephone, termination of visiting, commissary, CTQ for less than 24-hours, etc.) for minor discipline, staff members shall notify their immediate supervisor with the circumstances surrounding the loss and make a written notation in their housing unit log or in an incident report.
- (d) Major violations or repetitive minor acts of non-conformance or repetitive minor violations of facility rules shall be reported on an incident report by the staff member witnessing the act and submitted to their immediate supervisor for approval. The inmate shall receive formal notification of the charges in writing upon completion of supervisory approval. Supervisory review shall not delay prescribed time limits for subsequent action in the disciplinary process.
- (e) The consequences of a major violation may include, but are not limited to, the loss of good or work time credits, placement in disciplinary separation or administrative segregation, disciplinary separation diet, or loss of mandated privileges for specific amounts of time. In addition:
 - a. Charges pending against the inmate shall be acted upon no sooner than 24-hours after the report has been approved and the inmate has been formally served in writing, unless the inmate waives the 24-hour limitation.
 - b. Charges pending against the inmate shall be acted upon no later than 72-hours after the inmate has been formally served in writing. The hearing may be postponed or continued for a reasonable time through a written waiver by the inmate or for good cause.
 - c. The inmate is permitted to appear on his or her own behalf at the time of the hearing.
 - d. Subsequent to final disposition of disciplinary charges by the hearing officer, the Facility Commander shall review the charges and the action taken.
 - e. The inmate shall be advised of the disciplinary action taken by the hearing officer in writing.
- (f) An inmate may appeal disciplinary dispositions to the administrative sergeant, followed by the Facility Commander, and lastly the Adult Detention Division Commander.
 - a. The inmate may appeal disciplinary action through the appeals process utilizing an Inmate Grievance and Appeals form.
 - b. The Administrative Sergeant, Facility Commander, and Adult Detention Division Commander will respond to the appeal within 10 business days of receipt.
 - c. The Administrative Sergeant, Facility Commander, or Adult Detention Division Commander can approve, modify or reverse any discipline imposed, however cannot increase the imposed discipline.

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- (g) Pursuant to CCR MJS 15 Section 1054; pending disciplinary proceedings, the inmate may be segregated from general population or a program for reasons of personal, mental, or physical health or under any circumstance in which the safety of the inmates, staff, program, or public is endangered, pending disciplinary action or a review.

DEFINITIONS

- (1) Appeal: the process whereby a disciplined inmate requests administrative review of a disciplinary action.
- (2) Disciplinary Hearing: a non-judicial administrative procedure to determine if substantial evidence exists to find an inmate guilty or not guilty of a rule violation.
- (3) Disciplinary Officer: the shift supervisor or a designee will be assigned as the disciplinary officer. The disciplinary officer will act on all formal charges of violations of facility rules and will have full investigative and punitive powers. The disciplinary officer has authority to approve or impose disciplinary sanctions in accordance with the severity of violations. The disciplinary officer must be impartial and objective in order to ensure a fair hearing.
- (4) Formal Discipline: an incident report is submitted and a formal hearing held by a disciplinary officer in accordance with established time limitations.
- (5) Informal Discipline: information recorded in the duty station log or a memo, and counseling, warning, or verbal reprimand.
- (6) Pre-Hearing Segregation: the confinement of an inmate in an individual room until an investigation is completed or a hearing scheduled.
- (7) Prohibited Acts: violating federal, state, county, or local statutes, or violating of facility rules which have an adverse effect on an inmate or on the overall good order of the facility.
- (8) Sanctions: specific actions that are imposed to prohibit acts as a means of encouraging good conduct and preventing violations.

PROCEDURE

Disciplinary Overview:

- (a) The goal when imposing discipline is to achieve one or more of the following results:

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- a. Accountability for inappropriate behavior.
 - b. To maintain order and conformity with facility rules and criminal laws.
 - c. To maintain the safety and wellbeing of inmates, facility staff, and the public.
- (b) Disciplinary actions are employed at such times and in such measures and degrees as is necessary to regulate an inmate's behavior within acceptable limits.
- (c) Discipline shall be impartial and consistent.
- (d) Each inmate is to receive in writing or will have access to posted rules or exposure to a video program at the time of arrival regarding:
- a. Inmate rights and responsibilities.
 - b. Prohibited acts.
 - c. The types of disciplinary measures which may be imposed.
 - d. The disciplinary process as implemented by the Stanislaus County Sheriff's Department.
- (e) A Spanish version of the rules and regulations is to be available to prisoners speaking Spanish, but not English.
- a. Staff will attempt to provide such information in the native language of the inmate by use of an interpreter as soon as an interpreter is available.
 - b. Should the inmate be illiterate, staff will be certain the inmate understands the information by reading the information to them in English or as soon as interpreters are available, in their native language.
- (f) For persons with disabilities; provisions shall be made for facility staff to verbally instruct them or provide them with material in an understandable form regarding facility rules and disciplinary procedures and penalties.
- (g) The shift supervisor or designated authority may move an inmate, which commits a serious rule violation, to segregation in disciplinary separation when:
- a. An impartial hearing has been conducted.

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- b. Other available alternative dispositions are inadequate to regulate an inmate's behavior within acceptable limits.
- c. The inmate's presence in the general inmate population poses a serious threat to the safety and security of the facility, other inmates and staff.

Limitations on Disciplinary Measures:

The California Penal Code and the State Constitution of California expressly prohibit all cruel or unusual punishment. Additionally the following limitations shall apply:

- (a) If an inmate is on disciplinary separation status for 30 consecutive days there shall be a review by the Facility Commander before the disciplinary separation status is continued further.
 - a. This review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended.
- (b) Disciplinary separation cells shall have minimum furnishings and space, pursuant to CCR 24 Section 1231.2.
 - a. Inmates housed in disciplinary separation shall not be deprived of the normal issue of clothing and bedding throughout the day, unless they engage in the destruction of these articles.
 - i. The shift supervisor shall be notified and give approval when inmates are to be deprived of these articles of clothing and bedding, and the Facility Commander shall review the continued deprivation of these articles of clothing and bedding every 24 hours.
- (c) No authority shall be delegated to any one inmate or group of inmates to exercise the right of punishment over any other inmate or group of inmates, pursuant to 4019.5 PC.
- (d) In no case shall a safety cell or any restraint device be used for disciplinary purposes.
- (e) There shall not be a deprivation of bedding, clothing, normal hygiene implements, or food, as a disciplinary measure except when these items must be withheld to ensure the inmate's safety and the security of the facility, staff, and other inmates.
 - a. If circumstances warrant the removal of these items; approval for this action must be obtained in advance by the shift supervisor.
 - b. An incident report must be submitted identifying the items being withheld and the reasons for the action.

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- c. The decision for continued deprivation or removal of these items will be reviewed every 24 hours by the Facility Commander.
- d. When the decision is made to deprive inmates of bedding, clothing, food and hygiene implements, staff will notify healthcare staff as necessary.
- (f) Correspondence privileges shall not be withheld except in cases wherein the inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours, without the review and approval of the Facility Commander.
- (g) The disciplinary separation diet, as described in CCR MJS 15 Section 1247, shall only be utilized for major violations of institutional rules. Inmates who have committed major violations of institutional rules will not be housed in medium or minimum housing units.
 - a. The Facility Commander shall approve initial placement on the disciplinary separation diet and ensure healthcare staff is notified.
 - b. In consultation with healthcare staff, the Facility Commander shall approve any continuation of the disciplinary diet every 72 hours after the initial placement on the diet.
- (h) Access to courts and legal counsel will not be suspended as a disciplinary measure.

Forms of Discipline:

The degree of punitive actions taken by the hearing officer shall be directly related to the severity of the rule infraction.

- (a) Acceptable forms of discipline shall consist of, but not be limited to the following:
 - a. Loss of privileges
 - b. Extra work detail
 - c. Short term lockdown, up to 24 hours
 - d. Removal from work details
 - e. Forfeiture of good-time credits, 4019 PC
 - f. Forfeiture of work-time credits, 4019 PC
 - g. Disciplinary Separation

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h. Disciplinary Separation Diet

Major and Minor Violations:

- (a) Rule violations are classified as major or minor, depending on whether the behavior is likely to cause a direct danger to the health and safety of other inmates, staff or significantly interfere with facility security.
- (b) The staff member initiating the complaint will determine the level of severity regarding the charges against the inmate by consulting the types of violation sections in this policy.
- (c) Minor violations may be handled on an informal or formal basis at the discretion of staff. Staff members are encouraged to resolve minor incidents on an informal basis through counseling, warning or reprimand. Informal resolutions are to be noted in the duty station log, an informational only report or a memo.
 - a. Two or more minor violations of prohibited acts may be considered a major violation.
- (d) Major violations will be addressed formally.
- (e) Violations of federal, state, county or local statutes which may lead to criminal prosecution are considered major offenses and will be referred to the shift supervisor for evaluation.
 - a. In instances where an inmate is alleged to have committed a crime; the case will be referred to the appropriate law enforcement officials for possible prosecution.
 - b. The shift supervisor will direct the employee to complete an incident report if the incident is to be referred to the district attorney for possible criminal prosecution.
 - c. The responding patrol deputy will complete the crime report.

Informal Discipline:

- (a) Informal disciplinary incidents and the counseling, warning or verbal reprimand given to inmates is to be recorded in the duty station log.
 - a. This will ensure other staff members who are confronted with like violations by the inmate have a record of the inmate's behavior available for review.
- (b) Informal discipline is an immediate action taken by facility staff which does not result in a loss of rights to the inmate.

Formal Discipline:

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(a) Formal discipline requires:

- a. The generation of an incident report.
- b. Approval of the shift supervisor.
- c. Service to the inmate indicating the charges.
- d. A formal hearing conducted by a disciplinary officer to determine disposition.

(b) Disciplinary incident reports, prepared by staff members, should minimally include the following information:

- a. When a disciplinary incident report is prepared for a violation of the housing unit rules, inmate rules, program rules, visiting rules; i.e., unmade bed, late to lockdown, smoking, etc., with applicable prohibited act codes, the specific rule infraction shall be described in the synopsis of the report.
- b. Specific rules violated.
- c. A formal statement of the charge.
- d. An explanation of the event which should include who was involved, what transpired, and the time and location of occurrence.
- e. Unusual inmate behavior.
- f. Staff witnesses.
- g. Disposition of any physical evidence.
- h. Any immediate action taken, including the use of force.
- i. Facility damage, injuries to staff, and injuries to inmates including medical clearance.
- j. The date and time the report is made.

(c) All incident reports will be submitted to the shift supervisor as soon as possible after the incident and before staff completes their assigned shift.

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(d) The shift supervisor will review each report for completeness and accuracy and approve the charges.

- a. The shift supervisor will forward all facility incident reports to the Facility Commander for review.
- b. Generally, disciplinary investigations will be initiated within 48 hours of report approval.
- c. Completed disciplinary hearing disposition reports shall be forwarded to the Facility Commander for review.
- d. Should the charge warrant criminal prosecution, the disciplinary officer shall adhere to the criminal prosecution procedures.
- e. Formal disciplinary incidents are to be recorded in the duty station log for briefing purposes.

(e) Staff preparing disciplinary incident reports shall indicate the appropriate incident title and Prohibited Act Code on the report using the following list:

- a. Examples:
 - i. Extortion, PAC 10-Major
 - ii. Arson, PAC 2 Major
 - iii. Assault/Inmate, PAC 3(b) Major
 - iv. Battery/Staff, PAC 3(c) Major

(f) The following list defines major and minor facility prohibited act code violations:

Prohibited Acts – Minor & Major:

Prohibited Act Code:	Title:
PAC 1 Major	Adulteration of Food or Drinks
PAC 2 Major	Arson
PAC 3(a) Major	Assault/Staff
PAC 3(b) Major	Assault/Inmate
PAC 3(c) Major	Battery/Staff
PAC 3(d) Major	Battery/Inmate
PAC 4 Major	Attempt Suicide
PAC 5 Major	Destroying, Altering or Damaging Jail Property

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PAC	6	Major/Minor	Disruptive Conduct
PAC	7	Major	Engaging in or Encouraging Group Demonstrations
PAC	8	Major	Engaging in Sexual Acts
PAC	9	Major	Escape/Attempt Escape
PAC	10	Major	Extortion
PAC	11	Minor	Failure to Keep Person or Room Clean
PAC	12	Major	Failure to Provide Proper Identification
PAC	13	Major	Failure to Stand Count
PAC	14	Minor	Smoking
PAC	15	Major	Fighting
PAC	16	Major	Filing or Making False Report
PAC	17	Major	Gambling
PAC	17(a)	Major	Gang Graffiti / Attire
PAC	18	Major	Giving/Offering Items of Value to Staff
PAC	19	Major	Homicide
PAC	20	Minor	In Unauthorized Area
PAC	21	Major	Indecent Exposure
PAC	22	Minor	Insubordination/Insolence
PAC	23	Major	Interference with Staff Duties/Responsibilities
PAC	24	Major	Interfering with Count
PAC	25	Minor	Littering
PAC	26	Major	Loss of Inmate Worker Position/Job
PAC	27	Major	Lynching
PAC	28	Major	Making, Possessing or Using Intoxicants
PAC	29	Major	Making Sexual Proposal or Threat to Another
PAC	30	Major	Malicious Mischief
PAC	31	Minor	Malingering, Feigning Illness
PAC	32	Major	Misuse of Medication
PAC	33	Major	Placing Lighted Articles on Carpeting, Furniture Clothing, or Bedding
PAC	34	Major	Possession of Another's Armband
PAC	35	Major	Possession of Another's Property
PAC	36	Major	Possession of Drugs
PAC	37	Minor	Possession of Excess Issue (clothes, bedding, etc.)
PAC	38	Major	Possession of Gambling Paraphernalia
PAC	39	Major	Possession of or Smuggling Contraband
PAC	40	Major	Possession of Unauthorized Clothing (civilian)
PAC	41	Major	Possession of Weapons
PAC	42	Minor	Posting Items to Walls, Lights, or Fixtures
PAC	43	Major/Minor	Providing False Information to Staff
PAC	44	Major	Refusal to Provide Urine Sample (Drug Program)
PAC	45	Major	Refusal to Work
PAC	46	Major	Refusal to Obey Orders
PAC	47	Major	Sex Crimes/Engaging in Illegal Sex Acts
PAC	48	Major	Tampering with Any Alarm Device

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PAC	49	Major	Tampering with Blocking or Locking Devices
PAC	50	Major	Tampering w/ Ventilation, Plumbing, Electrical, Recreation, Communication Systems and/or Devices
PAC	51	Minor	Tattooing
PAC	52	Major	Theft
PAC	53	Major	Threatening a Staff Member
PAC	54	Minor	Unauthorized Contact With the Public
PAC	55	Minor	Unauthorized Use of the Telephone
PAC	56	Minor	Unexcused Absence from Work
PAC	57	Major/Minor	Under the Influence of Alcohol or Drugs
PAC	58	Major/Minor	Using Abusive or Obscene Language
PAC	59	Major	Using or Possessing Unauthorized Equipment or Tools
PAC	60	Major/Minor	Violation of Correspondence
PAC	61	Major	Violation of Criminal Laws
PAC	62	Minor	Violation of Inmate Rules
PAC	63	Major/Minor	Violation of Housing Unit Rules
PAC	64	Minor	Violation of Program Rules
PAC	65	Minor	Violation of Visiting Rules
PAC	66	Major	Wearing a Disguise or Mask
PAC	67	Major	Coercion – to compel another inmate by the use of force or threats
PAC	68	Major	Hate Crimes
PAC	69	Major	Destroying or attempting to destroy evidence
PAC	70	Major	Inappropriate advances and/or gestures towards staff

(g) Non-Disciplinary Incident Reports; staff preparing non-disciplinary incident reports shall use the appropriate incident title and Facility Incident Code from the following list:

Facility Incident Code:	Incident Title:
FIC 100	Use of Safety Cell
FIC 101	Use of Observation Room
FIC 102	Sick/Injured Cared For
FIC 103	Request for Protective Custody
FIC 104	Reclassification
FIC 105	Enemies in the Facility
FIC 106	Suspicious Circumstances
FIC 107	Found Contraband
FIC 108	Officer Safety
FIC 109	Other Non-Disciplinary Incident
FIC 110	Lost/Missing Property
FIC 111	Found Property
FIC 112	Use of Force
FIC 113	Use of Restraint: Chair/Bed/Wrap
FIC 114	Taser

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FIC 115	BolaWrap
FIC 116	Less Lethal Shotgun
FIC 117	Pepperball
FIC 118	40mm
FIC 119	RCB
FIC 120	Diversionsary Device
FIC 121	Narcan
FIC 122	A.E.D.

Sanctions for Minor Violations, addressed formally:

- (a) One or more of the following sanctions may be imposed for minor violations.
- a. Loss of commissary privileges, maximum: commissary draws for one week.
 - b. Loss of contact visitation privileges, maximum: one contact visit.
 - c. Loss of correspondence privileges where inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours, without the review and approval of the Facility Commander.
 - d. Removal from a program for the remaining period of the presentation, at the time of the incident.
 - e. Extra work detail, maximum: 2 hours per day for a total of 7 hours.
 - f. Loss of social telephone use, maximum: 1 week.
 - g. Loss of good time and earned work time credits accumulated pursuant to 4019 PC.
 - h. Disciplinary Separation.
 - i. The Classification Unit may initiate a housing unit transfer after reviewing the particular circumstances of the incident.

Sanctions for Major Violations:

- (a) One or more of the following sanctions may be imposed for major violations.
- a. Loss of commissary privileges, maximum: commissary draw for three 3 weeks.
 - b. Loss of contact visitation privileges, maximum duration of confinement.

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- c. Loss of correspondence privileges where inmate has violated correspondence regulation, in which case correspondence may be suspended for no longer than 72 hours, without the review and approval of the Facility Commander.
- d. Removal from programs for the duration of current confinement.
- e. Extra work detail, maximum: 2 hours per day for a total of fourteen14 hours.
- f. Loss of social telephone use, maximum: 2 weeks.
- g. Placement in disciplinary segregation.
- h. Loss of good time and earned work time credits accumulated pursuant to 4019 PC:
 - i. Not more than 360 days of good time credit may be denied or lost for any single act of the following, whether or not prosecution is undertaken:
 - 1. Murder
 - 2. Attempted Murder
 - 3. Solicitation of Murder
 - a. Solicitation of murder shall be proved by the testimony of two witnesses, or of one witness and corroborating circumstances.
 - 4. Manslaughter
 - 5. Rape
 - 6. Sodomy
 - 7. Oral copulation accomplished against the victim's will
 - 8. Attempted Rape
 - 9. Attempted Sodomy
 - 10. Attempted oral copulation accomplished against the victim's will

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RELATED ORDERS: CCR MJS 15: 1054, 1080, 1081, 1082, 1083, 1084, 1247 CCR 24: 1231.2 PC: 147, 673, 4019, 4019.5	ADMINISTRATIVELY APPROVED ANNUALLY

11. Assault or battery causing serious bodily injury
 12. Assault with a deadly weapon or caustic substance
 13. Taking of a hostage
 14. Escape with force or violence
 15. Possession or manufacture of a deadly weapon or explosive device
- ii. Not more than 180 days of good time credit may be denied or lost for a single act of misconduct, except as specified above, which could be prosecuted as a felony whether or not prosecution is undertaken.
 - iii. Not more than 90 days of good time credit may be denied or lost for a single act of misconduct, which could be prosecuted as a misdemeanor, whether or not prosecution is undertaken.
 - iv. Not more than 30 days of good time credit may be denied or lost for any single act of misconduct defined by the Stanislaus County Sheriff's Department in this policy as a Major Prohibited Act Code violation offense.
 - v. An inmate may appeal a disciplinary disposition through the standard appeal process.
- i. Loss of job as an inmate worker; may not be re-appointed for the duration of current confinement.
 - j. Disciplinary Isolation Diet; requires approval of the Facility Commander.
 - k. Un-sentenced inmates may not receive loss of future good time credits.
 - l. The Classification Unit or shift supervisor may initiate a housing unit transfer after reviewing the particular circumstances.
 - m. One or more of the above sanctions may be imposed for major violations.

Criminal Prosecution:

- (a) Department members will adhere to routine criminal investigation procedures for all criminal violations committed by inmates in accordance with established policy.

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- (b) If the violation is criminal, the inmate must be advised of their Miranda Rights prior to any questioning regarding the incident.
- (c) An inmate may be charged both administratively and criminally on the same charges without double jeopardy.
- (d) When an inmate commits an act of criminal nature; the shift supervisor will notify the Operations Division of the Sheriff's Department requesting that an investigating officer is assigned.

Assistance to Inmates in Disciplinary Proceedings:

- (a) An inmate may request staff assistance in disciplinary proceedings where it is evident the inmate is unable to comprehend the disciplinary charges, the possible consequence of such charges, the disciplinary hearing process, the disciplinary process, or to collect or present evidence in support or defense of their position.
- (b) A staff member is assigned to assist the inmate by the shift supervisor during the hearing.
- (c) Staff members who are witness to the incident will not serve as a representative unless, the incident is commonly known to all staff members. The representative will not be directly involved in the incident or with the disciplinary officer.
- (d) In instances where language barriers exist and no employee is available to interpret, the staff member assigned to assist the inmate may use another inmate for interpretation only.
 - a. An inmate may refuse to accept the assistance of the first staff member assigned at the time of initial assignment or for good cause as determined by the shift supervisor at any time during the disciplinary process.
 - i. If staff assistance is refused at the time of initial assignment, a second staff member is to be assigned if requested by the inmate.
 - b. An inmate's refusal to accept the second staff member's assistance does not require the assignment of another staff member, unless the shift supervisor determines that a fair hearing cannot be held without staff assistance.
 - c. Staff will not give legal counsel nor specify the position the inmate should take in any disciplinary or criminal proceedings.
 - i. The assigned staff assistant will, upon the inmate's request, maintain confidentiality of information the inmate may disclose concerning the inmate's past conduct, but information about future criminal conduct may be disclosed to appropriate authorities.

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- d. An investigative employee is not subject to the confidentiality of information as described for a staff inmate assistant.
- e. The staff assistant will inform the inmate that all evidence and information obtained and considered or developed in the disciplinary process may be used in court if the same charges have been or are to be referred to the district attorney for possible criminal prosecution.

(e) The staff representative may cross-examine witnesses at the hearing.

Pre-Hearing Segregation, Disciplinary Separation Pending:

- (a) Pre-hearing segregation of inmates charged with a rule violation is not considered punitive. Only when necessary, and to ensure the safety of the inmate or the good order or security of the facility, will an inmate remain in their assigned cell as pre-hearing segregation.
 - a. Pre-hearing segregation is limited to a period of time prior to the hearing. The hearing must be conducted within 72 hours of the inmate receiving their copy of the incident report.
- (b) Pre-hearing segregation shall be served in a location as determined by the Classification Unit or shift supervisor.
- (c) The incident report will indicate the reason for the pre-hearing segregation. The shift supervisor will sign the incident report as approval of the segregation.
 - a. Such segregation will be subject to review by the Facility Commander within 72 hours.
- (d) Inmates will be placed in disciplinary isolation, as opposed to pre-hearing segregation, only after a hearing is conducted by the hearing officer.
 - a. Placement in disciplinary separation will be preceded by the inmate receiving notice of intended placement, appearance at the hearing, and an opportunity to present their case to the hearing officers.
 - b. The Classification Unit will review placement in disciplinary isolation within 3 working days.

Disciplinary Hearing:

- (a) Punishment will not be imposed prior to the hearing and the disciplinary officer's determination, except in the form of reprimand, warning, or counseling.
- (b) Staff is authorized to place any inmate in pre-hearing segregation with the approval of the shift supervisor.

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- (c) Disciplinary hearings and sanctions imposed for rule violations will be conducted by an impartial person of the rank of sergeant or facility training officer, who was not involved in the incident.
- (d) Staff may recommend disciplinary action; however, the disciplinary officer will determine the disciplinary action to be imposed, ensuring the sanction imposed is proportionate to the offense.
- (e) When possible, the disciplinary officer will handle all disciplinary incidents or hearings occurring during their assigned shift.
 - a. In the event a disciplinary officer is unable to dispose of a disciplinary incident or hearing during the shift in which it occurred, the disciplinary officer will forward the incident report to the shift supervisor of the following shift within the prescribed time limits for subsequent action in the disciplinary process.
- (f) The disciplinary officer assigned to conduct the hearing will interview the inmate subject to the disciplinary action.
- (g) The disciplinary officer will explain to the inmate that a hearing is an administrative, rather than a judicial process.
- (h) Formal rules of evidence will not govern hearings. Evidence presented, questioned for relevancy, or materiality to an issue will be ruled upon by the disciplinary officer without formal restrictions.
- (i) The disciplinary officer, inmate, or inmate staff representative may request and have in attendance at a disciplinary hearing any person who has relevant and not unduly cumulative information; except when doing so may severely jeopardize the life, safety, security or good order of the facility.
 - a. If the disciplinary officer rules the witnesses cannot or should not appear for security reasons, written statements may be introduced. Reasons for denial will be stated in writing on the disciplinary report by the authority denying a witness to be present at the hearing.
- (j) The disciplinary officer will review such records, where it reasonably appears to the disciplinary officer, that the inmate file or records are relevant to the disciplinary hearing.
 - a. Upon request of the inmate, relevant records will be copied and delivered to the inmate where information in the records does not compromise confidentiality or security. Such record copies will be returned to the disciplinary officer at the conclusion of the hearing.
- (k) The inmate is to be provided an opportunity to make a statement and present documentary evidence at the disciplinary hearing.

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- (l) Inmates charged with rule violations will be present at the hearing unless they waive the right to be present in writing, refuse to participate, or are excluded due to their behavior.
 - a. The disciplinary officer may exclude the inmate from the hearing during deliberations where the security of the facility could be jeopardized or confidential information is disseminated, or if the inmate disrupts the orderly conduct of the hearing. The inmate's absence and reason for absence will be noted in the disciplinary report.

Disciplinary Hearing Process:

- (a) Upon receipt of an incident report, the shift supervisor or reporting officer should have a copy of the report delivered to the inmate charged with an alleged violation of facility rules within 24 hours of completing the investigation. Extension of time would be for good cause and must be justified.
- (b) Inmates charged with rule violations will receive a hearing within 72 hours after the copy of the report is served to the inmate. The hearing may be postponed for good cause or continued for a reasonable length of time through a written waiver completed by the inmate.
 - a. The inmate must submit this request to the Facility Commander within 24 hours of service.
- (c) A disciplinary hearing notification will be provided to the inmate at least 24 hours in advance of the hearing. The inmate may consent in writing to a hearing within less than 24 hours of the notification on the disciplinary hearing report.
- (d) An inmate may refuse a disciplinary hearing through a written waiver and not contest the charges or possible penalties. The disciplinary officer will accept the inmate waiver.
- (e) If the inmate was segregated as a means of control in pre-hearing segregation, the disciplinary officer will consider the initial segregation as time served applied to the total disciplinary segregation time imposed.
- (f) The disciplinary officer, upon completion of the hearing, will take the appropriate action:
 - a. Find the inmate guilty as charged and impose an appropriate disciplinary measure.
 - b. Find the inmate guilty as charged and suspend any disciplinary action.
 - c. Dismiss the charges when an inmate is found not guilty, lack of evidence, etc.
 - d. Institute disciplinary action, i.e., loss of commissary or loss of visiting.
 - e. Remove the disciplinary hearing report within 24 hours from all files, if the inmate is found not guilty of the alleged rule violation, after the disciplinary hearing.

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- (g) Discipline reports may be kept for statistical purposes, assuring the inmate's name is removed from the report if provided to outside researchers.
- (h) The disciplinary officer will file a final report of findings, facts and conclusions of rules violated. A copy of this report is to be given to the inmate. The disciplinary officer will explain to the inmate the violation charged and the disciplinary action imposed.
- (i) The disciplinary officer will enter a disposition, statement and punishment if any, on the disciplinary hearing report.
- (j) The original disciplinary hearing report is forwarded to the operations sergeant. A copy of the report is forwarded to the inmate. Classification and the housing unit where the inmate is housed also receive copies.
 - a. Additional copies may be generated as necessary for distribution to those service areas possibly impacted, i.e., court transportation, visiting, etc.

Good or Work Time Forfeiture:

When good time or work time is to be forfeited by an inmate as a disciplinary action, the shift supervisor will adjust the inmate's release date according to the number of good time or work time days to be deducted.

Inmate Appeal:

- (a) Three factors are considered by the administrative sergeant as part of the appeal process:
 - a. Was there substantial compliance with facility standards on inmate discipline?
 - b. Was the decision based on adequate evidence?
 - c. Was the sanction imposed proportionate to the offense?
- (b) Disciplinary actions against an inmate will not normally be stayed pending appeal. If the inmate prevails on appeal, the Facility Commander will take action that is reasonably necessary to eliminate the effect of the punishment imposed.
- (c) The inmate will be notified in writing within 10 calendar days of the results of the appeal and the right to appeal directly to the Adult Detention Division Commander for review of the previous appeal decision.

Disciplinary Separation Review:

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The Title 15 Compliance Officer may review the status of each inmate segregated for disciplinary purposes to ensure compliance with all California Code of Regulations Minimum Jail Standards Title 15. The Title 15 Compliance Officer may meet with the classification officer to determine if re-classification is justified.

- (a) If the Facility Commander obtains evidence or determine that an inmate is ready to conform to rules and the facility's discipline goals will be benefited, the Facility Commander may take the following action:
 - a. Dismiss, change, or reduce the previously imposed disciplinary action.
 - b. Restore forfeited good time or work time.

Administrative Review:

- (a) Accurate detailed reports of disciplinary actions will be maintained. A copy of all disciplinary hearing reports and dispositions are to be forwarded to the Facility Commander for administrative review and to assess possible training needs.
- (b) The Facility Commander will review all formal disciplinary hearings and dispositions by reading, reviewing and initialing all disciplinary reports and dispositions.

Disciplinary Sanctions for Inmates, PREA:

- (a) Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate on inmate sexual abuse or following a criminal finding of guilt for inmate on inmate sexual abuse.
- (b) Inmates who are found guilty of committing sexual assault will be punished to the highest degree in accordance with the Stanislaus County Sheriff's Department inmate discipline policy to and including criminal prosecution.
- (c) An inmate's mental disabilities or mental illness shall be considered when determining what type of discipline, if any, is to be imposed.
- (d) An inmate may be disciplined for sexual contact with staff only upon a finding that staff did not consent to such contact.
- (e) For the purpose of disciplinary action, a report of sexual abuse made in good faith and based upon a reasonable belief that the alleged conduct occurred, shall not constitute falsely reporting an incident or lying even if an investigation does not establish evidence sufficient to substantiate the allegation.

Suggested Sanctions for Prohibited Acts Codes (PAC):

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- (a) The suggested sanctions for loss of days are maximums; staff should refer to policy and use reasonableness in determining final dispositions.

		Days:	DI:
PAC 1	Major	30	10
PAC 2	Major	180	10
PAC 3(a)	Major	360	20
PAC 3(b)	Major	360	10
PAC 3(c)	Major	360	20
PAC 3(d)	Major	360	10
PAC 4	Major	30	10
PAC 5	Major	180	10
PAC 6	Major/Minor	30/10	10
PAC 7	Major	90	20
PAC 8	Major	30	10
PAC 9	Major	180	10
PAC 10	Major	180	20
PAC 11	Minor	5	5
PAC 12	Major	30	10
PAC 13	Major	30	10
PAC 14	Minor	10	5
PAC 15	Major	90	10
PAC 16	Major	30	10
PAC 17	Major	30	10
PAC 17(a)	Major	30	10
PAC 18	Major	30	10
PAC 19	Major	360	30
PAC 20	Minor	5	5
PAC 21	Major	90	10
PAC 22	Minor	10	5
PAC 23	Major	30	10
PAC 24	Major	30	10
		Days:	DI:
PAC 25	Minor	5	5
PAC 26	Major	30	10
PAC 27	Major	360	30
PAC 28	Major	90	10
PAC 29	Major	180	10
PAC 30	Major	90	10
PAC 31	Minor	10	5
PAC 32	Major	30	10
PAC 33	Major	30	10

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PAC 34	Major	30	10
PAC 35	Major	30	10
PAC 36	Major	180	10
PAC 37	Minor	5	5
PAC 38	Major	30	10
PAC 39	Major	180	10
PAC 40	Major	30	10
PAC 41	Major	360	20
PAC 42	Minor	10	5
PAC 43	Major/Minor	30/10	5
PAC 44	Major	30	10
PAC 45	Major	30	10
PAC 46	Major	30	10
PAC 47	Major	360	20
PAC 48	Major	90	10
PAC 49	Major	90	10
PAC 50	Major	90	10
PAC 51	Minor	20	5
PAC 52	Major	180	10
PAC 53	Major	180	10
PAC 54	Minor	5	5
PAC 55	Minor	10	5
PAC 56	Minor	5	5
PAC 57	Major/Minor	90/10	10
PAC 58	Major/Minor	30/10	10
PAC 59	Major	30	10
PAC 60	Major/Minor	30/5	5
PAC 61	Major/Minor	180	10
PAC 62	Minor	10	5
PAC 63	Major/ Minor	30	5
PAC 64	Minor	10	5
PAC 65	Minor	5	5
PAC 66	Major	30	10
PAC 67	Major	180	20
PAC 68	Major	180	20
PAC 69	Major	180	20

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SECTION: Hearing Officers Checklist	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1080, 1081, 1082, 1083, 1084 PC: 147, 673, 4019.5	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for the hearing officer's checklist, which is used in processing inmate disciplinary hearings.

POLICY

The hearing officer's checklist defines steps in the disciplinary process to ensure the inmate's constitutional rights are met regarding disciplinary sanctions.

- (a) The list is intended to help the hearing officer recognize and properly deal with any deficiencies in the disciplinary process.
- (b) The hearing officer must substantiate and be specific when making ruling decisions.
- (c) The hearing officer will document factual evidence in the hearing disposition and fully explain justification for the denial of any rights to the inmate.
- (d) The hearing officer's checklist is arranged in the order in which specific issues may arise during a hearing.

DEFINITIONS

PROCEDURE

Unbiased Hearing Officer:

- (a) The hearing officer must be impartial or not directly involved with the incident or otherwise biased for or against the inmate.
- (b) Decisions to disqualify the hearing officer should be made at the beginning of the hearing.
 - a. The hearing officer must disqualify themselves if:
 - i. The hearing officer has direct personal knowledge of the incident such as being a witness, victim, or otherwise being directly involved in the incident.
 - ii. Indirect knowledge, acquired unintentionally through casual conversation, does not necessarily require disqualification.
 - b. If the hearing officer is biased for or against the inmate for any reason.
- (c) The hearing officer should also consider disqualification if:

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- a. The officer has acquired so much indirect information about the incident that it will be difficult to make a decision based on the information presented at the hearing.
- b. If the inmate requests the hearing officer be disqualified for being biased; the hearing officer should respond to such allegations directly in the hearing record.
 - i. In some cases it may be legally wiser to step down. The appearance of fairness is important in maintain the inmate's constitutional rights.

Adequacy of Notice:

(a) Aspects of 24 hour notice:

- a. The inmate must receive the notice far enough in advance to have a reasonable opportunity to prepare for the hearing.
- b. The notice must be clear, allowing the inmate to understand what they are being charged with.
 - i. A clear description of the incident.
 - ii. The time and place of the incident.
 - iii. Names of witnesses, unless good cause exists to withhold this information.
 - iv. The specific rules which are alleged to have been violated.
 - v. Asking the inmate if they understand the nature of the proceedings and what they have been charged with.
 - vi. If the inmate indicates they don't understand the charges or otherwise objects to the clarity of the notice, or there is any question, the hearing officer should consider the following options:
 1. Continue the hearing to allow time for a clear charge to be issued to the inmate. The amended charge should be in writing. If any doubt or uncertainty exists about the clarity of the charge, the better practice is to continue the hearing.
 2. Proceed with the hearing if the hearing officer determines that a reasonable person reading the charge would be able to understand the nature of what the charge is beyond simply understanding what the specific offense number is, and there is no specific reason why the inmate might not have been able to understand the charge.

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- (b) If the notice was not served at least 24 hours in advance of the hearing, the hearing officer should take one of the following actions:
- a. Discontinue the hearing and give notice to the inmate.
 - b. Proceed with the hearing if the inmate voluntarily agrees to waive any claims regarding inadequate notice. Such waivers should be noted on the record.
- (c) The inmate may ask for a continuance even though the notice was served more than 24 hours in advance of the hearing. The request should be granted when the inmate is able to give reasonable justification for being unable to prepare in the time available. Justifications might include such things as:
- a. A complex factual situation.
 - b. The inmate was in segregation or the hospital and could not prepare.
 - c. There are key witnesses who are not available, but who would be available if the hearing were continued.
 - d. There are witnesses from outside the institution with relevant testimony to offer.
 - e. Other reasonable situations where the inmate was not able to prepare.

Service of Documents:

The inmate is entitled to have access to reports and other written documents used by the hearing officer in advance of the hearing.

- (a) If reports and other written documents used by the hearing officer are not given to the inmate prior to the hearing; give the inmate ample time to review these documents and respond to them during the hearing.

Inmate Witness:

Inmates have a right to call witnesses to testify at the hearing, unless doing so presents a safety issue or the proposed witness testimony is irrelevant, duplicative or unnecessary to an adequate presentation of the inmate's case.

- (a) Grounds for denial; if a witness which the inmate asks to testify in person is not allowed to testify in person, one or more of the following rulings should be documented in the hearing record:
- a. Physically calling the witness would compromise institutional safety. Consider use of a written statement from the witness or telephone testimony.

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- b. Testimony is irrelevant, the testimony doesn't pertain to question of guilt or innocence.
- c. Testimony is duplicative. Ensure that a second witness is not corroborating the testimony of the first witness, before making a denial.
- d. The inmate agrees to use a witness statement instead of a live witness.
- e. The hearing officer must clearly justify any denials in the hearing record.

Staff Advisors:

The inmate is entitled to the assistance of an advisor when the inmate is illiterate or the issues are so complex it is unlikely the inmate will be able to collect and present the evidence necessary for an adequate comprehension of the case.

- (a) The decision to appoint a staff advisor and the role that advisor should play is at the discretion of the hearing officer. Relevant factors regarding to the decision to appoint and the role of the advisor include:
 - a. Is the inmate literate?
 - b. What is the level of intelligence? Is the inmate considered to be developmentally disabled or otherwise impaired in any way?
 - c. How complex is the infraction or violation?
 - d. Does the inmate appear reasonably capable of preparing for the hearing and speaking for themselves in the hearing?
 - e. Was the inmate in pre-hearing segregation or some other tightly controlled housing which may have impeded the inmate's ability to prepare for the hearing?
- (b) If an advisor is appointed:
 - a. The advisor must have access to written material in advance of the hearing, which was considered by the hearing officer in the hearing.
 - b. The advisor must have an opportunity to privately discuss the case with the inmate before the hearing to allow the advisor enough time to assist the inmate in preparing for the hearing.
 - c. The hearing officer should document in the hearing record, that the advisor has had sufficient time to prepare for whatever level of assistance is appropriate under the circumstances of the case.

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- (c) If the hearing is postponed for examination of the inmate's mental status:
 - a. Appoint an advisor immediately and direct that they fully prepare a response to the charges on behalf of the inmate in the event the inmate is ultimately unable to prepare or present the case on their own.
- (d) If no request for an advisor is made, the hearing officer should consider whether one should be appointed, anyway.

Informant Information:

Since the inmate does not have the right to confront and cross-examine witnesses, it is permissible in extraordinary circumstances for the hearing officer to consider information from a witness whose identity is not disclosed to the charged inmate. In such cases, the hearing officer should determine that the informant is both generally reliable and that the information being offered is credible.

- (a) The hearing officer must determine both that the informant is reliable and that the specific information being offered is believable.

Hearing Officer's Decision:

A finding of guilty must include written reasons showing the facts which the hearing officer relied upon and the reasons for imposing whatever sanctions were selected.

- (a) If a finding of guilt is made, the decision should indicate what the hearing officer believes the facts were to establish guilt and the source of such belief.
 - a. The disposition must explain the reason for selecting a particular sanction.
 - b. The hearing officer should also consider the inmate's mental status as part of determining an appropriate sanction.

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SECTION: Inmate Grievances	REVISION DATE: 07/02/19
RELATED ORDERS: CCR MJS 15: 1073 PC: 11165.7 Evidence: 1035.4 Rodriguez v. Stanislaus County et. al.	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures which define the inmate grievance and appeal process.

POLICY

Inmates are provided with the opportunity to grieve conditions of confinement as a means of resolving problems.

- (a) The inmate grievance procedure, grievance rights and responsibilities, and the grievance process shall be clearly posted in housing areas or made available to all inmates upon request.
- (b) Inmates will use an Inmate Grievance and Appeals form when filing a grievance or an appeal.
- (c) Inmates shall exhaust all administrative grievance and appeal procedures before applying to the courts.
- (d) Records of all facility grievances and appeals shall be maintained within each facility.

Any inmate may file a grievances relating to any conditions of confinement. Conditions of confinement include, but are not limited to:

- (a) Staff Conduct
- (b) Medical Care
- (c) Classification Actions
- (d) Disciplinary Actions
- (e) Program Participation
- (f) Access to Telephones, Mail, and Visiting Procedures
- (g) Food, Clothing, and Bedding
- (h) Sexual Abuse and Sexual Harassment.

Inmate Grievance Rights:

- (a) The right to submit a formal Prison Rape Elimination Act (PREA) grievance regarding an allegation of sexual abuse or sexual harassment involving staff; to the facility operations sergeant of the facility in which the incident occurred.

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- (b) The right to submit a formal grievance to a staff member who is not the subject of the complaint regarding an allegation of sexual abuse involving staff. Such complaints shall not be forwarded to the alleged staff member.
- (c) The right to file an emergency grievance to the shift supervisor when the inmate is subject to a substantial risk of imminent sexual abuse or personal harm.
- (d) The right to have any grievance, not involving a sexual assault, resolved at the lowest appropriate staff level by the correct jurisdiction within the facility.
- (e) The right to grieve any administrative procedure.
- (f) The right to receive written acknowledgment of the grievance with documentation to substantiate a grievance as founded or unfounded; citing California Code of Regulations Minimum Jail Standards Title 15 or inmate rules, when applicable or relevant.
- (g) The right to seek judicial or administrative redress without fear of reprisals as a consequence.
- (h) The right to submit reasonable grievances without fear of reprisal or punitive segregation. Reasonable does not include excessive, frivolous or grievances submitted in bad faith.
- (i) The right to receive immediate response to valid emergency situations.
- (j) The right to appeal decisions to the Administrative Sergeant, Facility Commander, and Adult Detention Division Commander for review.
- (k) The right to receive written response to a filed appeal with documentation to substantiate an appeal as founded or unfounded; citing California Code of Regulations Minimum Jail Standards Title 15 or inmate rules, when applicable or relevant.

Time Restraints:

- (a) Failure by staff to adhere to the time limits defined in the grievance policy may cause the grievance to advance to the next level.
 - a. If time limits are not met by the inmate, the grievance will be considered resolved.
- (b) Time requirements for staff to respond to a grievance may be extended by forwarding a request to the administrative sergeant for review. Request for extensions will be considered on a case-by-case basis.

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(c) Time limits are the maximum time allowed. All grievances should be resolved or forwarded as quickly as possible. No grievance response should be delayed simply because time limits allow for such delays.

(d) Time limits are as follows:

- a. An inmate shall have 14 calendar days from the date of an incident to generate a grievance and file it with staff.
 - i. Grievances pertaining to sexual misconduct or sexual harassment will have no time limits and can be filed at any time.
- b. Department members have 7 calendar days to respond to an inmate grievance.
- c. An inmate shall have 5 calendar days to appeal the result of the grievance; for administrative review to the next level in the chain of command.
- d. The Administrative Sergeant, Facility Commander, and Adult Detention Division Commander will have 10 business days to respond to an appeal.

Inmates do not have the right to abuse the grievance system by filing excessive or frivolous grievances without merit or evidence to substantiate their claims. Such actions may result in disciplinary action being taken against the inmate. A grievance may be denied without addressing the substantive issues for any of the following reasons:

(a) The disciplinary officer must demonstrate the following:

- a. The grievance was submitted in bad faith.
- b. The grievance contains profanity, insults or racial slurs, unless included as an alleged direct quote of another party.
- c. The grievance contains a threat of serious bodily injury to a specific individual.
- d. The grievance is considered to be frivolous, malicious, or harassing.

Special Inmate Grievance Rights Pursuant to Rodriguez v. Stanislaus County et. al. stipulated judgment:

Whenever any inmate has information that they believe will disclose a violation of judgment under Rodriguez v. Stanislaus County et. al:

- (a) He or she may write a grievance to the Facility Commander who shall cause an investigation thereof to be made as soon as reasonably practical but, in any event, within 5 days following the receipt of such written statement.

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- (b) As an alternative, an attorney for the inmate may initiate this administrative process.
- (c) No judicial remedy may be sought until the expiration of 20 days from the filing of a grievance with a facility employee unless the inmate has received a final administrative decision prior to the expiration of twenty days.
- (d) The topics included in the Rodriguez v. Stanislaus County et al Federal stipulated judgment are:
 - a. Population Caps
 - b. Law Library Privileges
 - c. Medical, Dental, Psychiatric, and Psychological Care
 - d. Food and Clothing
 - e. Probable Cause Hearings
 - f. Racial and Ethnic Segregation of Inmates
 - g. Safety Cell Utilization.

DEFINITIONS

- (1) Grievance: a complaint by an inmate involving any condition of confinement.
- (2) Emergency Grievance: an emergency is a condition in which, if processed through the normal grievance timeframes, would subject the inmate to substantial risk of personal injury, sexual abuse, or cause other serious and irreparable harm.
- (3) PREA Grievance: Grievance regarding an allegation of sexual abuse or sexual harassment involving staff.
- (4) Appeal: the process whereby an inmate requests administrative review in regards to the outcome of a filed grievance.

PROCEDURE

Inmate Responsibilities:

Inmates have the right to file a complaint regarding a specific procedure, situational outcome, or staff action. This appeal or complaint process is known as a grievance.

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- (a) It is the inmates responsibility to file the grievance if they believe corrective action or a decision reversal is warranted. The issue shall be reported on an Inmate Grievance and Appeals form.
- (b) A grievance shall be made in writing addressed to the specific staff member having authority regarding the specific issue.
- (c) Grievances are addressed at the lowest level in the chain of command unless unique circumstances exist.

Staff Responsibilities:

- (a) Staff will attempt to settle all written grievances immediately and informally at the lowest level possible.
- (b) If necessary, staff will supply a grievance form and sufficient materials to an inmate desiring to submit a formal grievance.
- (c) Staff will attempt to resolve the grievance and respond in writing during the shift in which the grievance occurred.
 - a. The written response is to be completed on the grievance form and on additional paper in memo format, if necessary.
- (d) The staff response should explain why a decision was made or why a specific course of action was taken.
- (e) A staff member who cannot resolve a grievance will forward the grievance to the appropriate supervisor in the chain of command for resolution.
 - a. The date and time, and the supervisor the grievance was forwarded to shall be noted on the grievance form.
- (f) Staff will ensure the inmate receives a copy of the grievance form indicating the response or the forwarding actions taken.

Shift Supervisor Responsibilities:

- (a) The supervisor will attempt to settle the grievance by issuing a written response to the inmate which explains why a decision was made or a specific course of action was taken.
- (b) The grievance may be forwarded to the Facility Commander if the supervisor is unable to resolve the issue.

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- a. The date and time the grievance was forwarded shall be noted on the form.
- (c) If necessary, the shift supervisor shall issue a written response to the inmate which explains why a decision could not be made at the supervisory level. The response should also note to whom the grievance is being forwarded to and include the time and date of referral.
- (d) The Facility Commander shall maintain all grievance records for the facility. Filed inmate grievances and grievance responses shall be stored in accordance with current facility practice.

Appeal Process:

- (a) Should an inmate be dissatisfied with a grievance response; the inmate may continue to appeal the grievance through the chain of command starting with the operations sergeant or administrative sergeant, followed by the Facility Commander, and lastly the Adult Detention Division Commander. The Adult Detention Division Commander shall have the final resolution decision regarding the appeal process.
 - a. The Facility Commander will review all facility grievances and staff responses.
 - b. If necessary, the Facility Commander may reverse the decision issued to the inmate.
 - c. The Administrative Sergeant, Operations Sergeant, Facility Commander, and Adult Detention Division Commander have 10 business days to respond to an appeal.
 - d. An additional administrative appeal review may be requested of the Adult Detention Division Commander if the situation persists and the inmate believes such perceived deficiencies will continue if not addressed.
 - i. The Adult Detention Division Commander has the authority to make the final decision regarding any administrative appeal review.

Excessive or Frivolous Grievances:

- (a) Every system will encounter inmates who attempt to paralyze administration with excessive or frivolous grievances. Staff will not ignore these grievances because of inconvenience or the time required to correctly process the grievance.
- (b) Grievances that touch on the health and safety of individuals must always be reviewed and addressed.
- (c) Pursuant to California Code of Regulations Minimum Jail Standards Title 15 Section 1073 (b), a regulation may be placed on frivolous grievance submittals, while being sensitive to potentially valid complaints from all sources.

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- a. It is important to document the reasons that a grievance has been considered frivolous.
- b. A disciplinary officer must demonstrate that the grievance was filed in bad faith.

PREA Grievances:

A PREA grievance may be submitted on an inmate request form as either a standard grievance or an emergency grievance.

Standard Administrative PREA Grievance:

- (a) An inmate may submit a formal PREA Grievance to the Administrative Sergeant, of the facility in which the incident occurred, at any time. The grievance will be forwarded to the PREA Coordinator.
 - a. Anyone may assist an inmate in filing a request or may file a request in the inmate's behalf regarding administrative remedies.
 - b. If a third party files such request; the alleged victim shall be informed by the PREA Coordinator that a grievance has been submitted on their behalf and it will be processed under the PREA Grievance procedure. The PREA Coordinator will document any instance of the alleged victim declining to have the request processed.
 - c. Inmates may submit a formal PREA Grievance to a staff member who is not the subject of the complaint. The complaint will not be forwarded to the staff member who is the subject of the complaint.
 - d. Department members will make every effort to respond to the inmate in regards to a final agency decision of criminal prosecution, internal investigation or termination of investigation within 90 days for a grievance alleging sexual abuse. The 90 day period is calculated from the initial filing date of the grievance, excluding time consumed by the inmate in preparing an administrative appeal.
 - e. An extension of 70 days may be claimed if the normal time period for response is insufficient to make an appropriate decision. The inmate is to be notified in writing of any extension and will be provided with a date by which a decision is to be made.

Emergency Administrative PREA Grievance:

- (a) An inmate may submit an emergency PREA Grievance to the shift supervisor when the inmate is subject to a substantial risk of imminent sexual abuse.

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- a. Upon receiving an emergency PREA Grievance; the classification officer or shift supervisor shall review the grievance and determine if there are any safety concerns warranting an immediate change of housing.
- b. The grievance is forwarded to the PREA Coordinator and reviewed for any required corrective action. An initial response shall be provided to the inmate within 48 hours and a decision made within 5 calendar days.
- c. The grievance may be processed as normal if it is determined to not be an emergency. The PREA Coordinator shall provide the inmate with a written explanation of why the grievance does not qualify as an emergency.
 - i. An inmate may be disciplined for intentionally filing a frivolous grievance only when the disciplinary officer can demonstrate that the grievance was filed in bad faith.

Internal and External Reporting Entities:

- (a) Inmates may report abuse, retaliation, or harassment by contacting the following entities:
 - a. Stanislaus County Sheriff's Department Internal Affairs Unit
 - b. Stanislaus County Sheriff's Department PREA Coordinator
 - c. Rape Crisis Center
 - d. California Attorney General's Public Inquiry Unit
- (b) Employees shall accept reports made verbally, in writing, or anonymously and from third parties. In addition, information which indicates an inmate is being or has been sexually assaulted shall be documented and reported immediately to the appropriate supervisor.
 - a. Apart from reporting to designated supervisors or officials; for the purpose of treatment, investigation and other security and management decisions, employees shall not reveal any information related to a sexual abuse report to anyone other than those who need to know.
 - b. Department members are encouraged to follow the chain of command when reporting sexual abuse of inmates.
 - i. Employees not comfortable with reporting violations of this policy to their immediate supervisor may bypass the chain of command and report the allegation to any supervisor or manager.

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- ii. The chain of command may be bypassed if the allegation is against an immediate supervisor or manager.
- (c) If an inmate reports being sexually abused at another agency facility; the Bureau of Administrative Services Commander shall notify the head of that agency in writing as soon as possible, but no later than 72 hours after receiving the allegation.
- (d) When staff receives an allegation of a sexual assault; the inmate shall be notified that department members are mandated reporters pursuant Penal Code Section 11165.7 and a report must be filed with the Stanislaus County Sheriff's Department.
- (e) Sexual Assault Victim Counselor Privilege: confidential communication as defined in Evidence Code Section 1035.4 and any information disclosed to a victim advocate will remain confidential unless the court compels disclosure.
- (f) The inmate may be subject to discipline and criminal action if it is determined that the inmate's allegations are false.

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SECTION: Inmate Orientation & Rules	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1069	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for the development and distribution of inmate orientation and rules material. The implementation and publication of an inmate orientation program, which is reasonably understandable, is designed to orientate newly received inmates at the time of placement into the general jail population.

POLICY

The goals of the Stanislaus County Sheriff's Department are to provide a safe and secure environment, which promotes positive inmate behavior by utilizing the direct-supervision model of detention facility management.

- (a) The goals of the adult detention division shall be realized through fair, impartial, and humane treatment of all individuals incarcerated in Stanislaus County adult detention facilities.

Inmate orientation and rules information shall be clearly posted in each facility for consistency purposes and to assist inmates in understanding expectations.

- (a) Each facility shall be responsible to ensure an inmate rulebook and orientation information is available and current in each housing area.
 - a. This may also be achieved by airing a video daily at scheduled intervals throughout the facility.

DEFINITIONS

PROCEDURE

Each facility commander shall ensure the inmate orientation and rules information is current and updated as necessary.

- (a) Review and development of this information shall be completed on an annual basis.
 - a. Supervisors, facility training officers, and facility staff shall participate in reviewing and developing facility orientation and rules information.
- (b) The publication of this information shall minimally include the following:
 - a. Rules regarding correspondence, visiting, and telephone usage
 - b. Inmate rules and disciplinary procedures
 - c. Inmate grievance procedures

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- d. The availability of inmate programs and methods of application
- e. Medical, dental, and mental health services and procedures
- f. Classification information regarding housing assignments
- g. The location of scheduled court appearances
- h. The availability of personal care items and opportunities for personal hygiene
- i. The availability of reading and recreational materials
- j. Voting and registration information
- k. Zero tolerance policy against sexual abuse and sexual harassment

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RELATED ORDERS: PREA 2003: 42 USC 15601 28 CFR 115 EVI: 1035.4 GOV: 6254 (f) PC: 148.5, 264.2, 286(e), 288a(e), 289.6, 293(a), 293.5, 314, 647, 679.04, 4021 (b), 11165.7, 13516	ADMINISTRATIVELY APPROVED ANNUALLY	

PURPOSE AND SCOPE

This policy establishes procedures for maintaining a program of education, prevention and detection to protect individuals from inmate on inmate sexual assault, sexual abuse, sexual misconduct, and sexual harassment by any department member, independent contractor, volunteer or other inmate.

Procedures to investigate and punish perpetrators as well as victim treatment and support processes are also defined in this policy. A further purpose of this policy is to ensure compliance with Public Law 108-79, the Prison Rape Elimination Act (PREA) and to establish regulations for data collection.

POLICY

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

All in custody victims of sexual abuse are provided treatment at no cost to them and offered tests for sexually transmitted infections and diseases as deemed medically appropriate.

The Stanislaus County Sheriff's Department maintains a zero-tolerance policy regarding inmate on inmate sexual assault, sexual abuse, sexual misconduct, and sexual harassment by any department member, independent contractor, volunteer or other inmate.

- (a) Department members will take immediate action to protect inmates who are reasonably believed to be subject to a substantial risk of imminent sexual abuse.
- (b) Department members shall thoroughly investigate any allegation of sexual abuse. When warranted by evidence; department members will impose relative sanctions up to and including criminal prosecution.
- (c) Retaliatory measures against employees or inmates who report incidents of sexual abuse shall not be tolerated and will result in disciplinary action and or criminal prosecution.
 - a. Retaliatory measures include but are not limited to: coercion, threats of punishment or any other activities intended to discourage or prevent a department member or inmate from reporting sexual abuse.
- (d) Department members of the opposite gender shall announce their presence when entering an inmate housing unit or tier.
 - a. When a male staff member enters into any female housing unit they are required to announce their presence to the female inmates.

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- b. When a female staff member enters into any male housing unit they are required to announce their presence to the male inmates.
- c. This type of announcement is only required when an opposite-gender staff member enters a housing unit where there is not already another cross-gender staff member present; meaning that if a female staff member enters into a male unit where there is already a female staff member present no announcement is required as the inmates are already aware of a female presence; and vice versa for male staff members.
- (e) Inmates shall have the ability to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia except in exigent circumstances or when such viewing is incidental during a routine cell check or security check.

The PREA Coordinator shall prepare an annual report which includes a comparison of the current year's data and corrective actions as well as those from previous years. The PREA Coordinator shall also provide an annual assessment describing the progress made in addressing sexual abuse and harassment in the Stanislaus County Sheriff's Department detention facilities.

Prevention Planning:

- (a) The Stanislaus County Sheriff's Department conducts criminal background checks during the hiring and recruitment processes and before enlisting the services of any contractor. Employment disqualification factors are as follows:
 - a. The individual has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, or other institution.
 - b. The individual has been convicted of engaging or attempting to engage in sexual activity in the community aided by force, overt or implied threats of force, coercion, or if the victim did not consent or was unable to consent or refuse; or
 - c. The individual has been civilly or administratively adjudicated to have engaged in sexual activity as described above.
- (b) The PREA Coordinator shall have authority to develop and oversee the department's efforts to comply with the PREA standards in all adult detention facilities.
- (c) Each detention facility shall have a designated PREA Compliance Manager to oversee that specific facility's compliance with PREA standards.
- (d) Upon contracting for the confinement of inmates with private agencies or other entities, the Stanislaus County Sheriff's Department shall reach an agreement to include PREA standards and

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obligatory compliance with established standards. Such agencies or entities will be monitored to ensure compliance with standards.

- (e) The Sheriff's Department in conjunction with the Stanislaus County Human Resources Department shall develop staffing plans which include approved and allocated staffing positions. Facility commanders and the Bureau of Administrative Services Unit shall make every effort to comply with staffing allocations and staff each facility considering generally accepted best practices for detention and correctional facilities.
 - a. Video monitoring shall not be a substitute for staff supervision.
 - b. The Facility Commander shall consider generally accepted best practices and seek the approval of authorities having jurisdiction when determining the need for video monitoring.
 - c. Non-compliance with the approved and allocated staffing plan shall be documented to include justification for all deviations from the plan. The PREA Coordinator may be asked to assess and comment regarding any adjustments to the plan.
- (f) Shift supervisors shall conduct unannounced rounds on all shifts to identify and deter staff from sexual abuse and sexual harassment on inmates.
 - a. Alerting staff members that supervisory rounds are occurring is prohibited unless such announcements are related to a legitimate operational function of the facility.
- (g) Protecting inmates from sexual abuse shall be considered when designing, acquiring, expanding, or modifying any adult detention facility.

Initial Notifications for PREA Incidents:

- (a) When a PREA incident occurs in any detention facility the shift supervisor shall contact the Classification Unit. The Classification Unit will ensure proper re-housing assignments are made to separate the alleged abuser and victim.
 - a. The shift supervisor shall also notify the PREA Deputy regarding the incident.
 - i. If the PREA Deputy is unavailable; the shift supervisor shall notify the BAS Sergeant regarding the incident.
 - ii. If both the PREA Deputy and BAS Sergeant are unavailable; the shift supervisor shall notify the PREA Coordinator regarding the incident.

Sexual Activity between Inmates and Employees:

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- (a) There is no consensual sex between employees and inmates pursuant to Penal Code Section 289.6. Any such sexual activity is prohibited by the Stanislaus County Sheriff's Department. All such allegations shall be investigated.
- (b) Retaliation against inmates or staff who report or cooperate with an investigation of sexual abuse or sexual harassment is prohibited.
 - a. The Facility Commander shall ensure that the conduct and treatment of these individuals is monitored for signs of retaliation. The Facility Commander shall act promptly to remedy any such incident of retaliation.
 - i. Monitoring for at least 90 days following their report or cooperation with an investigation.
 - ii. Monitoring beyond 90 days will occur if indications show there is a continuing need.
 - iii. Monitoring will terminate if the allegation is unfounded.
- (c) All cases involving sexual abuse, sexual misconduct, and/or sexual harassment will be referred to the Sheriff's Internal Affairs Unit. All referrals shall be documented and if appropriate forwarded to the District Attorney's Office for prosecution.

Disciplinary Sanctions for Employees:

- (a) Department members shall be subject to disciplinary sanctions up to and including termination or possible criminal prosecution for violating any part of this policy.
- (b) All cases involving violations of this policy shall be investigated in accordance with established department investigative procedures.

Corrective Actions for Contractors and Volunteers:

- (a) Any contractor or volunteer who engages in sexual abuse shall be reported to the patrol watch commander and Sheriff's Crimes Against Persons Unit, unless the incident was clearly not criminal.
 - a. The Facility Commander shall take necessary and appropriate measures when addressing any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

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- (1) Sexual Abuse: includes any of the following acts if the victim does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:
- a. Contact between the penis and the vulva or the penis and the anus including penetration however slight.
 - b. Contact between the mouth and the penis, vulva or anus.
 - c. Penetration of the anal or genital opening of another person, however slight, by any part of the body of one person or of any object, substance, instrument or device into the sex organ, mouth or anus of another person.
 - d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of any person excluding incidents in which the intent of the sexual contact is solely to harm or debilitate rather than to sexually exploit.
- (2) Sexual Abuse by a Staff Member, Contractor, or Volunteer: includes any of the following acts with or without consent:
- a. Contact between the penis and the vulva or the penis and the anus including penetration however slight.
 - b. Contact between the mouth and the penis, vulva or anus.
 - c. Contact between the mouth and any body part, with the intent to abuse, arouse or gratify sexual desire.
 - d. Penetration of the anal or genital opening, however slight, by any part of the body or of any object, substance, instrument or device that is unrelated to any official duty or with the intent to abuse, arouse or gratify sexual desire.
 - e. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of any person that is unrelated to an official duty or with the intent to abuse, arouse or gratify sexual desire.
 - f. Any attempted, threatened or requested sexual touching by a staff member, contractor or volunteer.
- (3) Sexual Harassment: repeated and unwelcome sexual advances, requests for sexual favors or verbal comments, gestures or actions of a derogatory or offensive sexual nature by one inmate directed toward another; and repeated verbal comments or gestures of a sexual nature to an

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inmate by a staff member, contractor, or volunteer including demeaning references to gender, sexually suggestive or derogatory comments about one's body or clothing, or obscene language or gestures.

- (4) Sexual Misconduct: as it relates to inmates; includes acts of indecent exposure, sexual disorderly conduct and exhibitionist masturbation. Any inmate who willfully and lewdly exposes their private parts or who touches, without exposing their genitals, buttocks or breasts in a manner that demonstrates it is for the purpose of sexual arousal, gratification, annoyance or offense will be subject to discipline and or criminal prosecution.
 - a. As it relates to employees; any sexual behavior by a departmental member directed toward an inmate, pursuant to Section 289.6 PC. The legal concept of consent does not exist between employees and inmates; any sexual behavior between them constitutes sexual misconduct and shall subject the employee to disciplinary action and or to prosecution under the law. Sexual misconduct also includes, but is not limited to, conversations or correspondence that suggests a romantic relationship.
- (5) Indecent Exposure: means the display of one's uncovered genitalia, buttocks or breast in the presence of an inmate.
- (6) Victim Advocate: an individual typically employed by a Rape Crisis Center whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate demonstrating completion of a training program in the counseling of sexual assault victims which is issued by an approved counseling center.
- (7) Victim Support Person: means any person of the alleged victim's choosing including a personal friend, chaplain or family member.
- (8) Voyeurism: means an invasion of an one's privacy for reasons unrelated to official duties such as: peering at an inmate who is showering, undressing or using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions for personal viewing, distributing or publishing.

PROCEDURE

Sexual Disorderly Conduct by Inmates:

- (a) Acts of indecent exposure, sexual disorderly conduct, sexually hostile acts and exhibitionist masturbation will not be tolerated. Any inmate who engages in these behaviors shall be disciplined in accordance with established disciplinary policy.

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- a. Staff witnessing such behavior shall report it to their immediate supervisor and complete an incident report.
 - b. The shift supervisor shall determine whether or not the incident warrants rebooking on additional charges.
 - c. The PREA Coordinator shall be notified regarding any incident of this type.
 - d. If the behaviors are considered to be unusual and bizarre; staff shall refer the inmate to mental health for evaluation.
- (b) If an inmate's continued behavior requires additional security precautions the following steps should be considered:
- a. Transfer to an alternate housing unit at the discretion of the classification officer or shift supervisor.
 - b. Posting notifications to alert staff regarding the inmate's propensity to engage in indecent exposure or sexual disorderly conduct.

Employee Training:

All employees, volunteers, and contractors who may have contact with inmates shall be trained on the Sheriff's Department's Zero Tolerance Policy for sexual abuse and sexual harassment. This training is to occur during new employee orientation, the Correctional Core Academy, and Supplemental Core Academy training. Refresher training, occurring no less than every two years, is to be conducted during annual in-service training. The training shall include instruction in the following areas:

- (a) The prevention, detection, and response to incidents of sexual abuse and sexual harassment.
- (b) Investigating of inmate sexual abuse and sexual harassment.
- (c) Review of cross-gender viewing and searching policy.
- (d) In years which no refresher training is conducted; employees will be provided with refresher information on current sexual abuse and sexual harassment policies.
- (e) The PREA Coordinator will receive specialized training in conducting investigations in confinement settings.
- (f) The PREA Coordinator shall conduct orientation training at regular intervals to ensure volunteers and contractors have completed this training requirement.

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- a. Minimally, all volunteers and contractors shall read and sign the PREA General Guidelines before facility access is granted.

Cross Gender Searches:

- (a) All cross gender pat-down, strip and visual body cavity searches shall be documented in accordance with department policy.
- (b) Cross gender strip searches or cross gender visual body cavity searches shall not be conducted except in exigent circumstances or when performed by medical practitioners.
- (c) Absent exigent circumstances; cross gender pat-down searches shall not be conducted except in the company of a staff member of the same sex as the person being searched, pursuant to Penal Code Section 4021(b).
 - a. Female inmates shall not be restricted access to regularly available programming or other out of cell opportunities in order to comply with this provision.
 - b. Transgender or intersex inmates shall not be searched or physically examined for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown;
 - i. Interview the inmate to determine their gender.
 - ii. Medical practitioner can review medical records.
 - iii. Medical examination conducted by a medical practitioner.
- (d) Department members shall be trained to conduct cross gender pat-down searches and searches of transgender and intersex inmates. These types of searches are to be conducted in a professional and respectful manner and in the least intrusive manner possible.
 - i. An inmate may choose to be searched by a male or female deputy when the inmate identifies as transgender or intersex. The inmate's preference shall be recorded on the PREA Initial Assessment form and kept on file.
 - 1. Any deviation from the inmate's gender search preference shall be documented in an incident report.
 - ii. If custodial personnel have reasons to doubt, which can be clearly articulated, the inmate's identification as transgender or intersex; custodial personnel will defer to the shift supervisor for final determination.

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- iii. When the shift supervisor overrides the inmate's gender search preference, the shift supervisor shall clearly articulate the decision and reasons in an incident report.

Reporting and Grievances:

Department members shall not rely on inmate interpreters, inmate readers or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an interpreter could compromise the inmate's safety or the investigation of the inmate's allegation.

Inmates may privately report:

- (a) Sexual abuse, sexual misconduct and sexual harassment.
- (b) Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment.
- (c) Staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment.
- (d) Standard Administrative PREA Grievance:
 - a. An inmate may submit a formal PREA Grievance to the facility operations supervisor, of the facility in which the incident occurred, at any time. The grievance will be forwarded to the PREA Coordinator.
 - i. Anyone may assist an inmate in filing a request or may file a request in the inmate's behalf regarding administrative remedies.
 - ii. If a third party files such request; the alleged victim shall be informed by the PREA Coordinator that a grievance has been submitted on their behalf and it will be processed under the PREA Grievance procedure. The PREA Coordinator will document any instance of the alleged victim declining to have the request processed.
 - iii. Inmates may submit a formal PREA Grievance to a staff member who is not the subject of the complaint. The complaint will not be forwarded to the staff member who is the subject of the complaint.
 - iv. Department members will make every effort to respond to the inmate in regards to a final agency decision of criminal prosecution, internal investigation or termination of investigation within 90 days for a grievance alleging sexual abuse. The 90 day period is calculated from the initial filing date of the grievance, excluding time consumed by the inmate in preparing an administrative appeal.

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- v. An extension of 70 days may be claimed if the normal time period for response is insufficient to make an appropriate decision. The inmate is to be notified in writing of any extension and will be provided with a date by which a decision is to be made.

(e) Emergency Administrative PREA Grievance:

- a. An inmate may submit an emergency PREA Grievance to the shift supervisor when the inmate is subject to a substantial risk of imminent sexual abuse.
 - i. Upon receiving an emergency PREA Grievance; the classification officer or shift supervisor shall review the grievance and determine if there are any safety concerns warranting an immediate change of housing.
 - ii. The grievance is forwarded to the PREA Coordinator and reviewed for any required corrective action. An initial response shall be provided to the inmate within 48 hours and a decision made within 5 calendar days.
 - iii. The grievance may be processed as normal if it is determined to not be an emergency. The PREA Coordinator shall provide the inmate with a written explanation of why the grievance does not qualify as an emergency.
 - 1. An inmate may be disciplined for intentionally filing a frivolous grievance only when the disciplinary officer can demonstrate that the grievance was filed in bad faith.

(f) Internal and External Reporting Entities:

- a. Inmates may report abuse, retaliation, or harassment by contacting the following entities:
 - i. Stanislaus County Sheriff's Department Internal Affairs Unit
 - ii. Stanislaus County Sheriff's Department PREA Coordinator
 - iii. Rape Crisis Center
 - iv. California Attorney General's Public Inquiry Unit

- (g) Employees shall accept reports made verbally, in writing, or anonymously and from third parties. In addition, information which indicates an inmate is being or has been sexually assaulted shall be documented and reported immediately to the appropriate supervisor.

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- a. Apart from reporting to designated supervisors or officials; for the purpose of treatment, investigation and other security and management decisions, employees shall not reveal any information related to a sexual abuse report to anyone other than those who need to know.
- b. Department members are encouraged to follow the chain of command when reporting sexual abuse of inmates.
 - i. Employees not comfortable with reporting violations of this policy to their immediate supervisor may bypass the chain of command and report the allegation to any supervisor or manager.
 - ii. The chain of command may be bypassed if the allegation is against an immediate supervisor or manager.
- (h) If an inmate reports being sexually abused at another agency facility; the Bureau of Administrative Services Commander shall notify the head of that agency in writing as soon as possible, but no later than 72 hours after receiving the allegation.
- (i) When staff receives an allegation of a sexual assault; the inmate shall be notified that department members are mandated reporters pursuant Penal Code Section 11165.7 and a report must be filed with the Stanislaus County Sheriff's Department.
- (j) Sexual Assault Victim Counselor Privilege: confidential communication as defined in Evidence Code Section 1035.4 and any information disclosed to a victim advocate will remain confidential unless the court compels disclosure.
- (k) The inmate may be subject to discipline and criminal action if it is determined that the inmate's allegations are false.

Victim Advocates and Support Persons:

- (a) Victims of sexual assault have the right to a victim advocate or support person being present for both the medical examination and the investigation interview. The medical provider shall notify the victim in writing or verbally of this right. Victims can invoke this right for the crimes listed below:
 - a. 261 PC, Rape
 - b. 261.5 PC, Unlawful Sexual Intercourse with Person Under 18
 - c. 262 PC, Rape of Spouse

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- d. 286 PC, Sodomy
 - e. 288a PC, Oral Copulation
 - f. 289 PC, Forcible Acts of Sexual Penetration
- (b) In most cases, the victim advocate will be from a Rape Crisis Center.
- (c) The victim support person may be excluded from the examination if the shift supervisor or medical provider determines that the presence of the victim support person would be detrimental to the purpose of the examination or poses a threat to the safety and security of the facility or the hospital.
- a. The shift supervisor or medical provider who excluded the victim support person shall document the reason for exclusion in an incident report.
- (d) Victims have the right to have a victim advocate and victim support person of their choosing present at interview conducted by law enforcement, the district attorney, or defense attorneys. Prior to the interview; the victim must be notified verbally or in writing of this right by the investigator or the district attorney.
- a. If the investigator or district attorney determines that the presence of the victim support person would be detrimental to the interview, the victim support person may be excluded from the interview.
 - i. If a victim support person is excluded, the investigator or district attorney who made the decision shall document the reason in the case file.
 - b. An initial investigation by law enforcement to determine whether a crime has been committed and the identity of the suspect shall not constitute a law enforcement interview for purpose of this section.

Initial Response to Sexual Assault or Abuse:

Department members will maintain a professional and non-judgmental attitude when interacting with an alleged victim of sexual assault or abuse. Members shall display sensitivity to the potential emotional impact of the situation. Incident specific information shall be treated as confidential pursuant to Section 6254(f) of the California Government Code. Any disclosure of information shall only be made to the district attorney, law enforcement investigators and medical staff who have a need to know for the purpose of treatment, the investigation, and other security and management decisions as permitted or required by law.

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- (a) Upon learning that an inmate on inmate sexual assault occurred, within 72 hours . a time period that still allows for the collection of physical evidence, department members will:
- a. Separate the alleged victim and abuser.
 - b. Secure and preserve any crime scene.
 - c. Request the victim not to take any actions which could destroy physical evidence:
 - i. Showering or washing.
 - ii. Brushing teeth.
 - iii. Changing or removing clothes.
 - iv. Using the restroom facilities.
 - v. Drinking or eating.
- (b) Determine the identity of the suspect and any possible witnesses. Acquire a brief description of the abuse, harassment or incident. Do not conduct an in-depth interview with the victim.
- (c) Do not attempt to interrogate the alleged suspect unless circumstances make it unavoidable. In addition, ensure the suspect does not take any actions that could destroy physical evidence:
- a. Showering or washing.
 - b. Brushing teeth.
 - c. Changing or removing clothes.
 - d. Using the restroom facilities.
 - e. Drinking or eating.
 - i. If a volunteer or contractor is the first person notified; the volunteer or contractor shall follow all of the procedures listed above to ensure the preservation of evidence and the integrity of any investigation.
 - ii. A volunteer or contractor faced with these circumstances should notify correctional staff immediately or as soon as practical.

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- iii. The shift supervisor shall contact dispatch and request a patrol deputy responds to the facility if the incident is criminal in nature or the victim wishes to press charges.
- iv. The shift supervisor shall also notify the Classification Unit and the PREA Coordinator regarding the incident, as soon as practical, to ensure an investigation is conducted.

Victim Identity, Matter of Public Record:

Pursuant to 293(a) PC; the shift supervisor shall ensure the victim is informed regarding their name becoming a matter of public record, unless the victim requests that it not become public record. If the victim requests to be listed as a confidential victim; the Victim Confidentiality Form is to be completed by the shift supervisor and given to the responding officer or detective.

- (a) This advisement and the victim's response shall be documented in the incident report.
- (b) Pursuant to 293(a) PC; if the victim chooses to remain confidential any written report regarding the offense must indicate that the victim requested confidentiality of their name.
 - a. The victim's name and address may only be released to specified persons as authorized by law.

Coordinated Response:

- (a) Jail medical staff shall assess and stabilize the victim preparing them for transport to a medical facility with SAFE(s) or SANE(s) personnel. These personnel are trained conduct sexual assault examinations. The medical facility shall be notified that the inmate is a victim of a sexual assault.
- (b) If a life threatening condition exists, request emergency transportation. It is critical to inform the dispatcher that the injured inmate is the victim of sexual assault when requesting the ambulance.
 - a. Medical staff shall be aware of the importance of maintaining any physical evidence which may be on the victim's person or clothing.
 - b. Testing for pregnancy, sexually transmitted infections or diseases, HIV and follow up care will be offered as appropriate by medical personnel.
- (c) The inmate shall be assigned a custody escort or the department's PREA Coordinator who shall remain with the victim throughout the entire process.
 - a. Gender preference should be considered when assigning a custody escort to the victim. The custody escort will ensure effective communication occurs for the victim.

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- b. The escort shall not be present in the examination room during the sexual assault examination, unless requested by the victim or hospital staff or ordered by the shift supervisor or detectives.
- (d) A Victim Sexual Assault Advocate shall be requested from a Rape Crisis Center at the time the victim is sent to the hospital. Communication between the shift supervisor, PREA Coordinator and the responding peace officer or detective shall determine who will be responsible to contact the Rape Crisis Center.
- (e) The victim has the right to refuse to a sexual assault exam. If the victim refuses, the information shall be documented in the incident report.
- (f) The provision of safe housing options and medical care shall not be contingent upon the victim's willingness to press charges.

Suspect Processing:

- (a) Staff shall make every attempt to ensure there is no physical, verbal or visual contact between the victim and suspect. Correctional staff shall not interrogate the alleged suspect unless circumstances make it unavoidable.
- (b) The responding peace officer or investigating detective will interview the suspect to obtain their statement.
- (c) The suspect will be transported, at the discretion of the responding peace officer or investigating detective, to a medical facility with SAFE(s) or SANE(s) personnel. These personnel are trained conduct sexual assault examinations.
- (d) Medical and mental health staff shall be notified at the completion of the sexual assault examination and when the suspect is returning to the facility. In addition, a staff referral shall be made for the inmate for further mental health evaluation and counseling.
- (e) The classification officer will transfer the suspect to administrative segregation. The alleged suspect shall be held in segregation pending investigation.
- (f) The Crimes Against Persons Unit will be responsible for all phases of the investigation if the allegations are against an employee, contractor or volunteer.
 - a. Immediate efforts shall be made to eliminate contact between the victim and the staff member.
 - b. The Adult Detention Division Commander shall determine if;

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- i. The employee should be placed on administrative leave during the course of the investigation, consistent with departmental policy.
- ii. The contractor or volunteer should be denied further access to any adult detention facilities during the course of the investigation.
- c. Substantiated allegations of conduct that appears to be criminal shall be referred to the district attorney for prosecution.

Victim Crisis Intervention and Risk Assessment:

- (a) Upon returning to the facility; medical and mental health staff shall be notified and conduct an urgent assessment to all victims of a sexual assault.
- (b) Mental health staff shall be responsible to monitor victims for suicidal impulses, post-traumatic stress disorder, depression and other mental health condition.
- (c) The victim shall be offered crisis intervention counseling appropriate to the individual needs of the victim. The department's PREA Coordinator shall facilitate this counseling with a Rape Crisis Center.

Delayed Reporting of Sexual Abuse or Harassment:

- (a) If the alleged sexual assault is reported or discovered more than 72 hours after the incident where the inmate retained evidence of the assault (soiled bedding, clothing, etc.):
 - a. The shift supervisor shall secure the alleged crime scene, if feasible and place the alleged suspect if identified into administrative segregation.
 - b. The shift supervisor shall contact the patrol watch commander and request a peace officer or detective respond. The PREA Coordinator shall be notified.
 - c. Facility medical staff shall assess and stabilize the victim. The patrol officer or detective shall determine whether the victim is to be taken for a sexual assault examination.
 - d. SAFE(s) or SANE(s) medical personnel will be responsible to conduct a sexual assault examination of the victim and any alleged suspect. These personnel will determine the presence or absence of physical trauma; perform follow-up testing for sexually transmitted diseases and pregnancy testing as medically appropriate.
 - e. The victim has the right to refuse to a sexual assault exam. Any refusal shall be documented in the incident report.

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- f. A staff referral shall be made for the inmate to a victim advocate and mental health staff for evaluation and counseling.
- (b) If the alleged sexual assault is reported or discovered more than 72 hours after the incident and no evidence presented by the inmate:
- a. The shift supervisor shall place the alleged suspect, if identified into administrative segregation.
 - b. The shift supervisor shall contact the patrol watch commander and request a peace officer or detective respond. The PREA Coordinator shall be notified.
 - c. Facility medical staff shall assess and stabilize the victim for any life threatening condition. The patrol officer or detective shall determine whether the victim is to be taken for a sexual assault examination.
 - d. The inmate shall be offered tests for pregnancy and or sexually transmitted infections and diseases as medically appropriate.
 - e. The victim has the right to refuse to a sexual assault exam. Any refusal shall be documented in the incident report.
 - f. A staff referral shall be made for the inmate to a victim advocate and mental health staff for evaluation and counseling.

Reporting to Inmates:

This reporting requirement does not apply to allegations that are determined to be unfounded or to an individual who is released from custody.

- (a) All allegations of sexual abuse, including third party and anonymous reports, shall be documented and reported to the department's Crimes Against Persons Unit by the PREA Coordinator or Bureau Administrative Services Commander.
 - a. If the victim alleges the incident involved a volunteer, contractor, or staff member; the Bureau Administrative Services Commander will notify the Internal Affairs Unit.
- (b) Following an investigation into an allegation of sexual abuse in a Stanislaus County Sheriff's Department facility:
 - a. The inmate shall be informed verbally or in writing as to whether the allegation has been substantiated, unsubstantiated, or unfounded.

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- b. If another agency conducts the investigation; the Stanislaus County Sheriff's Department will request such information for the purpose of informing the inmate. All notifications shall be documented.
- (c) Following an inmate's allegation that a volunteer, contractor, or staff member has committed sexual abuse; the inmate shall be informed when any of the following occurs:
 - a. The individual is no longer assigned within the inmate's housing unit.
 - b. The individual is no longer employed with the Sheriff's Department.
 - c. The individual has been indicted on a charge related to the incident.
 - d. The individual has been convicted on a charge related to the incident.
- (d) Following an inmate's allegation that another inmate has committed sexual abuse; the inmate shall be informed when any of the following occurs:
 - a. The alleged suspect has been indicted on a charge related to the incident.
 - b. The alleged suspect has been convicted on a charge related to the incident.

Disciplinary Sanctions:

- (a) Inmates shall be subject to disciplinary sanctions consistent with formal disciplinary procedures following an administrative guilty finding that the inmate engaged in inmate on inmate sexual abuse or following a criminal guilty finding of inmate on inmate sexual abuse.
- (b) Inmates who are found guilty of committing sexual abuse or assault will be punished to the highest degree in accordance with established inmate disciplinary policy up to and including criminal prosecution.
- (c) An inmate's mental disabilities or mental condition shall be considered when determining what type of discipline, if any is imposed.
- (d) An inmate may be disciplined for sexual contact with staff only when a finding of the staff member not consenting to such contact is established.
- (e) For the purpose of disciplinary action; a report of sexual abuse made in good faith and based on a reasonable belief that the alleged conduct occurred, even if an investigation does not establish sufficient evidence to substantiate the allegation, shall not constitute falsely reporting an incident or lying.

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Inmate Education:

- (a) All inmates will be informed of the zero-tolerance policy regarding sexual abuse or sexual harassment and how to report these incidents or allegations of this behavior. All inmates will be provided with this information either in writing or shown a video during the orientation process.
- (b) Within 30 days of arriving in custody; inmates shall receive education either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and retaliation for reporting such incidents. Inmates are also to be informed regarding the policies and procedures of the Stanislaus County Sheriff's Department for responding to such incidents.
- (c) Inmate education shall be accomplished in formats accessible to those who are limited English speakers, deaf, visually impaired or otherwise disabled as well as those who have limited reading skills. Inmate participation in these processes is to be documented by the PREA Coordinator.
- (d) Inmates who are detained solely for civil immigration purposes shall be provided with the necessary information to contact their consular officials and their officials at the Department of Homeland Security.
- (e) Posters containing key information and sexual abuse reporting telephone numbers shall be posted in designated locations throughout each facility: all housing units, medical rooms, program classrooms, and work areas.
- (f) The department's PREA Coordinator shall ensure this material is current distributed and maintained as necessary.

Screening for Appropriate Placement:

- (a) Initial Screening:
 - a. Within 72 hours: during intake screening or the initial classification screening process all inmates shall be assessed for their risk of being sexually abused or sexually abusive towards other inmates. In addition, all inmates are to be re-screened upon transfer to another facility.
 - b. Inmates may not be disciplined for refusing to answer particular questions or for not disclosing complete information.
 - c. If an inmate discloses prior sexual victimization or predatory behavior, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up reception with a medical or mental health practitioner within 14 days of the intake screening.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	3-04.01 GDP
CHAPTER 3: Rights, Visiting, Rules & Discipline, & PREA	ISSUE DATE: 10/23/13
SECTION: Sexual Misconduct & Abuse (PREA)	REVISION DATE: 07/02/19
RELATED ORDERS: PREA 2003: 42 USC 15601 28 CFR 115 EVI: 1035.4 GOV: 6254 (f) PC: 148.5, 264.2, 286(e), 288a(e), 289.6, 293(a), 293.5, 314, 647, 679.04, 4021 (b), 11165.7, 13516	ADMINISTRATIVELY APPROVED ANNUALLY

(b) Follow-up Screening:

- a. Inmates shall be re-screened within 30 days from arrival at a facility. This screening shall be based upon information received from the initial intake screening process.
- b. Inmates shall be re-screened when warranted due to a referral, request or incident of sexual victimization.
- c. The Classification Unit is responsible for housing inmates. The Classification Unit shall be immediately notified in any of the following circumstances:
 - i. If an employee has a significant concern that an inmate may be subject to sexual victimization.
 - ii. If an inmate displays predatory behavior.

(c) Use of Voluntary Segregated Housing:

- a. Inmates which are high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.
- b. If the Classification Unit cannot conduct such an assessment immediately; the inmate may be held in involuntary segregated housing for no more than 24 hours while completing the assessment.
 - i. Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education and work opportunities to every extent possible.
 - ii. If an inmate's access to programs, privileges, education, or work opportunities is restricted due to their placement in involuntary segregation, the Classification Unit shall document:
 1. The opportunities which have been limited.
 2. The duration for which the opportunities were limited.
 3. The reasons for such limitations:

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- c. Inmates assigned to involuntary segregated housing shall only be housed as such until an alternative means of separation from the likely abusers can be arranged. Such an assignment shall not ordinarily exceed 30 days.
- d. Inmates assigned to involuntary segregated housing shall be re-assessed every 30 days to determine whether there is a continuing need for separation from other inmates.
- e. If an involuntary segregated housing assignment is utilized; the Classification Unit shall clearly document:
 - i. The basis for their concern regarding the inmate's safety.
 - ii. The reasons why no alternative means of separation can be arranged.
- f. Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the same requirements listed above.

Data Collection and Review Processes:

A sexual abuse incident review shall be conducted at the conclusion of every sexual abuse investigation. This procedure will also occur when the allegation has not been substantiated or the allegation has been determined to be unfounded.

The review team may consist of the following members: Adult Detention Lieutenant, the Health Services Administrator, one Adult Detention Supervisor, the PREA Coordinator, and facility healthcare staff, if applicable. The review team shall:

- (a) Consider whether the allegation or investigation indicates a need to change policy or practices to better prevent, detect, or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated or otherwise caused by the perpetrator or victim's race, ethnicity, sexual orientation, gang affiliation, or other group dynamics at within the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may have enabled the 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 staff.

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- (f) Prepare a report of findings and any recommendations for improvement and submit the report to the Adult Detention Division Commander within 30 days.
 - a. Following the review the facility shall:
 - i. Implement the recommendations for improvement.
 - ii. Document reasons for not implementing the recommendations.

Data Storage, Publication and Document Destruction:

- (a) All related data will be stored in a secure location and maintained for 10 years or as prescribed by law.
- (b) All related data from facilities under the department's direct control and private facilities which the department contracts with shall be made readily available in accordance with California Law.
- (c) Stanislaus County Counsel shall review and approve all requests for the release of public information.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	5-01.01 GDP
CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/2011
SECTION: Inmate Workers	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1080, 1243, 1246, 1262, 1280 PC: 4019, 4532	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for selecting inmate workers and assigning work details.

POLICY

The selection of inmate workers is objective and non-discriminatory to sex, color, race, religion, national origin, physical or mental handicaps, age, or political affiliation. Selection is determined by the inmate's attitude, ability, behavior, and willingness to work.

- (a) Custodial personnel will ensure each inmate worker receives equal opportunity for work assignments and is free from physical or mental abuse or harassment by staff, volunteers, or other inmates.
- (b) An effort should be made to assign tasks that mirror occupations or trades held by the inmate prior to incarceration, which reinforce previous work habits and skills.
- (c) Inmates are assigned to on the job training programs as opportunities arise or for which there is an expressed interest.

Inmates, who are cleared through the classification screening process, may be selected for work details to prevent idleness, retain work habits and skills, and reinforce positive behavior.

- (a) An inmate worker shall not have authority over or be responsible for the supervision of another inmate or worker and will not participate in duty assignment decisions.
- (b) Inmate working conditions will comply with all applicable work safety laws and regulations as required by the California Occupational Safety and Health Act (OSHA).
- (c) Staff shall provide personal protective equipment that is reasonably necessary.
- (d) Classification has the primary responsibility for screening and selecting inmate workers.

Outside inmate work details may only be performed with the approval of the Facility Commander. Inmate labor shall not be used for the benefit of any individual or private party.

- (a) Inmates shall not be assigned to any dangerous tasks or to areas which are hazardous to their health.
- (b) Inmates are required to use issued safety equipment such as goggles, helmets, leather gloves, and high-visibility vests.
- (c) Inmates shall be trained in the proper use of safety equipment.

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DEFINITIONS

- (1) Sentenced Inmate: is defined as an inmate who has no pending cases locally or otherwise, and the inmate has a release date.
- (2) Un-Sentenced Inmate: is defined as an inmate with pending cases locally or otherwise.

PROCEDURE

(a) Screening and Selecting Inmate Workers:

- a. All potential inmate workers with a valid recommendation from staff should be given consideration for work assignments first.
- b. The following criteria should be considered before assigning an inmate worker:
 - i. Status, sentenced or un-sentenced.
 - ii. Security risk.
 - iii. Willingness and physical or mental ability of the inmate.
 - iv. Any medical conditions and medical clearance.
 - v. Occupational experience or special skills.
 - vi. Length of sentence.
 - vii. Types of charges, except for an escape risk, charges will not necessarily be a basis for selection or denial.
 - viii. Classification history and hazard code assessment.
 - ix. Any other available information such as disciplinary status or criminal history.

(b) Housing Unit and Facility Workers:

- a. Any inmate may volunteer for a work assignment within the housing unit or the facility.
 - i. Un-Sentenced inmates are not required to work with the exception of personal housekeeping duties.

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- b. All sentenced inmates are eligible for work assignments once the screening process is complete.
- c. Only those inmates cleared by classification are allowed outside the secure perimeter of the facility.
 - i. Custodial personnel will supervise inmates working outside of the secure facility perimeter.
- d. All positions in a unit food service area are to be filled from both the sentenced and un-sentenced inmate populations.
 - i. Inmate workers who handle food must be tested for tuberculosis and cleared by medical for contagious diseases prior to assignment.
- e. Maintaining an ethnic balance shall be considered in worker selection, particularly in food service assignments.
- f. Inmates that are confined to their cell for disciplinary purposes are not eligible to work.
- g. An inmate under disciplinary sanctions shall not be allowed to work and depending on the circumstances, may be permanently removed from their assignment.
 - i. An inmate dismissed from a worker position, for disciplinary reasons, is not eligible for any other position for a minimum of 30 days unless cleared by classification or the shift supervisor.
 - ii. An inmate may appeal the loss of a worker position.
- h. Responsibilities for housing workers are as follows:
 - i. Report to assigned duty assignments on time and dressed in appropriate clothing.
 - ii. Wear issued protective clothing and equipment; food service hats, gloves, and aprons as prescribed by health and safety regulations.
 - iii. Complete all assigned tasks in an orderly manner.
 - iv. Follow the directions of staff.
 - v. Maintain established personal cleanliness and hygiene standards.

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vi. Remain in the assigned work area.

(c) Housing Unit Worker Duties:

- a. Housekeeping: sweep, mop, and vacuum floors in the common areas.
 - i. Before daily inspections.
 - ii. Before final lockdown.
 - iii. During double-scrub.
 - iv. Before and after meals.
 - v. As needed.
- b. Collect garbage from trash containers for removal from the unit.
- c. Collect dirty and soiled laundry for removal from the unit.
- d. Prepare and serve meals.
- e. Clean interior and exterior windows in common areas.
- f. Dust and clean common area furniture, windowsills, and fixtures.
- g. Assist with clothing exchange.
- h. Complete assigned tasks promptly and orderly.
- i. Maintain established personal cleanliness standards.
- j. All inmate workers are eligible to receive the following extra privileges at the discretion of staff:
 - i. Phone calls, extended use of the phones.
 - ii. Extended use of the television.
 - iii. Additional visitation privileges, at the discretion of the Facility Commander.

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iv. Extended recreation time, as permitted by staff.

(d) Assigning Workers for Outside Clearance:

- a. Inmates will sign a 4532 PC form, regarding escapes, prior to working outside the facility.
- b. Staff shall confer with classification should any question arise regarding the clearance of an inmate for a work assignment outside of the facility.
 - i. Staff may recommend inmates who appear to have the ability to perform well as an inmate worker, but final selection responsibility rests with classification.

(e) Court Appearance or Illness:

- a. Inmate workers are not required to report for work if scheduled for a court appearance immediately following or during their shift.
 - i. The individual will return to their work assignment at their next scheduled work shift.
- b. An inmate worker is not required to work while they have an illness.
 - i. The inmate is to immediately fill out and turn in a sick call slip to medical.
 - ii. Medical must verify the illness.
 - iii. The inmate will comply with all medical orders and remain on bedrest until able to return to their assigned duties.

(f) Environmental Health Guidelines:

- a. Before any inmate is assigned to a work assignment:
 - i. Inmates must be physically and mentally able to perform the duties required.
 - ii. The inmate must be medically cleared to work.
 - iii. Working conditions will conform to all federal, state and local health laws and regulations.

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- iv. Health and safety inspections are to be conducted at least annually by agencies having jurisdiction.
- v. The shift supervisor will conduct weekly inspections including a visual inspection and evaluation of safety practices, compliance with fire codes, and healthy working conditions.

(g) On the Job Injury:

- a. Ensure that the inmate is stabilized regarding their medical condition. If needed, call 911.
- b. The shift supervisor shall be notified regarding the inmate's injury and condition as soon as practical.
- c. The work crew supervisor shall complete an incident report minimally detailing the following information:
 - i. The tasks the inmate was performing when they were injured.
 - ii. What specific actions, performed by the inmate, affected the injury?
 - iii. What specific equipment, used by the inmate, affected the injury?
 - iv. Was the equipment used correctly or incorrectly, or did it fail?
 - v. What un-safe conditions were present?
 - vi. Did the inmate receive training before assignment?
 - vii. Was safety equipment issued and used correctly by the inmate?
 - viii. What specific injuries did the inmate suffer?
 - ix. What specific areas of the body were injured?
- d. The work crew supervisor shall collect as much documentation as possible and take pictures to document injuries or property damage.
- e. The inmate must be examined and cleared by medical.

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- i. The inmate, while working for the county, is qualified for workman's compensation and allowed to see their private doctor or a county pre-selected doctor.
- f. The shift supervisor may assign the work supervisor to complete an On the Job Injury Report, but the shift supervisor will complete the Supervisor's Investigation Report.
- g. The shift supervisor is responsible to fax and forward all reports to Risk Management and the department's safety officer upon completion.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Inmate Services & Programs	REVISION DATE: 05/21/20
RELATED ORDERS: CCR MJS 15: 1061, 1064, 1070	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

A broad array of programs is provided to maintain the physical, social, and emotional health of individuals incarcerated in Stanislaus County. Reasonable criteria are used when determining an individual's eligibility for any program or service.

POLICY

Each facility commander shall plan and request of public officials an inmate education program as well as other programs and services that benefit the overall wellbeing of inmates.

- (a) When such services are not available, the Facility Commander shall develop programs and services with available resources.
- (b) Programs will emphasize the use of community resources and include:
 - a. Religious services, substance abuse counseling, and educational courses.
 - b. Recreation and leisure time activities.
 - c. Library services including current information on community services and resources.
 - d. Each facility shall post information regarding legal research materials and make available to inmates a means for requesting such information through Legal Research Associates (LRA).

Inmates are afforded equal opportunity to participate in all facility programs regardless of their race, national origin, color, creed, sex, economic status, or political belief.

- (a) Information regarding new programs is made available to both staff and inmates.
- (b) Academic or vocational programs are made available to sentenced and un-sentenced inmates.
- (c) Program coordination, monitoring, and scheduling shall be the responsibility of designated department staff.
- (d) Custodial personnel are expected to support existing programs by making suggestions for improvement and submitting ideas for new programs to the Facility Commander.
- (e) The Facility Commander, at their discretion, may curtail, postpone, or discontinue the services of any volunteer or organization.

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RELATED ORDERS: CCR MJS 15: 1061, 1064, 1070	ADMINISTRATIVELY APPROVED ANNUALLY

PROCEDURE

(a) Inmate Programs:

- a. Program participation is facilitated on a voluntary basis.
 - i. Inmates are not required to participate in programs unless directed to do so by Probation or as a condition of sentencing.
- b. All volunteers who facilitate programs must be registered in the jail pass holder system.
- c. All volunteers will present their identification and sign-in before entering the facility.
 - i. Volunteers are subject to search upon entering the facility. Minimally, all volunteers must pass through a metal detector prior to entering the facility.
 - ii. All items being brought into the facility by a volunteer; bags, briefcases, carts, etc., shall be screened through the baggage screener.
- d. Programs are to be offered in designated programming rooms or dayrooms, as directed by staff.
 - i. Friends Outside, the Literacy Center, and the Chaplain may regularly visit housing units to offer and facilitate participation in programs to a larger group of inmates.
- e. The facility commander must approve the facility's programming schedule.
- f. Custodial personnel will cancel a specific program or deny access to a volunteer if any of the following occur:
 - i. There is a threat to the safety and security of the facility.
 - ii. The safety of the volunteer, inmates, or staff is in jeopardy.
 - iii. Non-compliance with facility rules or a violation of criminal laws.
 - iv. Non-compliance with staff directives or orders.
 1. Custodial personnel will generate an incident report describing the circumstances that led to canceling a specific program or denying access to a volunteer.
 2. A copy of the report is to be forwarded to the Program's Commander and Program's Sergeant for investigation of the incident.

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(b) Participation in Programs:

- a. Program announcements will be posted in each housing area.
- b. Inmates may sign-up for a program when it becomes available.
- c. Inmates may also complete a request form to participate in one or more programs and submit it to staff.
- d. Staff will forward the request to the appropriate program facilitator.
- e. Notification to the inmate, regarding program acceptance, is the responsibility of the program's director.
- f. The Facility Commander may limit the number of inmates allowed to participate in any one specific program for security reasons.
- g. Department members, with reasonable cause, may limit or deny program participation to any inmate.

(c) Program Security Chairs

- a. The Program Security Chairs shall be used to control inmates who are working on their academic or vocational programs.
- b. Program Security Chairs are for academic or vocational inmate programs only.
- c. The Program Security Chairs shall not be applied to an inmate for more time than is necessary.
- d. Inmates placed in the Program Security Chairs shall be kept physically separated from other inmates. In no case shall the use of the Program Security Chairs be for discipline.
- e. The Program Security Chairs shall not be used as a holding area.
- f. Inmates of same classifications and genders can sit during classes and treatment. Inmates with classification documented "keep away" will not program together.
- g. It is the responsibility of the unit staff to monitor the scheduling of inmates that are placed in the Program Security Chairs.

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h. Inmates placed in the Program Security Chairs will have black box shackle restraints on while sitting in the chairs. Inmates will have leg irons on and will be secured to the Program Security Chairs using the foot lock bar.

(d) Inmate Education, PREA Standards:

- a. All inmates will be informed of the zero-tolerance policy regarding sexual abuse or sexual harassment and how to report these incidents or allegations of this behavior. All inmates will be provided with this information either in writing or shown a video during the orientation process.
- b. Within 30 days of arriving in custody; inmates shall receive education either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and retaliation for reporting such incidents. Inmates are also to be informed regarding the policies and procedures of the Stanislaus County Sheriff's Department for responding to such incidents.
- c. Inmate education shall be accomplished in formats accessible to those who are limited English speakers, deaf, visually impaired or otherwise disabled as well as those who have limited reading skills. Inmate participation in these processes is to be documented by the PREA Coordinator.
- d. Inmates who are detained solely for civil immigration purposes shall be provided with the necessary information to contact their consular officials and their officials at the Department of Homeland Security.
- e. Posters containing key information and sexual abuse reporting telephone numbers shall be posted in designated locations throughout each facility: all housing units, medical rooms, program classrooms, and work areas.
- f. The department's PREA Coordinator shall ensure this material is current distributed and maintained as necessary.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Facility Commissary	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1246 PC: 4025	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of the policy is to establish procedures for operating a commissary stores.

POLICY

A commissary store allows inmates to purchase miscellaneous hygiene and food items for the enhancement of morale.

- (a) The BAS Commander shall approve the items which are available in the commissary store.
- (b) Inmates are limited to a maximum commissary expenditure of \$100.00 per week not including phone cards.
 - a. Commissary in excess of \$100.00 is considered contraband.
 - b. Inmates are limited to a maximum expenditure of \$50.00 per week on phone cards, in addition to their commissary draw.
- (c) Commissary delivery to all housing areas will occur on day shift, Monday through Friday, in accordance with the established schedule.

DEFINITIONS

PROCEDURE

Excess commissary items, found in the possession of an inmate, are considered contraband and are to be confiscated and disposed of.

- (a) Staff will generate an incident report describing the type and quantities of items confiscated as well as the circumstances surrounding the incident.
- (b) The shift supervisor shall destroy all confiscated commissary items and make a notation regarding the method of disposal in the incident report.

Facility Commissary:

- (a) Commissary order forms are available in all housing areas.
 - a. Inmates on disciplinary status who have lost their commissary privileges may only order from the DI Commissary Form.
- (b) Commissary distribution:

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- a. Inmates without armbands are not eligible to receive commissary.
 - b. For inmates confined at the hospital or in the sheltered bed unit; medical must approve any purchased commissary items before they are delivered to the inmate.
 - i. Inmates who are on medical diets are able to receive commissary unless medical specifically removes their commissary privileges.
 - c. An announcement is made over the public address system for those who purchased commissary to report to the dayroom.
 - d. If commissary is dispensed from the commissary window staff will move inmates in one group to the commissary window.
 - e. Staff will ask the inmate their name and room number. The inmate must present their armband for verification. Once verified, the inmate will check the order and sign the receipt to receive their commissary.
 - f. Inmates in maximum security areas will have their commissary delivered to their cell by staff.
 - i. Should the inmate be out of the housing unit; the commissary order is to be stored in a secure location for safekeeping. Staff will deliver the commissary upon the inmates return.
 - g. Signed commissary receipts are to be returned to commissary.
 - h. An inmate desiring the name of a commissary employee should be given the first name of the employee only. This will allow the inmate to file inmate requests or grievances, but still afford the employee some protection and privacy.
- (c) Stockpiling of Commissary Items:
- a. Inmates are prohibited from stockpiling commissary items. Stockpiling is defined as:
 - i. Possessing 24 of any one type of food product.
 - 1. Example: 24 Top Ramen Soups, not 24 of each flavor.
 - ii. 2 of any one type of personal hygiene item.
 - iii. 20 of any one type of stationary item.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Inmate Religious Programs	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1007, 1070, 1072 PC: 4027	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures relating to the development and operation of inmate religious programs.

POLICY

Inmates have a right to their legitimate religious beliefs. Their right to practice is limited and should be subject only to the limitation necessary for maintaining facility order and security.

- (a) Legitimate religious practices are authenticated by the Adult Detention Division Commander, who may consult with the Department Chaplain to determine the legitimacy of any proposed religion.
- (b) Each facility commander shall ensure the inmate population has the opportunity to participate in religious services and counseling on a voluntary basis.

DEFINITIONS

PROCEDURE

The Department Chaplain shall be responsible to approve individuals for volunteer chaplain assignments.

- (a) Clergy passes are issued to ordained or licensed ministers from recognized churches, synagogues, or temples located within Stanislaus County.
- (b) Minister passes may be issued to private citizens who are recommended by clergy or their religious organization and are able to clear a background check.
- (c) No more than two clergy passes and four minister passes will be issued per congregation.
- (d) Any person from a congregation who is requesting a jail pass must submit a letter from the senior pastor. The letter must define the person as a legitimate member of the congregation and affirm the individual as their representative.

An inmate who wishes to visit one on one with their clergy representative or minister must submit an inmate request form. The clergy representative or minister must have a valid jail pass.

- (a) Clergy representatives or ministers will only visit the inmate who has made the request and not solicit business from other inmates while visiting.
- (b) Visits will be limited to official visitation hours only.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Inmate Religious Programs	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1007, 1070, 1072 PC: 4027	ADMINISTRATIVELY APPROVED ANNUALLY

(c) One on one visits will be held in an interview room or an area designated by staff.

Volunteer chaplains may lead group study or worship services in an area designated by staff. Inmates do not need to submit an inmate request form to attend these types of group activities.

- (a) More than one group may take place on any given day if space allows.
- (b) Due to a lack of private visiting space; attorneys, probation officers, private physicians, law enforcement officers, and others official visitors shall take priority over group worship or religious study programs.
- (c) Baptisms may be performed at the discretion of the Department Chaplain. The Department Chaplain shall make all arrangements with the operations sergeant before performing any baptisms.

General Rules for Volunteer Chaplains:

- (a) Volunteer chaplains are allowed to distribute paperback study materials only. Nothing else is to be distributed to inmates.
 - a. These articles must be inspected by staff prior to distribution.
- (b) Briefcases, purses, cellular phones, tablets, computers, and laptop computers are prohibited in the facility, unless approved by the Facility Commander.
- (c) Visitors are not allowed to accept anything from the inmate to be taken from the facility.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Inmate Marriages	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1062, 1070, 1072	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for inmate marriages.

POLICY

Inmates are not authorized to marry one another. Inmate marriages should be discouraged for the purpose of maintaining the good order and security of the facility. Nothing in this policy shall be construed to override the safety and security of the facility.

- (a) All inquiries regarding inmate marriage shall be directed to the Facility Commander.
- (b) The Facility Commander must approve an inmate marriage before it is allowed to occur.
- (c) The Facility Commander and the Department Chaplain shall establish any special criteria and coordinate the conditions of any inmate marriage approved to occur within the facility.

DEFINITIONS

PROCEDURE

- (a) Marriage Ceremony:
 - a. The Department Chaplain will not perform marriage ceremonies. The chaplain is approved to provide information or direction to inmates who are seeking to become married.
 - b. Inmates who wish to become married must provide their own officiate.
 - i. The marriage officiate can be any minister or priest of a church or religious denomination, or any California State Judge or Justice.
 - ii. The ceremony must be conducted during normal visiting hours.
 - iii. No special arrangements or visits will be permitted.
 - iv. Multiple visitors may be allowed to include the fiancé and officiate, at the discretion of the Facility Commander.
 - c. Marriage ceremonies shall be performed as a face to face non-contact visit and shall be counted against the inmates' weekly visit total.

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- d. Officiates may bring religious or marriage literature into the visiting area to accomplish the ceremony. No other items are allowed.

(b) Attorneys:

- a. An inmate, who wishes to marry, must make the request through their attorney or private clergy outside of the detention system.
- b. All requests for official documents shall be directed to the Stanislaus County Clerk and Recorder's Office.
- c. Department members will not assist inmates with arrangements or compiling legal documentation for a marriage.

(c) Pro-Per Inmates:

- a. A pro-per inmate must make a marriage request through their private clergy member outside of the detention system.
- b. A pro-per inmate must contact the Stanislaus County Clerk and Recorder's Office for official documents.
- c. Department members will not assist pro-per inmates with arrangements or compiling legal documentation for a marriage.

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CHAPTER 5: Inmate Workers, Services & Programs, & Recreation	ISSUE DATE: 04/01/11
SECTION: Volunteers	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1061, 1070, 1072	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for community volunteers who provide and facilitate inmate religious, recreational, and educational programs in Stanislaus County adult detention facilities.

POLICY

The Adult Detention Division will partner with volunteers and private providers to enhance and expand the services and programs offered to inmates. Volunteers and providers are recognized by the Sheriff and the Stanislaus County Board of Supervisors as a valuable resource to supplement the level of service currently provided by department programming staff.

- (a) Volunteers and providers perform services which would not otherwise be available to inmates:
 - a. Individual, group or family counseling.
 - b. Drug or alcohol counseling and substance abuse.
 - c. Vocational testing and employment counseling, and referral to community resources or programs.
 - d. Prerelease and release assistance.
 - e. Legal assistance.
 - f. Referral services for developmentally disabled inmates.
- (b) Volunteers and providers are recruited from all cultural and socio-economic segments of the community.
 - a. Facility commanders retain discretion to curtail, postpone, or discontinue the use of any volunteer or provider if deemed to be in the best interest of the program, inmates, or facility security.
- (c) Volunteers and providers are encouraged to provide an increased level of service to the inmate population. This may be accomplished by partnering with the chaplain or other paid staff to achieve more effective programs than would normally be available.
 - a. The Programs Commander will ensure that a resource guide, which describes available services and programs, is distributed to inmates throughout all detention facilities.
- (d) The Programs Sergeant has the primary responsibility for recruiting, screening, orientating and training custodial programming volunteers and providers.
 - a. All volunteers and providers will complete PREA orientation prior to being granted facility access or approval to work with inmates.

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- b. Department staff is responsible to supervise volunteers and providers during inmate programming.

DEFINITIONS

PROCEDURE

(a) Security Clearance:

- a. A master list of facility volunteers shall be developed and maintained by the Programs Sergeant. The Programs Sergeant is responsible for managing all volunteers and providers.
 - i. The list shall include descriptive information as it relates to each approved volunteer and provider.
- b. The Programs Sergeant shall coordinate background and clearance checks. Fingerprinting and completing an application may be required as part of the approval process.
- c. Facility security is a primary factor in the selection and approval process.
- d. The Sheriff's Department retains the right to deny any applicant whose record check or background investigation proves questionable.
 - i. Volunteers and providers may also be approved to work under staff supervision in the facility pending background and clearance, at the discretion of the Programs Commander.
- e. All volunteers and providers are required to display a visitor's ID badge or their current approved jail pass while on the Sheriff's campus.
- f. Volunteers and providers are allowed access to all detention facilities under the following conditions:
 - i. They are scheduled and listed on an approved volunteer or provider list.
 - ii. The facility is not under lockdown conditions.
 - iii. They have completed orientation training facilitated by the Programs Sergeant.
 - iv. They have completed PREA Orientation training.

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- v. They are displaying their valid and current jail pass or visitor's ID badge.
- vi. They surrender their driver's license or California ID Card upon arrival and retrieve it upon departure.

(b) Orientation:

- a. Each volunteer, provider, and contractor will complete an orientation program facilitated by the Programs Sergeant prior to being granted facility access.
 - i. Each volunteer, provider, and contractor must also complete PREA Orientation facilitated by the PREA Coordinator.
- b. Orientation training will address the history and policies of the Sheriff's Department, an overview of the program, and a tour of the facilities.
- c. Orientation training will also include a description of duties and responsibilities as well as the needs, life style, and manipulative nature of the inmate population.
- d. Short-term volunteers, who will continually volunteer under supervision, may require a less intensive orientation.
 - i. Waiver of the full orientation training program is permitted only at the discretion of the Programs Commander.
- e. PREA Standards:
 - i. All volunteers, providers, and contractors who have contact with inmates shall be advised of the Stanislaus County Sheriff's Department's Zero Tolerance Policy regarding sexual abuse and sexual harassment, and trained on their responsibilities regarding sexual abuse prevention, detection, and response.
 - ii. The PREA Coordinator shall conduct orientation training at regular intervals to ensure volunteers, providers, and contractors complete this training requirement.
 - iii. All volunteers, providers, and contractors shall read the PREA General Guidelines and sign the waiver form and training waiver form before facility access is approved.

(c) Authorization to Disperse Materials:

- 1. Authorization must be obtained from the Programs Commander before dispersing items or information to inmates.
- 2. The shift supervisor may also limit items brought into the facility on the basis of security.

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SECTION: Inmate Recreation	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1065, 1266, 1267	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding inmate recreation in Stanislaus County detention facilities.

POLICY

Access to recreational opportunities, equipment, and outdoor exercise shall be provided to inmates for the purpose of maintaining physical, social, and emotional health.

- (a) Each facility commander shall develop and implement a recreation program based on the design of the facility.
 - a. Only areas designed for recreation shall be utilized.
 - b. The goal of the program is to achieve a minimum of 3 hours of large muscle activity distributed over a period of 7 days.
 - c. Whenever possible, recreation shall occur in an outdoor area to provide fresh air and sunshine.
 - d. Regulatory procedures are included in the recreation program, as reasonably necessary, to maintain facility security and protect the welfare of staff and inmates.

DEFINITIONS

PROCEDURE

- (a) Temporary Housing, Administrative Segregation, and Maximum Security:
 - a. Recreation is offered in accordance with established standards and can occur anytime within a 24 hour period.
 - i. Inmates may continue recreation during shift change and counts.
 - ii. Inmates shall have access to telephones.
 - b. Each inmate is given 1 hour of recreation time per each recreation session. Each inmate is given 15 minutes for showering. Showers and recreation are completed on separate days.
 - i. Inmates classified as administrative segregation shall be restrained and moved to the recreation yard by two staff.

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- c. Recreation shall occur in the designated recreation yard or in the unit dayroom as designated by the Classification Unit.
- d. Department members will coordinate recreation time and log recreation periods and showers for each rec-alone inmate or rec groups. Staff will ensure all entries are accurate and complete.
- e. Recreation times should be offered in a varied schedule throughout the 7 day period.
 - i. The schedule will not be adjusted for the inmate's convenience. If the inmate declines due to an inconvenient time it will be considered a refusal.
- f. No inmate is allowed contact with any other classification of inmate except for in a recreation group, as approved by Classification.
- g. Staff will make a security check at the conclusion of each recreational period; ensuring all inmates are properly locked down prior to starting another recreational period.

(b) Medium Security:

- a. Recreation is offered in accordance with established standards and will occur on specified schedules for each housing area.
- b. Recreation is offered on a varied schedule over the 7 day period.
- c. Inmates shall have access to the dayroom and recreation yard during their assigned recreation time.
- d. Inmates shall have access to showers during recreation for personal hygiene needs.
- e. Inmates shall have access to telephones.

(c) Minimum Security:

- a. Staff will offer a minimum of 3 hours of yard time each week. When staff cannot achieve the goal of 3 hours; a notation shall be made on the yard log as to why the standard was not accomplished.
 - i. Recreation hours: 0800 through 2100 hours daily, except during meals times, formal counts, visiting, lockdowns, and yard closures.
- b. Staff shall record yard time on the recreation log.
 - i. Staff will record the start and end times of each session including the total hours for the session.

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ii. At the end of the week the yard log is to be reconciled for accuracy and compliance. The graveyard supervisor will complete this audit and forwarded the log to BAS.

- c. Staff shall set, establish, and enforce yard boundaries.
- d. If staff needs to leave the yard area, while supervising inmate recreation, staff will notify the shift supervisor.
- e. Staff will supervise inmates during yard time. Different classifications of inmates shall not be mixed during recreation.
- f. The yard perimeter shall be inspected and cleared by staff prior to inmates accessing the yard.
- g. Inmates are afforded daily access to the dayroom and telephones.
- h. Inmates shall have access to showers during recreation for personal hygiene needs.

(d) Recreation & Shower Logs:

- a. Recreation and shower logs are created and distributed by the Classification Unit.
- b. Logs are designed to document the activity of inmates, relating to compliance with minimum standards:
 - i. Record the inmate's name and booking number.
 - ii. Record the date the inmate was received in the unit, for that specific week.
 - iii. For inmates on disciplinary isolation; record the dates of the disciplinary period.
 - iv. Record the start and end times of activity.
 - 1. If only a shower is given, record the time and write %shower+.
 - 2. If the inmate refuses activity, write %refused+and the time.
 - 3. If the inmate self terminates activity, write %self-term+and the time.
 - v. If the inmate is confined to quarters, write CTQ and the date.

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- vi. If the inmate is released from the unit, record the date inmate was released during that specific week.

- c. At the end of the week the yard and shower logs are to be reconciled for accuracy and compliance. The graveyard supervisor will complete this audit and forwarded the logs to BAS.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Housekeeping	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1212, 1280 PC: 6031	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for regular facility housekeeping.

POLICY

Custodial personnel shall ensure a regular schedule of housekeeping is performed throughout all facilities and workspaces to achieve and maintain sanitary and hygienic conditions.

- (a) An acceptable level of cleanliness is to be maintained all times.
- (b) Private contractors, inmate workers, and Alternative Work Program participants may be used to accomplish this directive.

DEFINITIONS

PROCEDURE

- (a) Cleaning Supplies:
 - a. All cleaning supplies and chemicals are to be delivered to housing areas by the supply or operations deputy.
 - b. The supply or operations deputy is the only staff member authorized to mix chemical cleaners.
 - i. Proper safety gear, eye protection and gloves, is to be utilized by staff and inmates while preparing cleaning solutions.
 - c. Staff will issue and control all chemical cleaners during housekeeping.
 - d. Staff will account for all chemical cleaners prior to the end of their shift, ensuring bottles and containers are intact.
 - e. All chemical cleaners are to be stored in a locked janitor closet when not in use.
 - f. All chemical cleaners will remain in their original bottles and containers with labels attached.
 - g. First aid for chemical exposures is to be handled by facility medical staff in accordance with Safety Data Sheets (SDS) first aid guidelines.
 - h. Eye wash stations are located in the following areas throughout the all facilities:

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i. SDC East:

1. R&R, R163 Exam Room
2. Clinic, C342 Exam Room
3. Hospital, H136 Supply/Medical Storage Room
4. Housing Unit K, K704 Sick call room
5. Housing Unit L, L704 Sick call room
6. Housing Unit M, M710 Sick call room

ii. REACT:

1. Housing Unit O1, O111 Exam/Interview Room
2. Housing Unit O3, O315 Exam/Interview Room
3. Housing Unit O4, O411 Exam/Interview Room
4. O833, Central Corridor Exam Room

iii. SDC West:

1. Housing Unit B staff bathroom
2. Medical Distribution Room

iv. MHU 1 & 2:

1. MHU 1, Medical Exam Room in each unit A, B, and C.
2. MHU 2, Medical Exam Room in each unit A, B, and C.

i. SDS binders are located in the following areas:

i. SDC East:

1. A160 Janitors Closet in Administration
2. Booking Platform in R&R
3. R804 Less Lethal Armory

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4. S100 Central Control
5. S109 Operations Deputy Office
6. S111 Operations Sergeant Office
7. Deputies Workstations in the Clinic and Hospital
8. K700, L700, and M700 Unit Control Workstations

ii. REACT:

1. P113 Operations Deputy Office
2. P812 Administration Janitor closet
3. O841 Janitor closet

iii. SDC West:

1. Operations Deputy Office
2. Operations Sergeant Office
3. Shift Supervisors Office
4. Staff Station Storage Closet Housing Units B, D, E, F, G, and I
5. Perimeter Storage Closet E138

iv. MHU 1 & 2:

1. Operations Sergeant Office
2. Unit 1 Staff Station
3. Unit 2 Staff Station

(b) Housekeeping in Unsecured Areas:

- a. Under the supervision of staff, Alternative Work Program participants or private contractors will clean the following areas:

- i. All offices.

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- ii. Lobby areas.
 - iii. Public and staff restrooms.
 - iv. Hallways and any other common areas.
 - v. Campus grounds and parking areas.
- b. Alternative Work Program participants or private contractors shall be supervised directly when cleaning staff offices, locker rooms or workstations.
 - c. Hallways and walkways shall be kept clean, dry, and free of hazardous substances at all times.
 - d. All solid waste is taken to the facility trash container (dumpster).
 - e. Housekeeping schedules:
 - i. Daily Service:
 - 1. Offices and workstations, public lobbies, hallways, and training rooms.
 - a. Empty wastebaskets and remove trash.
 - b. Sweep and mop floors.
 - c. Spot mop for spills.
 - d. Vacuum carpets.
 - e. Spot clean carpets as needed.
 - f. Dust desks, file cabinets and furniture.
 - g. Clean and disinfect drinking fountains and surfaces.
 - h. Clean windows.
 - 2. Public restrooms and staff locker rooms.
 - a. Clean and disinfect all fixtures.
 - b. Refill all dispensers.

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- c. Clean and disinfect toilets, urinals and showers
 - d. Spot clean walls.
 - e. Clean mirrors, countertops, and surfaces.
 - f. Empty wastebaskets and remove trash
 - g. Dust lockers and all return air vents
 - h. Sweep and mop floors and vacuum carpet areas.
- ii. Weekly Service:
- 1. Offices, lobbies, and hallways.
 - a. Replace plastic liners in wastebaskets when applicable.
 - b. Clean doormats, thresholds, and entrance areas.
 - c. Spray and buff tile and damp mop stairs and elevators.
 - 2. Public and Staff restrooms.
 - a. Scrub and sanitize floors.
 - b. Clean and sanitize bathroom fixtures.
- iii. Monthly:
- 1. General
 - a. Dust door ledges, partitions and moldings.
 - b. Spot clean doors, walls and door frames.
 - c. Vacuum and dust ventilation vents.
 - d. Clean Venetian blinds.
 - e. Damp wipe wastebaskets.
 - f. Clean all interior windows.
 - g. Buff tile floors.

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iv. Semi-Annual:

1. Clean all light fixtures and luminaries.
2. Shampoo steam clean all carpets.
3. Strip and wax floors.

(c) Housekeeping in Secured Areas:

- a. Each inmate is responsible for maintaining sanitary and hygienic living conditions in their assigned dorm living area or cell.
- b. All cleaning materials and chemicals are to be stored in the janitor closet within each unit.
 - i. Staff will regularly inventory cleaning supplies and equipment.
 - ii. Any inventory discrepancies are to be reported to the shift supervisor.
- c. Medical exam rooms and clinic areas are to be cleaned at the request of medical staff. Staff will supervise inmate workers at all times when working in these areas.
- d. Inmate workers under the supervision of staff will clean the following areas daily:
 - i. Receiving and release areas and holding cells.
 - ii. Clinic areas and unit common areas.
 - iii. Vehicle sally ports and trash container areas.
 - iv. Corridors and break rooms and staff dining areas.
 - v. Visiting areas, recreation yards, and any other interior perimeter areas.
- e. Inmate workers under the supervision of staff will clean the following housing areas daily:
 - i. Unit dayrooms interview rooms, and recreation yards.
 - ii. Tables, trash areas, and serving counters.
 - iii. Food service areas, refrigerators and ovens.
 - iv. Storage rooms and janitorial closets and showers.

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- f. Daily housekeeping schedule for housing areas:
 - i. Clean all table tops and counters in the dayroom and kitchen areas.
 - ii. Sweep and mop the floor and vacuum.
 - iii. Clean windows.
 - iv. Wipe down and disinfect the telephones.
 - v. Dust all TVs, book carts and other furniture.
 - vi. Clean and disinfect the inmate showers.
 - vii. Clean and disinfect inmate sinks, toilets and urinals.
 - viii. Clean marks from the doors and walls.
 - ix. Clean the recreation yard, as directed by staff.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Inmate Hygiene	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1265, 1266, 1267 CCR 16; 9: 979, 980 PC: 4012, 6030	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in accordance with California Code of Regulations Minimum Jail Standards Title 15 for issuing personal care items, showering, and hair care services, so that inmates may maintain an acceptable level of personal hygiene.

POLICY

Personal care items, showers, and hair care services are to be made available to inmates while confined in Stanislaus County detention facilities.

- (a) Each female inmate shall be issued sanitary napkins and or tampons as needed.
- (b) Each inmate to be held over 24 hours shall be issued an admissions kit or welfare pack.
 - a. Upon request, indigent inmates are to be issued a replacement admissions kit or welfare pack once per week.
- (c) Inmates shall not be required to share any issued personal care items.
- (d) Inmates shall be permitted to shower upon assignment to a housing unit and at least every other day or more often if possible.
 - a. Water temperature for showers is to be thermostatically controlled and set at 105 degrees Fahrenheit to prevent scalding.
- (e) Department members shall make hair care services available to inmates during recreation and in accordance with established policy.

DEFINITIONS

- (1) Admission Kit: also known as a welfare pack, contains the following personal care items:
 - a. Toothbrush
 - b. Toothpaste
 - c. Soap
 - d. Comb
 - e. Shaving Implements
 - f. Pencil, Envelope, and Paper.

PROCEDURE

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(a) Hygiene Standards:

- a. All inmates are responsible for maintaining an acceptable level of personal cleanliness and hygiene.
- b. Personal care items are to be made available through commissary.
 - i. Only indigent inmates, with less than \$2.00 on their account, are eligible to receive additional facility hygiene articles at no charge.
- c. The shift supervisor may authorize inmates to receive special hygiene articles such as special soaps and shampoos when these items are approved by medical staff.

(b) Showering:

- a. Showers are available for use during recreation in medium and minimum security housing units.
- b. In administrative segregation and maximum security units; showers shall be offered on a pre-determined scheduled occurring no less than every other day.

(c) Hair Care Services:

- a. Inmates shall be allowed to shave daily. Hair care services are available to inmates during recreation. Opportunities for haircuts shall be made available at least once a month to inmates in special handling units.
 - i. The Facility Commander may suspend this requirement for inmates who are considered to be a danger to themselves or others.
- b. Inmates will not share disposable razors.
- c. Electric razors, clippers, and other shaving instruments capable of breaking the skin, when shared among inmates, must be disinfected between individual uses by the method prescribed by the State Board of Barbering and Cosmetology in Sections 979 and 980, Division 9, Title 16, California Code of Regulations.
 - i. Staff will ensure bactericide is available to sterilize haircutting equipment after each use.
 - ii. Haircutting equipment is to be secured at the staff station when not in use.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Facility Clothing & Linen	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1260, 1261, 1262, 1263, 1264, 1270, 1271, 1272 PC: 4600	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for distributing and exchanging facility clothing and linen.

POLICY

Only with the permission of the shift supervisor are staff allowed to access the laundry supply room. The Laundry Supervisor shall be notified of any clothing, linens, or supplies removed from this area.

Clean climatically suitable clothing and linens are issued to inmates and exchanged for the purpose of maintaining personal hygiene standards. Clothing shall be reasonably fitted, durable, easily laundered and repairable.

- (a) The shift supervisor may authorize an inmate to wear their own personal clothes if adequate clothing sizes are not available. Orthopedic shoes may be worn by the inmate for medical reasons, if approved by medical.
- (b) Suitable additional clothing and protective equipment, essential for inmates to perform special work assignments, such as food service, landscaping, and other specialized work details shall be made available.
- (c) Inmates shall be held responsible for the care of all clothing, bedding, linen and towels issued to them. The Sheriff's Department will pursue all remedies available under 4600 PC to recover the value of items maliciously damaged or destroyed by an inmate.
 - a. Prior to release, staff will examine the inmate's cell and bunk area, its furnishings, and items issued to the inmate for malicious damage or destruction.
 - b. The shift supervisor is to be notified if damage or destruction is discovered.
- (d) Each facility will have available a supply of clothing, linen, and bedding that exceeds the need of the maximum inmate population. This excess shall allow the replacement of items which are destroyed, worn out or unserviceable.
- (e) A quarterly inventory of inmate clothing, linen and bedding is to be conducted in January, April, July, and October of each year.

DEFINITIONS

PROCEDURE

- (a) Issuing Facility Clothing:
 - a. Initial clothing issue; if necessary, inmates will shower to prevent the spread of vermin and for the purpose of maintaining a sanitary and hygienic environment.

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- b. Staff in Receiving & Release will supervise the issue of facility clothing for all new receives during the dress-in process.
 - i. New receives are taken to the dress-out area, will shower if necessary, and change clothing.
- c. The initial issue of facility clothing will consist of:
 - i. 2 pairs of underwear.
 - ii. Outer garments consisting of 1 pair of coveralls or a shirt and 1 pair of pants.
 - iii. 1 pair of sandals and 2 pair of socks.
 - iv. 1 bra, females.
 - v. 1 night gown, females.
 - vi. 2 undershirts.
 - vii. 2 sheets or 1 mattress cover and 1 sheet
 - viii. 2 towels.
 - ix. 1 blanket.
- d. The laundry supervisor is to be notified regarding the need for special clothing sizes.

(b) Clothing Exchange:

- a. All inmates may have one set of facility clothing in their possession.
 - i. Facility housing workers may change clothing daily.
 - ii. All garments, linens, and towels are exchanged on a one for one basis.
 - iii. Outer garments, sheets, and mattress covers are exchanged once a week.
 - iv. Two sets of undergarments, socks, and towels are exchanged once a week.
- b. Clothing exchange is conducted on specific days for each housing unit in accordance with the established schedule. The Laundry Supervisor shall establish the schedule with input from facility operations sergeants.

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- c. Blankets are exchanged and laundered every 3 months on a quarterly basis; January, April, July, and October.
 - i. All soiled blankets are to be laundered prior to being reissued to another inmate.
 - ii. An additional blanket may be issued upon request, during the winter months or as approved in writing by medical staff.
- d. Sweatshirts are issued during the winter months at SDCE and Minimum Housing Units 1 & 2 only. Long sleeve t-shirts are issued during the winter months at REACT only.
- e. Kitchen workers at Support Services are be issued a clean shirt daily. This is to be completed prior to the inmate starting their shift.
- f. Department staff will announce clothing exchange over the public address system. Clothing exchange is conducted one cell at a time.
 - i. Department staff will supervise inmate workers as they assist with clothing exchange.
- g. Inmates in special handling units will complete clothing exchange through the tray slot in their cell door. Items are exchanged on a one for one basis.
- h. Department staff will inspect each inmates cell for excess clothing or contraband during clothing exchange.
- i. Department staff will ensure that clothing and linens are examined for damage during the exchange process.
 - i. Staff will document the discovery of any damaged items or contraband in accordance with established disciplinary procedures.
 1. Debris, unrepairable clothing, and linens are to be separated and disposed of accordingly.
 2. Clothing that is repairable is to be sent to the laundry unit for repair.
 - ii. Staff will ensure that all soiled clothing and linens are removed from the unit before to the end of the shift.
- j. Department staff will ensure that all carts are searched before they are removed from the housing unit.
- k. Escort deputies will re-search all carts before moving them outside of the facility.

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(c) Inmate Release or Transfer:

- a. Mattresses are to be inspected for damage and sanitized with disinfectant prior to being reissued to another inmate.
- b. Clothing and linen is to be inventoried and examined for malicious damage. Any damage or shortage will be brought to the attention of the shift supervisor.
- c. Inmates are to remove their linens and bedding from their cell upon release. Staff will inspect these items.
 - i. The items are placed in the soiled laundry cart.
 1. If there is no shortage or damage the inmate will continue with the release or transfer process.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Sanitation, Safety, & Maintenance Inspections	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1029, 1280 PC: 6031.1 H&S: 101045	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to maintain of an acceptable level of cleanliness, repair and safety throughout the all Stanislaus County adult detention facilities.

POLICY

Sanitation, safety, and maintenance inspections of all adult detention facilities are conducted continuously to ensure a high degree of cleanliness, repair and safety.

- (a) Department members will cooperate and assist all authorities having jurisdiction during inspections.
 - a. Inspections shall not interfere with normal operations or the security of the facility.
 - b. The Facility Commander shall be immediately notified regarding any deficiency discovered during an inspection.
- (b) Each facility commander will develop and implement a regular schedule of housekeeping.
 - a. Each facility will complete double scrub every Wednesday.
- (c) The Sheriff and Adult Detention Division Commander shall inspect the facilities at their discretion.
- (d) Shift supervisors shall make regular inspections throughout each shift to identify and correct unsanitary or unsafe conditions or work practices.
 - a. All department staff will report maintenance issues in accordance with policy.
- (e) All department staff will ensure facility housekeeping is completed daily.
 - a. Before opening dayrooms and recreation.
 - b. Before and after meal service.
 - c. Before lockdown, nightly.

DEFINITIONS

- (1) Double Scrub: is a more intensive cleaning than regular housekeeping. Inmates clean and sanitize their cells and living areas. All cleaning is inspected by staff.

PROCEDURE

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(a) Informal Inspections:

- a. Staff will inspect their respective assignment areas continually throughout each shift. Any cleanliness or maintenance problems shall immediately be addressed and corrected.
 - i. Staff will inspect the kitchen, food prep area, and dining area within each housing area for cleanliness and sanitation.
 - ii. Staff will inspect storage areas for hazardous conditions and cleanliness.
 1. Uncorrectable problems are to be reported to the shift supervisor.
 2. The shift supervisor is to take appropriate action to correct the issue.
- b. The shift supervisor shall inspect all areas under the scope of their supervision at least once per shift.
 - i. Cleanliness or maintenance issues shall be brought to the attention of staff and corrected as soon as possible.
 - ii. Appropriate corrective action shall be utilized.
- c. Support Services staff will inspect the main kitchen, the commissary, staff dining areas, and laundry areas on each shift.
 - i. Cleanliness or maintenance problems will be corrected as soon as possible.
 - ii. Repair requests are forwarded to the unit supervisor.

(b) Formal Inspections:

- a. Each facility is inspected weekly by the facility commander and operations sergeant.
- b. All sanitation, safety, and cleanliness issues are to be documented on an inspection report and corrected as soon as possible.
 - i. All locks, windows, walls, floors, ventilator covers, access plates, doors, and other security barriers and devices shall be regularly inspected to ensure that they are fully operational and secure.

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- ii. Facility floors will be kept clean, dry, and free of hazardous substances at all times.
- c. Emergency key sets are to be inspected quarterly to ensure that they are in working order. All defective equipment is to be replaced or repaired.
- d. Formal inspection reports to authorities having jurisdiction are submitted by the BAS Commander.
 - i. The Adult Detention Division Commander and facility staff shall have access to such reports.
- e. Pursuant to 6031.1 PC; the Board of State and Community Corrections (BSCC) will inspect each facility on a biennial basis.
- f. Pursuant to Section 101045 of the Health and Safety Code; the County Public Health Department will inspect each facility annually.
 - i. The Sheltered Medical Housing Unit and Medical Clinic shall be cleaned and sanitized in accordance with the policies and procedures established by the County's Public Health Department.
- g. Water samples from both drinking water and waste water will be tested annually by the Environmental Health Services Agency to ensure that the water supply meets all applicable laws.
- h. Each facility is inspected quarterly as well as annually by the Stanislaus County Fire Prevention Bureau for compliance with safety and fire prevention standards.
 - i. In conjunction with formal fire inspections, a fire and safety inspection is conducted weekly by the shift supervisor in order to identify and correct areas that may be potentially dangerous.
- i. The operations sergeant will conduct the Stanislaus County Security and Violence in the Workplace Assessment biannually. This report encompasses risk assessments, hazardous materials surveys, fire protection, housekeeping, and a review of Safety Data Sheet booklets.

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- j. The Stanislaus County Grand Jury or the Criminal Justice Committee of the Grand Jury may make unannounced facility inspections. Normally, these inspections are arranged in advance.
- (c) Vermin and Pest Control Inspections:
- a. The facility commander will ensure that vermin or pest control specialists are readily available to the facility.
 - b. Regular monthly service inspections are conducted for prevention and to identify any such conditions or problems.
- (d) Fire & Safety Inspections:
- a. Facility commanders shall ensure that monthly fire prevention inspections are completed by facility staff. In addition to general housekeeping the following items are to be inspected:
 - i. First aid kits.
 - ii. Emergency lighting.
 - iii. Fire extinguishers, fire hoses, and fire hydrants.
 - iv. The smoke exhaust system.
 - v. Self-contained breathing apparatus (SCBA).
 - 1. Any noted deficiencies are addressed and corrected immediately.
 - 2. Each facility shall retain fire inspection records for a period of 2 years.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Facility Repair Requests	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1280	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for making facility repair requests.

POLICY

Facility repair requests shall be reported as soon as possible to ensure the facility is maintained in good working order. All repairs requests shall be clearly written describing the deficiency and location.

- (a) Emergency repairs for hazardous situations or security issues shall be reported to the shift supervisor and addressed immediately.
- (b) Repairs for non-emergency issues after normal working hours shall be assessed by the shift supervisor to determine the need for immediate response. The on-call maintenance worker is to be contacted if immediate response is required.
- (c) Maintenance requests at all facilities, for non-emergency issues during normal working hours, shall be processed in the following manner:
 - a. Department members who identify maintenance deficiencies will notify the facility operations sergeant or operations deputy by phone, email, or in memo format.
 - b. The facility operations sergeant or operations deputy will log onto GSA CAMS and complete and the online maintenance service request.
 - i. This allows the operations deputy to track the progress of the service request.

DEFINITIONS

PROCEDURE

- (a) Lock Shop Repair Requests:
 - a. Staff will report all needed repairs for any locking mechanisms, requests for key replacement, or issues with doors not closing properly to the shift supervisor.
 - b. After hours; the shift supervisor will determine if emergency repair or replacement is needed.
 - i. If repair is needed immediately, the shift supervisor will call the on-call locksmith and listen to the voicemail message.

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- c. The shift supervisor will notify the operations or supply deputy for non-emergency repairs.
 - i. The operations or supply deputy will submit a repair request to GSA.

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RELATED ORDERS: CCR MJS 15: 1280	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes security procedures related to facility maintenance, improvement projects, repair work, and vendors services taking place within the detention facilities.

POLICY

Deviations from this policy, either by the General Services Agency or department staff, will result in disciplinary action.

The Stanislaus County General Services Agency (GSA) shall provide a preventive maintenance program for facility systems and equipment. The purpose of this program is to minimize any out of service time and to reduce costly repairs.

- (a) Inmate workers are not to be utilized or supervised by GSA. Inmate workers are only approved to work under the direct supervision of custodial personnel.
- (b) GSA employees shall complete facility orientation training before accessing or completing work in a detention facility.

Vendors, delivery persons, and contractors that require access into the facility will have a uniform, a name tag, or an identifying company logo on their clothes or safety equipment. These individuals must be accompanied by facility staff while inside secure areas of the facility.

Facility security is a primary concern when GSA conducts any work inside of the facility. The safety of all department members and contract employees is the highest priority.

- (a) Custodial personnel will ensure no inmate has access to GSA, vendors, private contractors, or their tools and equipment while work is performed inside of a detention facility.
- (b) The facility operations sergeant shall develop operational directives that enhance facility security when large facility maintenance, improvement, or repair projects are undertaken by GSA, vendors, or private contractors in a detention facility.
 - a. Background screening may be used as a security measure for all private contractors.
 - b. A security briefing or orientation for contractors may be used before any work occurs.
 - c. Custodial personnel may conduct tool and equipment inventories.
 - d. The facility commanders may lockdown the facility or limit inmate movement and access.
- (c) No tools may be brought into the facility unless in a locked tool box.
 - a. The only exception to this directive is if the tool is too large to fit in a locked box.

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- b. Tools shall be inventoried to ensure that no tools are lost or accidentally left within the confines of the facility.
 - i. A tool inventory sheet shall be kept on the tool cart for use by the engineer.
- (d) The inmate population is to never use tools, chemicals, parts, or equipment or be encouraged or allowed to make facility repairs.
- (e) Under no circumstances will a GSA engineer be separated from their facility keys. Keys must always be on their person or in hand and are never to be passed to anyone except another GSA engineer or sworn staff member.
- (f) Radios, tools, parts, and equipment are never to be left unattended inside the facility, unless it is a place that is a normal receptacle for those items.
- (g) All GSA engineers working inside the facility may have a two-way radio for communication with staff or Central Control, where applicable.
 - a. All issued keys and radios shall be returned to facility staff at the end of shift and are to never be taken out of the facility or off-site.

DEFINITIONS

PROCEDURE

- (a) Building Maintenance Services:
 - a. Once a building warranty expires, GSA will take responsibility for the maintenance and repair of structures, utility systems, refrigeration equipment, and mechanical equipment controls including settings and adjustments.
 - b. GSA does not have the responsibility for maintenance and repair of the following equipment and systems; these items are to be addressed by specific departments, vendors and contractors:
 - i. Elevators
 - ii. Computers and Copy machines
 - iii. Vending machines
 - iv. Laundry machines
 - v. Kitchen equipment , Microwave Ovens, Ice Makers, and Coffee and Juice Machines

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- vi. TVs, Converters, and DVD players
- vii. Floor buffers and Vacuums
- viii. Fire Alarm and Security Systems

(b) Working Conditions and Access:

- a. Facility staff is responsibility for the safety and security of GSA staff while they are working inside a detention facility.
 - i. GSA shall be allowed access to areas of the facility for the purpose of making repairs. The goal is to expedite repairs for purpose of restoring normal operations.
- b. GSA will notify facility staff prior to any scheduled work taking place inside the facility.
 - i. Notification is to include the location of the work order.
- c. GSA will notify staff when the work is complete or when they need to leave a housing unit.
 - i. GSA is responsible for their tools and equipment. Facility staff will ensure no tools, parts, or equipment is left unattended, unsecured, or left behind when a work order is complete.
- d. The shift supervisor shall be notified in any instance where a tool, parts, or equipment is left unattended, unsecured, or lost by GSA.
- e. Department staff shall cooperate with GSA to the extent possible, without violating security protocols, to ensure the completion of work orders.
- f. GSA staff is to be escorted out of the facility during an emergency.
- g. If GSA deems the working environment un-fit; facility staff shall notify the shift supervisor.
- h. When GSA is working in a cell, inmates assigned to the cell are to be relocated. If GSA deems the cell out of service, staff shall notify Classification.

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- i. The housing unit is to remain locked down when GSA is working in the dayroom or common areas of the unit.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Disposal of Hazardous Infectious Liquid & Solid Waste	REVISION DATE: 05/01/19
RELATED ORDERS: H&S: 25115, 25117, 25117.5 California Administrative Code, Title 22 EPA Resource Conservation Recovery Act CCR OSHA Title 8; 7 et al	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for disposing of hazardous and infectious waste.

POLICY

Disposal of all hazardous and infectious liquid and solid waste shall be accomplished in accordance with the law and conform to appropriate federal, state, and local ordinances.

If inmates are employed to clean and sanitize in hazardous areas or areas contaminated by bodily fluids, infectious, or hazardous materials; they shall be issued and employ personal protective equipment (PPE). Staff shall directly supervisor inmates during these duties.

All hazardous liquid waste shall be stored in appropriate containers and removed from the facility by a state registered materials or waste hauler.

- (a) Responsibility for, and title to, all hazardous liquid waste remains with Stanislaus County until the chemical composition of the liquid has been changed to render it harmless by either burial or incineration.

All hazardous solid waste shall be placed in appropriate double-bagged and marked containers and removed from the facility by a state registered materials or waste hauler.

- (a) Responsibility for, and title to, all hazardous solid waste remains with Stanislaus County. Hazardous solid waste may be buried.

All infectious solid waste shall be double bagged in appropriately marked bags and removed from the facility, and transported to the Stanislaus County Health Services Agency for incineration.

DEFINITIONS

- (1) Hazardous Waste: is a waste or combination of wastes, which because of its quantity, concentration and/or physical, chemical, or infectious characteristics may either:
 - a. Cause or significantly contribute to an increase in serious irreversible or incapacitating reversible illness.
 - b. Pose a substantial present or potential hazard to human health or the environment when improperly stored, transported, or disposed of, or otherwise managed.
- (2) Infectious Waste: includes all of the following:
 - a. Laboratory wastes include cultures of etiologic agents, which pose a substantial threat to health due to their volume and virulence.

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- b. Pathologic specimens, including human or animal tissues, blood elements, excreta, and secretions, which contain etiologic agents and attendant disposable fomites.
- c. Equipment, instruments, utensils, food containers, and other disposable materials, which are likely to transmit etiologic agents from the rooms of inmates, which have been isolated because of suspected or diagnosed communicable diseases.
- d. Human dialysis waste material including arterial lines and dialysate membranes.
- e. Any other material that, in the determination of the facility medical staff, presents a significant danger of infection because it is contaminated with or may reasonably be expected to be contaminated with etiologic agents.

(3) Etiologic Agents: is a type of microorganism, helmink, or virus that causes, or significantly contributes to the cause of, increased morbidity or mortality of human beings.

PROCEDURE

- (a) Disposal of Hazardous Waste:
 - a. All staff that handles hazardous waste shall do so using universal precautions such as gloves, aprons, personal protective equipment (PPE), and faces shields.
 - b. All hazardous waste shall be placed in appropriately marked containers such as red bags and bio hazardous trash receptacles and disposed of by the proper authority.

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SECTION: Infection Control	REVISION DATE: 05/01/19
RELATED ORDERS: CCR Title 17, Division 1; Section 4 Health and Safety, Division 105; Section 120990	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for isolation precautions and infectious waste disposal, which offers the most reliable means to prevent the transmission of disease between people.

POLICY

Since medical history and examination cannot reliably identify all persons infected with Human Immune Deficiency Virus (HIV) or other blood borne pathogens; blood and body fluid precautions should consistently be used for all encounters with individuals confined in Stanislaus County detention facilities.

- (a) No job is so important that it must be accomplished at the expense of personal injury and suffering.
- (b) For incidents of attempted suicide or other serious encounters, where there is a potential for body fluid transfer due to open wounds or self-inflicted wounds, staff will not enter the immediate area or cell unless completely outfitted with personal protective equipment (PPE).
- (c) Personal protective equipment shall minimally include the following;
 - a. Helmet and face shield.
 - b. Gloves, shoe covers, and a protective jumpsuit or gown.

DEFINITIONS

- (1) Body Fluids: are blood, semen, drainage, pus, saliva, mucus, urine, and feces.
- (2) Personal Protective Equipment (PPE): is specialized clothing or equipment used to protect a person from direct exposure to blood, body fluid, and other potentially infectious materials.

PROCEDURE

- (a) Precautions for Department Members:
 - a. Headgear with a face shield used to contain exposure to the eyes, mouth, or mucous membranes.
 - b. Fluid resistant garments are used to contain exposure and prevent further contamination.
 - c. Cleaning and decontaminate of equipment; use physical or chemical means to remove, inactivate, or destroy blood borne pathogens to the point where they are no longer capable of transmitting infectious particles.

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- d. Use latex gloves when touching:
 - i. Blood and body fluids.
 - ii. Mucous membranes.
 - iii. Non-intact skin.
 - iv. Handling items or touching surfaces soiled with blood and body fluids.
 - v. Responding to an area where there is a possibility of contact with blood or bodily fluids.
- e. Use a protective respiratory mask when interacting with an individual that is suspected of or diagnosed with an infectious respiratory disease such as active tuberculosis.
 - i. Ensure the infectious inmate wears a protective respiratory mask when leaving their cell.
- f. Use CPR masks with protective exhalation valves for CPR.
- g. Hands should be washed immediately and thoroughly for a minimum of 15 seconds if contaminated with blood or body fluid. Wash hands even after removing gloves.
- h. Gloves should be worn during pat searches to prevent possible infestation with lice, scabies, or fleas.
- i. Wear gloves during cell searches and look in all areas before using your hands. Move slowly and use a mirror if available.
- j. Personal protective equipment is located in the facility armories and in many janitor closets and other common areas.

(b) Inmate Workers:

- a. Laundry workers shall be issued gloves and other personal protective equipment when handling dirty linens as a precaution to transmission.
 - i. All soiled linen will be placed in laundry carts in each housing area.
 - ii. Linen contaminated with lice, scabies, and fleas is to be bagged.

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b. Kitchen:

- i. Kitchen workers are to wear gloves and hair nets when preparing food and when handling dirty dishes.
- ii. Kitchen workers are monitored by department staff and are considered to be infection free and not exhibiting symptoms of diarrhea, vomiting, fever, cold, or open sores.

c. Infective or Contaminated Waste:

- i. All trash can be handled in a routine manner except sharps containers, which are to be bagged and placed in the Contaminated Trash Box. The trash box is to be picked-up by medical services for disposal.

(c) Contaminated Clothing:

- a. In the event that an employee's uniform or garments become contaminated with another person's blood, body fluids, or potentially infectious materials:
 - i. As circumstances permit and within a reasonable time, the contaminated clothing shall be removed.
 - ii. The contaminated items shall be placed in a red bio-hazard bag.
 - iii. The employee shall take the contaminated clothing to a professional cleaning service designated by the department for decontamination.

(d) Work Practice Controls:

- a. Work practice controls shall be in place to reduce the likelihood of a staff member's exposure to blood or other potentially infectious materials.
 - i. Wash hands immediately after removing gloves or as soon as possible after contact with body fluids, blood or other potentially infectious material.
 - ii. Remove personal protective equipment immediately or as soon as possible upon leaving the work area. Clean and decontaminate or properly dispose of the equipment. Place the equipment in an appropriately designated area or container for storage.
 - iii. Dispose of intact needles and sharps in a puncture resistant container. Used needles and other sharps shall not be sheared, bent, broken, recapped, or re-sheathed by hand.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Infection Control	REVISION DATE: 05/01/19
RELATED ORDERS: CCR Title 17, Division 1; Section 4 Health and Safety, Division 105; Section 120990	ADMINISTRATIVELY APPROVED ANNUALLY

- iv. Perform all preventative procedures when blood, body fluids, or other potentially infectious materials are present to minimize splashing and spraying.
- v. Handle any sharp and or broken glass using engineering controls whenever possible, such as a broom and dust pan, forceps, or tongs.

(e) Risk Minimization of Occupationally Acquired Airborne Diseases:

- a. Practice social distancing, 6 feet of distancing is the recommended social distance.
- b. Participate in ongoing employee education and training.
- c. Use good cough etiquette and hand hygiene.
- d. Wash your hands often with soap and water.
- e. Avoid touching your eyes nose and mouth.
- f. Ensure surfaces and shared areas are properly cleaned, such as counter tops, phones, and door knobs.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 10/18/12
SECTION: Communicable Disease	REVISION DATE: 08/22/19
RELATED ORDERS: CCR MJS 15: 1051, 1206.5, 1207 Code of Federal Regulations, Title 42; Volume 1 Health Insurance Portability and Accountability Act (HIPAA) of 1996 Public Law 104-191 Health and Safety: 199.97, 121060	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for managing persons who are suspected of having or are displaying symptoms of any communicable diseases.

POLICY

At the time of intake into the facility, an inquiry shall be made of the person being booked as to whether or not he or she has or has had any communicable diseases, such as tuberculosis, hepatitis, other airborne diseases, or has observable symptoms of tuberculosis or any other communicable diseases, or other special medical problems.

- (a) The individual's symptoms and responses to the medical pre-screening questioner shall be recorded on the pre-screening form.
- (b) Any person who is suspected of having or displaying symptoms of any communicable diseases, such as tuberculosis, hepatitis, other airborne diseases, or has observable symptoms of tuberculosis or any other communicable diseases, or other special medical problems will immediately be referred to the medical staff.

The medical provider will submit a report to the Facility Commander for any person who is suspected of having or displaying symptoms of any communicable diseases. The Facility Commander and medical provider shall establish a response plan defining treatment responsibilities during incarceration and coordination with public health officials for follow-up treatment in the community.

- (a) The Facility Commander will issue notice, in accordance with Health Insurance Portability and Accountability Act (HIPAA), to department members, contractors, and volunteers that reflect the current local incidence of communicable disease, which potentially threatens the health of inmates and staff.

DEFINITIONS

PROCEDURE

- (a) Management of Communicable Diseases:
 - a. An inmate with a highly contagious communicable disease is to remain segregated until cleared by medical.

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- b. The Facility Commander will ensure notice is made in accordance with HIPAA law that the inmate is contagious to any contact visitor, program providers, facility staff and court staff who may come into contact with the contagious inmate.
 - i. Examples of highly contagious communicable diseases:
 - 1. MRSA
 - 2. Shingles
 - 3. Chickenpox
 - 4. Lice
 - 5. C-Diff
 - 6. Active Tuberculosis
- c. The facility medical provider will maintain an active list of inmates who are considered to be contagious with communicable diseases.
 - i. The medical provider will make the list available to Classification, the Facility Commander, and the operations sergeants.
 - ii. Classification will enter the term "Universal Precautions" on the headcount roster for any contagious inmate.
 - 1. The term "Universal Precautions" does not violate HIPAA law and is to be used to identify all contagious inmates.
 - iii. Medical shall remove inmates from the list when they are no longer considered contagious.
- d. Contact Visiting:
 - i. Department staff who sign-up contact visitors shall crosscheck the headcount roster for inmates listed as "Universal Precautions."
 - ii. If an inmate is listed as "Universal Precautions," the visitor is to be notified that the inmate is contagious.

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1. Department staff will not discuss any medical information with the visitor, only the fact that the inmate is contagious.
2. It is the visitor's responsibility to decline the visit.

e. Scheduling Court:

- i. Department staff that creates the court list will crosscheck the headcount roster and highlight any inmate listed as "Universal Precautions."
- ii. Classification will enter "Universal Precautions" in the memo section of the court list.
- iii. The shift supervisor and medical will determine the manner in which the inmate is to be transported.
 1. Transportation staff shall review their court list each day and note any inmate listed as "Universal Precautions."
 2. Transportation staff shall take the necessary steps for safe transport and notify court holding staff of the contagious inmate.
 3. Court holding staff shall notify staff who works the courts for any inmate listed as "Universal Precautions."
 4. Court staff shall notify the department where the inmate is scheduled to appear.

(b) HIV Testing:

- a. Department members, who believe they have come into contact with the bodily fluids of an inmate or arrestee, shall complete a Department of Health Services form #84-59 before the end of the shift on which the incident occurred.
 - i. The form is to be forwarded to the County Health Officer. The employee may request an HIV test of the person they came into contact with.
- b. Department members may file a #84-59 report with the County Health Officer when they observe or are informed of any activity in a correctional institution, which is classified as

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causing or is known to cause the transmission of the HIV/AIDS Virus. Reportable activities include:

- i. Sexual activity resulting in the exchange of bodily fluids.
 - ii. Incidents involving injuries to inmates or staff in which bodily fluids are exchanged.
 - iii. Tampering with medical and food supplies and or equipment.
 - iv. Tattooing among inmates.
 - v. Intravenous drug use.
- c. Upon receiving the report, the County Health Officer has 5 days in which to make a decision to require testing.
- d. An inmate confined in a custodial institution may request the HIV testing of another inmate, if they believe they have come into contact with bodily fluids of that inmate.
- i. The request must be filed within 2 calendar days of the incident.

(c) Declaration/Petition Order to Test Accused Blood (Warrant):

- a. A peace officer dealing with a person against whom a criminal complaint has been filed, alleging that the person interfered with an official who was bitten, scratched, spit upon, or had blood or other bodily fluids of the person on the officer's skin or membranes, may petition the court of jurisdiction for a court ordered HIV test of the person, pursuant to 199.97 of the Health and Safety Code.
- b. If the inmate refuses to voluntarily submit to a blood test for communicable diseases; you can request a "Petition for Order to Test Accused Blood" be submitted to the courts, pursuant to Health and Safety Code 121060.
 - i. The shift supervisor will notify the Facility Commander.
 - ii. If the inmate refuses to consent to a blood draw, the shift supervisor will contact SO Detectives at the direction of the Facility Commander.
 - 1. A copy of the disciplinary report is to be given to detectives.

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2. SO Detectives will complete a declaration and a petition for order to test arrestee's blood (warrant) and process the sample collection in accordance with the warrant.
 3. The petition allows the courts to test the accused individual's blood for the Human Immunodeficiency Virus (HIV) and other communicable diseases, as the court deems appropriate.
- iii. AD Transportation will transport the individual to the medical facility, at the request of detectives, to complete the blood draw.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Court Appearance for Contagious, Exposed, Hospitalized or Ill Inmates	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1051, 1206.5, 1207 PC: 4011	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes court appearance procedures for inmates who are actively contagious, who been exposed and are segregated and not contagious, or who are too ill to appear in court, or who have been hospitalized for a serious illness.

POLICY

The following procedures shall be utilized whenever an inmate in one of the following categories is scheduled for a court appearance. Other than those options listed below, the judge may also elect to hold certain types of hearings within the facility.

DEFINITIONS

PROCEDURE

(a) Actively Contagious Inmate:

- a. The judge is to be advised that the inmate has a contagious disease and is currently in the infectious and contagious stage.
 - i. The disease or condition of the inmate is to be revealed to the judge.
 - ii. The judge is to be briefed regarding the recommendations of facility medical staff and any recommendation that may have been made by the Public Health Department.
 1. Example 1: Public Health and medical believe that this inmate should not appear in court due to their contagious status.
 2. Example 2: this inmate may appear in court if wearing a mask to cover his or her mouth and nose, and precautions are taken by cleaning any surface areas the inmate might come into contact with.
 - iii. Once the judge has been briefed, the judge will decide whether or not the inmate is to appear in court.
 1. If the judge orders the inmate to appear, the inmate will be taken to court.
 2. Precautions shall be strictly adhered to and the court appearance should be coordinated with medical staff.

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3. Minimal contact should occur with other inmates and staff, and in the courtroom.
4. The shift supervisor may order a special transportation for the appearance.

(b) Inmate who has been exposed to a contagious disease and is segregated, but is not contagious:

- a. The judge is to be advised that the inmate is not currently ill with a disease, but has merely been exposed and may be in a communicable stage even though he or she is not yet exhibiting any symptoms of the disease itself.
- b. The judge is to be briefed regarding the recommendations of facility medical staff and the Public Health Department concerning the inmate appearing in court and any precautions to minimize exposure.
- c. Once the judge has been briefed, the judge will decide whether or not the inmate is to appear in court.
 - i. If the judge orders the inmate to appear, the inmate will be taken to court.
 - ii. Precautions shall be strictly adhered to and the court appearance should be coordinated with medical staff.
 - iii. Minimal contact should occur with other inmates and staff, and in the courtroom.
 - iv. The shift supervisor may order a special transportation for the appearance.

(c) Inmate too ill to appear in court:

- a. The judge is to be advised that the inmate is too ill to appear in court. Inform the judge whether this information has been verified by the medical provider or not.
- b. If the judge orders the inmate to appear in court; coordinate the transport with facility medical staff.

(d) Medical Treatment or Hospitalization of a Prisoner (4011 PC):

- a. A prisoner may be taken to a medical facility within the county for specialized treatment, without a court order. Hospitalization is not to exceed 48 hours. A 4011 PC order, signed by a judge, is required if hospitalization exceeds 48 hours. Medical is also notified of the transfer to ensure orders, charts, and medications go with the prisoner.

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- b. The operations sergeant will prepare an affidavit for delivery to the court within 48 hours of the inmate's removal of inmate to a medical facility, pursuant to 4011 PC. The Facility Commander must sign the affidavit.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 04/01/11
SECTION: Exposure Incident	REVISION DATE: 08/22/19
RELATED ORDERS: CCR MJS 15: 1050, 1051, 1206.5, 1207 Health and Safety: 199.97, 121060	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for initial response and proper management of an exposure incident.

POLICY

An exposure incident refers to direct exposure with blood borne pathogens, blood, bodily fluids and other potentially infectious materials. Department members shall follow the procedures listed in this policy as an initial response plan to limit personal injury as a result of exposure.

DEFINITIONS

PROCEDURE

(a) In the event of an exposure:

- a. Decontaminate the exposed areas of the body as quickly as possible. Flush the entry area for 15 minutes and wash the skin with soapy water.
 - i. Showers are available in the staff locker rooms if needed.
 - ii. Report the exposure incident to your supervisor immediately.
- b. Prepare a detailed report using the Occupational Injury and Illness Report, DWC-1 and the Employee Exposure Worksheet.
 - i. It is important to document the route, such as an open sore, needle stick, mucous membrane, or other method in which exposure occurred and the circumstances surrounding the incident.
 - ii. If exposure is due to a needle stick, complete the Sharp's Injury Log. Report to one of the approved occupational medical care providers for evaluation and follow-ups exams.
- c. Ensure that any clothing, personal protective equipment, tools or duty equipment is decontaminated appropriately, and treated or disposed of properly.
 - i. Do not take these items to your personal residence for decontamination.

(b) Declaration/Petition Order to Test Accused Blood (Warrant):

- a. A peace officer dealing with a person against whom a criminal complaint has been filed, alleging that the person interfered with an official who was bitten, scratched, spit upon, or

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had blood or other bodily fluids of the person on the officer's skin or membranes, may petition the court of jurisdiction for a court ordered HIV test of the person, pursuant to 199.97 of the Health and Safety Code.

- b. If the inmate refuses to voluntarily submit to a blood test for communicable diseases; you can request a "Petition for Order to Test Accused Blood" be submitted to the courts, pursuant to Health and Safety Code 121060.
 - i. The shift supervisor will notify the Facility Commander.
 - ii. If the inmate refuses to consent to a blood draw, the shift supervisor will contact SO Detectives at the direction of the Facility Commander.
 1. A copy of the disciplinary report is to be given to detectives.
 2. SO Detectives will complete a declaration and a petition for order to test arrestee's blood (warrant) and process the sample collection in accordance with the warrant.
 3. The petition allows the courts to test the accused individual's blood for the Human Immunodeficiency Virus (HIV) and other communicable diseases, as the court deems appropriate.
 - iii. AD Transportation will transport the individual to the medical facility, at the request of detectives, to complete the blood draw.

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CHAPTER 6: Environment, Maintenance, & Disease Protection / ATDPP	ISSUE DATE: 09/19/11
SECTION: Exposure Control Plan	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1050, 1051, 1206.5, 1207, 2500 CCR ATD 8: 5199 Health and Safety: 199.20, 199.21	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in accordance with the Occupational Safety and Health Administration (OSHA) requirements for plan development, regarding the prevention and spread of Aerosol Transmissible Pathogens, such as tuberculosis, Severe Acute Respiratory Syndrome, Pertussis, and influenza.

POLICY

The Aerosol Transmissible Diseases (ATD) Standard identifies specific work environments and tasks within the scope of its regulations that identify risk of infection for employees based on the nature of the exposure and type of work setting. The Stanislaus County Safety Manual addresses these standards under Tab 12.

- (a) The Stanislaus County Sheriff's Department meets the exposure risks identified within the standard and therefore does fall under the requirements of the ATD Standard.
 - a. The Stanislaus County Sheriff's Department will develop an exposure control plan in accordance with the ADT Standard. The plan will address the following areas:
 - i. Occupational Exposure Risks
 - ii. High Hazard Facility Operations
 - iii. Medical Surveillance
 - iv. Communication Regarding Exposure Incidents
 - v. Employee Training
 - vi. Control Methods
 - vii. Personal Respiratory Protection Guidelines
 - viii. Record Keeping

DEFINITIONS

- (1) CCR Title 8, Section 5199 - Aerosol Transmissible Diseases: establishes minimum requirements for controlling employee exposure to airborne infectious diseases. This standard requires employers included within the scope of the standard to develop control measures that will reduce the risk of infection for employees, based on the nature of the exposure and type of work setting.

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PROCEDURE

(a) Exposure Control Plan:

- a. The Stanislaus County Sheriff's Department has established, implemented and maintains an effective written exposure control plan which is specific to the work place and operations.
- b. The Facility Commander, Medical Administrator, and shift supervisor is to be responsible for administering this plan.
- c. The job classifications below have occupational exposure risk to aerosolized transmissible diseases:
 - i. Deputy Sheriff Custodial
 - ii. Deputy Sheriff Sergeant- Custodial
 - iii. Stock Delivery Clerk
 - iv. Legal Clerk
 - v. Confidential Assistant
 - vi. Food Service Workers
 - vii. Community Service Officers
 - viii. Medical and Mental Health Personnel
 - ix. Private Contractors, Providers, and Other Law Enforcement Officers

(b) High hazard procedures performed within the facility:

- a. All facility staff coming into contact with infected individuals will employ personal protective equipment.
 - i. Respiratory protection is required for inmates infected with aerosolized transmissible diseases.

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- b. Work practice controls for aerosolized transmissible diseases:
 - i. Staff will utilize social distancing and isolation of infected detainees.
 - ii. Personal protective equipment is to be utilized by all staff.
 - iii. Disposable tissues, hand sanitizer, disinfectant wipes, and areas for hand washing will be made available to aid in preventing the spread of aerosolized transmissible diseases.
 - 1. Disinfectant wipes are to be disposed of properly, not flushed down the toilet.
 - iv. Vaccinations are conducted annually for staff. Staff is offered the Seasonal Flu vaccine and Tuberculosis Screening.
 - v. Department members will receive training in Blood Borne Pathogens and Disease Control annually.
 - 1. Training records are stored at the Bureau of Administrative Services Unit.
- c. Signs are to be placed at each entrance of the facility, which indicate the facility is a high-risk environment for contracting aerosolized transmissible diseases.
 - i. Sneeze and cough etiquette signs are to be posted in all housing units.
- d. During the intake and booking processes, the detainee is asked a series of medical pre-screening questions to identify the signs and symptoms of aerosolized transmissible diseases.
 - i. Each detainee shall be medically cleared by facility medical personnel before acceptance into the facility.

(c) Medical Surveillance:

- a. Medical surveillance is provided on an annual basis to department members. Staff is required to sign the vaccine waiver to accept or decline the vaccine.
 - i. Specific times are scheduled during the employees shift for vaccination.

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- ii. Administered vaccines are tracked by the facility medical provider.
 - iii. Vaccination records are retained at the Bureau of Administrative Services Unit.
 - iv. If vaccines are unavailable, the department safety officer will document the unavailability of the vaccinations.
- b. Recommended vaccinations shall be made available to all employees who have an occupational exposure risk, within 10 working days of initial assignment, unless:
- i. The employee has previously received the recommended vaccinations and is not due to receive another vaccination dose.
 - ii. A physician or other licensed healthcare professional has determined the employee is immune in accordance with CDC or CDPH guidelines.
 - iii. The vaccine is inadvisable for medical reasons.
- c. The department shall make additional vaccinations available to employees within 120 days of the issuance of new CDC or CDPH recommendations.
- i. If an employee initially declines a vaccination, but at a later date while still covered under the standard decides to accept the vaccination, the department shall make the vaccination available within 10 working days of the request.
- d. Any employee who declines to accept a recommended and offered vaccination shall sign a vaccination declination form.
- i. The only exception is when the department cannot implement these procedures due to the lack of availability of vaccine.
 - ii. The department shall document its efforts made to obtain the vaccine in a timely manner and inform employees regarding the status of vaccine\$ availability.
 - iii. The department will check on the availability of the vaccine at least every 10 working days and inform employees when the vaccine becomes available.
- e. The department shall make available seasonal influenza vaccine to all employees with an occupational risk exposure.

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- i. Seasonal influenza vaccine shall be provided during the period designated by the CDC for administration and need not be provided outside of those periods.

(d) Communication Regarding an Exposure Incident:

- a. Medical staff will medically evaluate the inmate prior to determining if the inmate has an aerosolized transmissible disease.
- b. If it is determined that the inmate tests positive for an ATD; medical staff will notify the Facility Commander who will in turn notify the operations sergeant of the exposure.
- c. Department members are to be made aware of the exposure as it pertains to their daily activities and assignment.
- d. Once a suspected or active exposure has been determined, the following steps will be taken to stop the spread of an ATD:
 - i. A particle mask is to be supplied to the inmate. The inmate must wear the mask whenever they are being transported inside or outside the facility, whenever they come out of their cell, or come into contact with any staff member or inmate in the general jail population.
 - ii. The infected inmate is to be isolated from the general jail population as much as practical in order to curtail the spread of the ATD.
 - iii. Persons with suspected or confirmed infectious disease shall be transferred to a negative pressure medical Isolation cell.
 - iv. Medical staff will brief the Facility Commander regarding the status of the person or persons with suspected or confirmed infectious diseases.
 - 1. Signs are to be placed at each entrance of the facility, which indicate the facility is a high-risk environment for contracting aerosolized transmissible diseases.
 - v. The supervisor will notify those employees on shift regarding the status of the inmate with the suspected or confirmed infectious disease and the precautions to take while they are in the facility.

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- e. The facility operations sergeant shall maintain in normal operations, foreseeable emergencies, and surge situations an adequate supply of personal protective equipment and other equipment necessary to minimize exposure to ATD.
 - i. Supplies are to be purchased as necessary to meet the needs of facility.

(e) Training:

- a. The department shall provide ATD training through annual in-service training. ATD training shall be included in annual OSHA training classes for employees.
- b. The department safety officer will track all employees ATD training. The records will be stored at the Bureau of Administrative Services Unit.
 - i. Employees will annually review the ATD Plan prior to taking their annual or refresher training course.

(f) Control Methods:

- a. Feasible engineering and work practice controls shall be used to minimize employee exposures to ATD. When engineering and work practice controls do not provide sufficient protection; the department shall provide and ensure that employees use personal protective equipment. The department shall also provide respiratory protection for controlling exposure to airborne infectious pathogens.
- b. Work practices are implemented to prevent or minimize employee exposures to airborne, droplet, and contact transmission of aerosol transmissible pathogens. These work practices may include, but are not limited to:
 - i. Hand washing and gloving procedures.
 - ii. The use of respiratory protection.
 - iii. The use of personal protective equipment such as eye and face protection, surgical masks, gowns, and other protective apparel.
 - iv. Cleaning and disinfecting contaminated surfaces, articles, and linens.

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- c. Procedures for source control shall be implemented and utilized to incorporate the recommendations contained in the Respiratory Hygiene and Cough Etiquette in Health Care Settings Standards.
- d. The procedures shall include methods to inform individuals entering the facility, being transported by employees, or otherwise in close contact with employees, of the source control practices implemented by the department.
- e. When the department is affected, it shall develop and implement engineering and work practice controls to protect employees who operate, use, or maintain vehicles that transport persons who are ATD cases or suspected cases.
 - i. The department shall give consideration to implementing barriers and air handling systems, where feasible.
 - ii. The department shall document the results and the basis for the result of their consideration process.
 - iii. These control measure shall be included in the annual review of the plan per state regulations.
- f. Effective decontamination procedures shall be developed and implemented, including appropriate engineering controls for cleaning and decontamination of work areas, vehicles, personal protective equipment, and other equipment.
- g. Individuals identified for any airborne infectious disease cases or suspected cases shall be:
 - i. Provided with disposable tissues and hand hygiene materials and masked or placed in such a manner that contact with persons who are not wearing respiratory protection is eliminated or minimized until transfer or placement in an airborne infection isolation room or area can be accomplished.
 - ii. Persons with a suspected or confirmed infectious disease shall be transferred to a negative pressure medical isolation cell.

(g) Personal Respiratory Protection:

- a. The department shall provide a powered air-purifying respirator with a High Efficiency Particulate Air (HEPA) filter to employees who perform high hazard procedures on

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airborne infectious disease infected persons; unless the department determines that the use would interfere with the successful performance of the required tasks.

- i. If the use of a respirator by facility staff would interfere with the successful performance of their required job tasks, an N-95 mask is to be placed on the inmate, not the staff member.
 - b. The General Services Agency (GSA) will record inspections, tests, and maintenance of non-disposable engineering controls including ventilation and other air handling systems or air filtration systems.
 - i. The results shall be maintained for 5 years and include:
 - 1. Names and affiliations of the persons performing the test, inspection or maintenance.
 - 2. The date and any significant findings and actions taken.
 - ii. The person performing the test shall be knowledgeable about the assessment of the air handling system and be present during the performance of procedures or services for the system.
- (h) Recordkeeping:
- a. The department shall establish and maintain an accurate medical record for each employee with an occupational exposure. Medical records will be kept confidential.
 - b. The annual review records of the ATD Plan or Bio-Safety Plan shall include the names of persons conducting the review, the dates the review was conducted, the names and work areas of employees involved, and a summary of the conclusions. The record shall be retained for 3 years.
 - c. Records regarding the unavailability of vaccine shall include the name of the person who determined that the vaccine was not available, the name and affiliation of the person providing the vaccine availability information, and the date of contact. This record shall be retained for 3 years.

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PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in accordance with the Occupational Safety and Health Administration (OSHA) requirements for plan development, regarding the prevention and spread of tuberculosis among clients and employees.

POLICY

The Tuberculosis Protection Guidelines have been developed to provide guidelines to employees to minimize the risk of occupationally acquired mycobacterium tuberculosis (MTB). These guidelines focus on source control, control of the environment, safe work practice habits, and respiratory protective devices. Included in the program are:

- (a) An on-going employee medical surveillance program.
- (b) An employee training program.
- (c) An on-going risk assessment to minimize the potential for occupationally acquired MTB infection.

Department members are responsible for their own compliance with these guidelines. Employees are strongly encouraged to comply with annual TB surveillance and are required to comply with educational components.

- (a) Participation in skin testing is voluntary for all employees other than those identified to be working in high-risk classifications or positions, or are known to have been exposed.
- (b) For high-risk classifications or positions, or those known to have been exposed, participation skin testing is mandatory.

DEFINITIONS

PROCEDURE

- (a) Risk Assessment:
 - a. Department members may come into contact with a person known to have or is suspected to be infected with active respiratory tract tuberculosis in many different ways. Persons who work in or around the following facilities are at a higher risk.
 - i. Hospitals
 - ii. Prisons, jails and juvenile hall

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iii. Facilities which:

1. Utilize procedures resulting in aerosolization of pulmonary secretions
2. Provide diagnosis, including radiographic diagnosis, or treatment of HIV infection or tuberculosis

iv. Employers of emergency personnel (police, fire, ambulance)

v. Employers other than hospitals, whose employees routinely work in hospitals

vi. Employers of personnel who deliver non-emergency health care to patients in settings other than hospitals or clinics

vii. Residential facilities for HIV infected persons

viii. Long-term care facilities for the elderly

ix. Shelters for the homeless

x. Drug or alcohol treatment or counseling facilities

xi. Laboratories, clinical research, or production facilities that work with TB bacteria

- b. To ensure that persons at risk are protected, each department head shall review job tasks and job descriptions to identify any persons who might be involved in tasks that could present a risk. If persons are identified they shall be included in this policy.

(b) TB Surveillance:

- a. Every employee or prospective employee shall comply with the department head that shall:

- i. Ensure that all prospective employees in identified higher risk positions present either documentation of a negative skin test from within the past 3 months, or have a positive TB test, or the results of a chest x-ray within the past 3 months, prior to beginning employment.

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- ii. Every 12 months provide a Purified Protein Derivative (PPD) skin test for all subject employees.
 - 1. If an employee tests positive on the PPD, a TB screening form shall be completed and a medical evaluation shall be conducted if the person shows symptoms.
 - 2. Pursuant to Title 17 CCR Section 2500; requires employers to report all cases and suspected cases of a reportable aerosol transmissible disease and aerosol transmissible pathogens. laboratory to the local health authority within 24 hours. This section includes employees, inmates, or any other persons known or suspected.
 - 3. CCR MJS Title 15 addresses inmate TB issues and will be followed when an inmate is involved.
- iii. Ensure that all employees who undergo preventive therapy for TB are provided all medical evaluation and services necessary to complete therapy.
- iv. Ensure that all required TB skin tests, medical evaluation, and preventive therapies are:
 - 1. Made available to the employee at a reasonable time and place.
 - 2. Performed by a licensed health care professional.
 - 3. Made available at no cost to the employee.
 - 4. Exception: where the employee is an inmate, who was exposed as a result of his/her work duties, and is to be released from custody prior to the completion of preventive therapy, the Sheriff is not required to continue therapy beyond the inmate's release. However, in such a case the Sheriff shall provide the inmate, upon release, with appropriate information about resources available for continuation of therapy.
 - 5. In-custody inmates are addressed in accordance with CCR MJS Title 15.
- v. Ensure that when a county department wishes to act as the evaluating licensed health care professional, the county department shall first offer the employee,

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and provide if requested, the option of medical evaluation and follow-up by a different licensed health care professional.

- vi. Ensure that all TB skin tests are administered and all skin test readings are observed and interpreted by a licensed health care professional in accordance with the recommendations of the CDC, current at the time the TB skin test is administered.
- vii. Ensure that written notification of the TB skin test result and its interpretation are promptly provided to each employee tested and kept confidential.
 - 1. Notification shall include the following statement:
 - a. HIV infection and other medical conditions may cause a TB skin test to be negative even when TB infection is present.
- viii. Provide testing on request or when medically indicated, to any involved employee who receives a negative TB skin test result.
- ix. Comply with the previous 8 procedures, except in the following cases:
 - 1. Employees who work in an area that has a documented job-related conversion of an employee from negative to positive may be put on a 6 month testing program for an evaluation.
 - 2. As soon as reasonably possible, but in no case later than 72 hours after discovery of the condition, provide a medical evaluation for TB and where medically appropriate, provide a TB skin test to any employee who is a suspect infectious TB case.
 - 3. Any employee who exhibits a TB skin test conversion, positive x-ray or sputum sample which is recordable must have a medical evaluation for TB within one week where medically appropriate preventive therapy for TB is offered.
 - 4. Within one week from the date of a known exposure incident and again 12 weeks after the exposure incident, a medical evaluation for TB and where medically appropriate a TB skin test. Preventive therapy for TB will be, when medically appropriate, offered to any employee known to the department head to have been subject to an exposure incident.

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5. If the knowledge of a TB exposure is delayed then the TB testing, medical evaluation and preventive therapy are offered according to current CDC guidelines.

(c) Post Exposure Evaluation:

- a. Following a report or an exposure or suspected exposure incident, the department's designated officer will determine if an exposure has in fact occurred.
- b. If the designated officer needs assistance in determining an exposure he or she may contact the Stanislaus County Health Officer at the Department of Public Health.

(d) Atmospheric Isolation:

- a. An infectious inmate shall be transferred to a negative pressure medical isolation cell.
 - i. Negative pressure medical isolation housing is to be utilized before relying on solely personal protective equipment to prevent exposure to MTB.
- b. Masking of infectious individuals:
 - i. Whenever an infectious inmate is not in a negative pressure medical isolation cell, the employee shall, to the extent practicable and consistent with sound medical practice, ensure that the infectious inmate wears an appropriate mask and is educated that TB is an airborne disease.
- c. Disposal:
 - i. Filters from machines used to clean air contaminated with TB bacteria pursuant to this policy shall be containerized and treated as bio hazardous waste in accordance with Health and Safety Code sections 25080, 25081, and 24090.
- d. Posting:
 - i. Any room or area in which an infectious inmate is housed shall be posted in such a way that employees will be apprised of the exposure hazard before entering the room or area.

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(e) Personal Respiratory Protection:

- a. Respiratory protection will be utilized in the defined high-risk work areas, where engineering controls are not feasible or do not provide adequate protection against exposure. High-risk work areas include the following:
 - i. An isolation room in which a confirmed or suspected infectious TB inmate is housed.
 - ii. An enclosed vehicle in which a suspect or confirmed infectious inmate is being transported.
 - iii. An area of close proximity to an infectious inmate undergoing high-risk procedures. Where the procedure is performed by isolating the patient in an enclosed booth or room and respiratory protection is not required.
 - iv. Isolation rooms in hospitals.
- b. Respirators will be placed on infectious inmate and not staff, if the respirator will hinder staff from successfully performing their job duties or assignments.

(f) Employee Training:

- a. All employees involved with persons known to have or suspected to be infected with active respiratory tract TB shall be trained as follows:
 - i. Prevalence of TB in the community.
 - ii. The nature, extent, and specific hazards of TB transmission in county departments.
 - iii. Symptoms of TB.
 - iv. Description of specific risks of infection to each exposed individual.
 - v. Preventative concerns and benefits of treatment with Isoniazid or other chemo prophylactic agents and the possibility of active disease.
 - vi. Employer screening and engineering controls currently in place.

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- vii. A description of why engineering controls may not be adequate to eliminate the need for personal respiratory protection.
- viii. An explanation of why a particular respirator has been selected for a specific location.

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PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in accordance with the Occupational Safety and Health Administration (OSHA) requirements for plan development, regarding the prevention and spread of H1N1 influenza A and subtype H3N2.

In April 2009, a novel type influenza virus, H1N1 emerged as a significant disease. The spread of this pandemic H1N1 influenza A virus is thought to occur in the same manner that seasonal flu spreads. Although flu symptoms are typically similar no matter the strain of influenza, history has shown that seasons in which H3N2 influenza A is the dominant strain have been more severe. From 2003 to 2013, the three flu seasons that were dominated by H3N2 strains of the flu had the highest mortality rates - causing more deaths on average than other years.

The flu is primarily spread through large droplets that contact the nose, mouth, or eyes. These droplets are produced when infected people cough, sneeze or talk, sending the relatively large infectious droplets and very small sprays (aerosols) into the nearby air and into contact with other people. Large droplets can only travel a limited range; therefore, people should limit close contact to within 6 feet with others when possible. To a lesser degree, human influenza is spread by touching objects contaminated with influenza viruses, and then transferring the infected material from the hands to the nose, mouth, or eyes.

POLICY

In keeping with the requirements spelled out in the Aerosol Transmissible Disease Protection Policy, some additional guidelines have been outlined to further assist departments and their employees in minimizing the risk of occupationally acquired H1N1 or H3N2 influenza. The specific high-risk environments have been addressed in 6-04.01 Exposure Control Plan Policy. These guidelines are general in nature. General guidelines for the prevention and spread of influenza include:

- (a) Social distancing.
- (b) Ongoing employee education and training.
- (c) On-going practice on good cough etiquette and hand hygiene.
- (d) Proper cleaning of surfaces and shared areas to include counter tops, phones, door knobs, etc.

DEFINITIONS

PROCEDURE

- (a) Risk Assessment:

To assist with classifying employee exposure risks during a pandemic influenza, OSHA has divided workplaces and work operations into four risk zones, according to the likelihood of occupational

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exposure. Most work places are likely to be in the medium exposure risk or lower exposure risk groups.

- a. Department members could come into contact with a person known to have or suspected to be infected with an aerosol transmissible pathogen in different ways. It is known that the following settings place an employee at a higher risk for being exposed to aerosol transmissible pathogens:
 - i. Hospitals
 - ii. Skilled nursing facilities
 - iii. Clinics and medical offices
 - iv. Facilities where high hazard procedures are performed:
 1. Procedures include bronchoscopy; cough induced procedures, administration of aerosolized medications, or where infectious aerosols are created
 2. Autopsy suites
 - v. Home health care
 - vi. Public health services
 - vii. Long term health care facilities and hospice
 - viii. Medical outreach services
 - ix. Employers of emergency personnel (police, fire, ambulance)
 - x. Facilities, services, or operations receiving persons who have been exposed to an uncontrolled release of hazardous biological agents
 - xi. Correctional facilities and other facilities that house inmates or detainees
 - xii. Homeless shelters and drug treatment programs
 - xiii. Facilities, services or operations that perform aerosol-generating procedures on cadavers such as pathology laboratories, medical examiners facilities, coroners offices
 - xiv. Laboratories

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xv. Maintenance, renovation, service or repair operations of contaminated equipment or areas

b. To assure that persons at risk are protected, each department head shall review job tasks and job descriptions to identify any persons who might be involved in tasks that could present a risk. If persons are identified, they shall be included in this policy. Facilities shall provide resources and an environment that promotes personal hygiene.

i. Provide tissue, hand soap, hand sanitizer, or no touch trash receptacles.

(b) Practices:

Respiratory hygiene and cough etiquette is an infection control practice strategy used in the healthcare field. This strategy can assist other work areas with guidelines as well. Respiratory hygiene and cough etiquette includes education on the signs and symptoms of illness and the methods of reducing risks for healthcare facility staff, patients, and visitors.

a. Signs and Symptoms:

i. The symptoms of flu virus in people are similar to the symptoms of seasonal flu and include fever, cough, sore throat, runny or stuffy nose, body aches, headaches, chills and fatigue, vomiting, and sometimes diarrhea.

b. Prevention:

i. All employers should implement good hygiene and infection control practices. People with influenza spread flu viruses mainly from person to person through coughing or sneezing. Touching an object with the flu virus on it and then touching your mouth or nose may sometimes cause infection.

(c) Basic precautions can help prevent the spread of germs that cause respiratory illnesses like influenza. Employees are encouraged to take these precautions to protect their health:

a. Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after use.

b. Wash your hands often with soap and water, for at least 20 seconds, especially after you cough or sneeze. Alcohol-based hand cleaners are also effective when water and soap are unavailable.

c. Try to avoid close contact with sick people.

d. Avoid touching your eyes, nose and mouth.

e. Maintain a healthy lifestyle by exercising and eating right.

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- f. Stay home if you are sick to prevent the spread of germs.
 - g. Keep frequently touched surfaces such as phones, keyboards, tools and doorknobs clean, especially shared objects.
- (d) Whenever possible, social distancing is recommended as well as the avoidance of close contact with customers and co-workers. 6 feet of distance is the recommended separation distance.
- a. Contamination and cleaning:
 - i. Studies, thus far, have shown that the influenza virus can survive on environmental surfaces and can infect a person for 2 to 8 hours after being deposited on a surface.
 - ii. The influenza virus can be destroyed by heat, 167-212 degrees Fahrenheit, in addition to germicides which include chlorine, hydrogen peroxide, detergents or soap, iodine based antiseptics, and alcohols which are effective against the human influenza viruses if used in proper concentration for a sufficient length of time.
 - iii. The US Environmental Protection Agency has a website that currently lists over 500 products registered for the use against influenza on hard surfaces. Some top germ spots are telephone receivers, refrigerators, microwaves, door handles, kitchen faucets, light switches, and counter tops.
- (e) Part of education and control practices involves posting signs in languages appropriate to the population being served with instructions to employees, patients and visitors about good hygiene practices. Respiratory and hand hygiene signs can be found at the California Department of Public Health website at:
- a. www.cdph.ca.gov/programs/immunize/Pages/RespiratoryDiseasePrevention.aspx
 - b. Signs regarding respiratory and cough etiquette should be placed in strategic locations similar to high-risk environments such as common lobby entrances, counters, or cafeterias.
 - c. Resources that may be considered for some strategic locations and employees are tissues, no touch receptacles, soap and water and hand sanitizers.
- (f) Personal Protective Equipment (PPE):
- a. While administrative and engineering controls and proper work practices are considered to be more effective in minimizing exposure to influenza, the use of PPE\$ may also be designated during certain exposures.

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- b. If used correctly, PPEs can help prevent some exposures; however, they should not take the place of other preventive interventions, such as engineering controls, cough etiquette, and hand hygiene.
- c. Examples of personal protective equipment are gloves, goggles, face shields, surgical masks, and respirators (e.g., N-95). It is important that personal protective equipment be:
 - i. Selected based upon the hazard to the detainee
 - ii. Properly fitted and some must be periodically refitted (e.g., respirators)
 - iii. Conscientiously and properly worn
 - iv. Regularly maintained and replaced as necessary
 - v. Properly removed and disposed of to avoid contamination of self, others or the environment.

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PURPOSE AND SCOPE

The purpose of this policy is to establish procedures in accordance with the Occupational Safety and Health Administration (OSHA) requirements for plan development, regarding the prevention and spread of Hantavirus.

Hantavirus is a family of viruses found in rodents. These viruses have caused serious health problems in other parts of the world. The Hantavirus referenced in this policy is unique to North America. This strain attacks the lungs instead of the kidneys as the other strains do; resulting in a disease termed Adult Respiratory Distress Syndrome (ARDS). Typical cases of ARDS initially seem similar to the flu: high fever, muscle aches, cough, and headache. These symptoms typically develop 1-2 weeks after exposure, but the range may be as wide as a few days up to 6 weeks.

Rodents, especially the deer mouse, are the primary host of Hantavirus although recent research has shown that other small mammals can be infected as well. Infected rodents shed Hantavirus in their saliva, urine and droppings. Infection can occur when saliva, urine, or droppings from an infected rodent are inhaled as an aerosol produced directly from the rodent or when the dried material is disturbed in such a way that creates dust and is inhaled. Infection can also occur when rodent excreta is introduced into a cut, abrasion, or mucus membrane. People have also become infected after a rodent bite.

Risk of Hantavirus infection is low for persons who do not have direct rodent contact and who do not live in dwellings heavily contaminated with rodent droppings. Rodents often harbor other disease organisms and it is prudent to take sensible precautions to avoid contact with rodents or rodent droppings, especially in rural settings.

POLICY

All department members will work in the safest manner possible. To ensure this, while working around materials or in an area that may contain materials with the Hantavirus, the following policy is to be followed, this section contains specific recommendations for:

- (a) Eliminating rodents and their droppings inside of buildings.
- (b) Preventing Hantavirus exposure while cleaning up rodent-contaminated areas.
- (c) Minimizing risk while performing field duties.

This policy is based on:

- (a) The assumption that all wild rodents and their droppings are infected or contaminated.
- (b) This policy is established to minimize contact and potential exposure to Hantavirus.
- (c) This policy is periodically evaluated and modified if necessary.

This policy is divided into 2 basic levels of work safety issues:

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- (a) Level I . Routine Office Situations and Field Workers
- (b) Level II . Clean Up Requirements of Heavy Rodent Infestations

DEFINITIONS

PROCEDURE

- (a) Risk Reduction:

Eradicating the reservoir hosts of Hantaviruses is neither necessary nor feasible. The best current approach for disease prevention and control is risk reduction through environmental practices that deter rodents from colonizing the work environment.

- a. Hantavirus expected risk factors include:
 - i. Inhabiting rural dwellings with indoor rodent populations.
 - ii. Occupying previously vacant cabins or dwellings.
 - iii. Cleaning barns and other outbuildings.
 - iv. Residing in or visiting rural areas where the rodent population has increased.
 - v. Planting or harvesting field crops.
 - vi. Disturbing rodent infested areas.

It is likely that the greatest risk of becoming infected with the Hantavirus is through the inhalation of aerosols of droppings or saliva produced directly by rodents. The risk is more likely to occur indoors than outdoors. Obviously, keeping rodents out of buildings is the first order of risk reduction. However, buildings that are already infested require that the infestation be abated and cleaned up. It is important that these activities be carried out in such a manner as to minimize the inherent risk.

- (b) Level I . Routine Office Situations and Field Workers
 - a. Special precautions for the clean-up of occasional rodent droppings or trapped rodents are generally not needed. However, it is required that the following simple procedures be used for office situations:
 - i. Do not use vacuum cleaners or sweep with dry brooms as this will create dust.

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- ii. Spray dead rodents, rodent nests, droppings and other items that have been contaminated by rodents with a 1 to 5 dilution of household bleach in water, solution: 1 part household bleach to 5 parts water.
 - 1. Soak the material thoroughly and place in a plastic bag. Seal, place in a second plastic bag and dispose at the County Landfill.
- iii. Disinfect countertops, cabinets, drawers and other durable surfaces by washing with a solution of detergent, water and disinfectant. Allow to air dry.

(c) Level II - Clean Up Requirements of Heavy Rodent Infestations

- a. The following are special precautions for cleaning buildings with heavy rodent infestations (e.g. piles of feces or numerous dead animals). These precautions may also apply to vacant dwellings that have attracted numbers of rodents while unoccupied. Rodent infestation can be determined directly from the observation of animals or indirectly from the presence of rodent droppings in closets, cabinets or on the floors.
- b. General Field Safety:
 - i. Never touch a rodent, its droppings or its urine with your bare hands. Always use plastic or rubber gloves when handling dead rodents, contaminated traps or cleaning up rodent material.
 - ii. Take all precautions to prevent being bitten by rodents.
 - iii. Protective goggles should be worn if it is anticipated there will be material contacting the eyes. The use of respiratory protections should be considered when contaminated material might become aerosolized.
 - iv. Appropriate protective clothing such as gloves, coveralls, boots, lab coats, goggles, and an appropriate respiratory protection devices, such as a half-mask air purifying respirator with a high efficiency particulate (HEPA) air filter or a powered air purifying respirator (PAPR) with HEPA filters shall be worn.
 - v. All involved field staff shall complete appropriate respiratory use training prior to participating in any clean-up work at this level. Knowledgeable persons should supervise staff. Eating, drinking, and smoking are prohibited in areas where respirators are in use.
 - vi. Staff working in potentially high-risk settings shall be informed by the supervisor about the symptoms of the disease and be given current detailed guidance on preventive measures.

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vii. Staff which develops a fever or respiratory illness within 45 days of the last exposure should seek medical attention immediately and inform the attending physician of the potential occupational risk of Hantavirus Infection.

1. The physician should contact the local Public Health Officer immediately if a Hantavirus associated illness is suspected.

c. **Cleaning Buildings with Heavy Rodent Infestation:**

i. Caution should be exercised in cleaning dwellings heavily infested with rodents. Dwellings with evidence of infestation should first be aired-out, and then rodent debris should be thoroughly wetted with a 1 to 5 dilution of household bleach in water to reduce formation of dust or aerosols. Debris should then be wiped-up and placed in double plastic bags for disposal.

1. Do not use vacuum cleaners or sweep with dry brooms that will create dust.

ii. Persons involved in the clean-up shall wear: disposable coveralls, a hair covering, rubber boots or disposable shoe covers, rubber or plastic gloves, protective goggles, and an appropriate respiratory protection device such as a half-mask air purifying respirator with a high efficiency particulate (HEPA) air filter or a powered air purifying respirator (PAPR) with HEPA filters.

iii. All involved field staff shall complete appropriate respirator use training prior to participating in any clean-up work. Knowledgeable persons should supervise staff. Eating, drinking, and smoking are prohibited in areas where respirators are in use.

iv. Before rodent elimination work is begun, ventilate closed buildings or areas inside buildings by opening doors and windows for at least 30 minutes. Use cross ventilation if possible. Leave the area until the airing out period is finished. The airing process may help remove or dilute any aerosolized virus produced directly by living rodents, which may urinate when startled.

v. Spray dead rodents, rodent nests, droppings or other items that have been contaminated by rodents with the disinfectant solution. Soak the material thoroughly and place in a plastic bag. Seal, place in a second plastic bag and dispose at the County landfill.

vi. After the above items have been removed, mop floors with a solution of water, detergent and disinfectant.

vii. Disinfect countertops, cabinets, drawers and other durable surfaces by washing with a solution of detergent, water and disinfectant. Allow to air dry.

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d. Disposing of Rodents and Rodent Material:

- i. Workers should wear a half-mask air-purifying respirator with HEPA filter or PAPR with HEPA filter when removing live rodents from traps or handling live rodents.
- ii. Rodent carcasses and material should be placed in plastic bags that contain enough disinfectant to thoroughly wet them. Seal the bag and then dispose at the County Landfill.
- iii. Traps contaminated by rodent urine or feces should be decontaminated by soaking in the 20% diluted bleach solution: 1 part household bleach to 4 parts water.

e. Procedures for Decontaminating Protective Gear:

- i. Personal protective gear should be decontaminated prior to removal.
- ii. The personal protective equipment outer wear of each protected worker should be sprayed with the 20% diluted bleach solution from the neck down taking care to avoid the face. After spray down:
 - 1. Remove disposable coveralls.
 - 2. Remove head cover.
 - 3. Remove foot cover.
 - 4. Remove respirator.
 - 5. Remove gloves
- iii. Thoroughly wash hands with soap and water after removing gloves. When using the bleach solution, avoid spilling the mixture on clothing or other items that may be damaged.
- iv. Workers should shower with soap and water as soon as possible after removing protective gear.
- v. Disposable protective gear handled in this manner does not need to be handled as infectious waste. After bagging in plastic bags it can be disposed of as household trash.

(d) These recommendations for prevention and control represent general measures to minimize the likelihood of human exposure to Hantavirus infected rodents. The impact and utility of the

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recommendations will be continually reviewed, especially as additional epidemiological and laboratory data related to the virus becomes available. It may be necessary to modify these recommendations in the future.

- a. Recommended supplies for clean-up of heavily infested Level II rodent contaminated areas.
 - i. Rubber Gloves
 - ii. Goggles
 - iii. Portable Sprayer
 - iv. Spray Bottles
 - v. Disinfectant, 20% diluted bleach solution or quaternary ammonium compounds
 - vi. Respirators with HEPA filters
 - vii. Buckets
 - viii. Garbage Cans
 - ix. Trash bags
 - x. Snap Traps
 - xi. Disposable Coveralls
 - xii. Rubber Boots
 - xiii. Duct Tape

- b. Recommended procedures for reopening a heavily infested Level II building.
 - i. Don all Personal Protective Equipment
 - ii. Open and ventilate thoroughly
 - iii. Quick walk through for signs of infestation
 - iv. Disinfect
 - v. Trap

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- vi. Ventilate and disinfect
 - vii. Ongoing trapping
 - viii. Inspect for winter damage
 - ix. Repeat inspection, ventilation, disinfect, and trapping cycle as necessary
- c. Recommended work plan for clean-up of heavily infested Level II rodent contaminated areas.
- i. Begin control efforts
 - ii. Seal
 - iii. Ventilate
 - iv. Spray disinfectant
 - v. Set traps
 - vi. Remove trapped animals
 - vii. Re-spray
 - viii. Survey interior
 - ix. Seal
 - x. Continue trapping, sealing, and disinfecting
- (e) For staff involved in heavily infested Level II clean-ups; the safety measures described herein are to be followed explicitly and completely by all staff participating in such work.
- a. Any person, not employed by Stanislaus County, who participates in any manner and for any duration in the work conducted by Stanislaus County, shall also be required to follow the safety measures as required by this policy.
 - b. No exceptions are to be allowed or tolerated.

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PURPOSE AND SCOPE

The purpose of this policy is to establish produces for administering a food service plan that complies with the applicable California Retail Food Code. There shall be a trained and experienced food services manager to prepare and implement a food service plan for the Stanislaus County adult detention facilities.

POLICY

Nutritional Services will provide a standardized management system in order to execute a cost effective and efficient food service operation.

- (a) Nutritional Services staff will operate under the direction of a technically trained food service manager with proven experience and abilities in organizing and administering a complex food service system.
- (b) The food service manager will have the authority and responsibility to develop and manage all aspects of the food service program with a high degree of professionalism.

DEFINITIONS

PROCEDURE

- (a) Administration of Nutritional Services:
 - a. The food service manager will:
 - i. Develop procedures for actual meal service.
 - ii. Plan menus.
 - iii. Identify vendors and purchase food.
 - iv. Identify the methods, equipment and supplies to be used for transporting and serving food at safe temperatures and of palatable quality.
 - v. Implement a portion control system.
 - vi. Designate and supervise kitchen personnel.

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- vii. Train facility staff in serving food to comply with sanitary standards set forth in Health and Safety Code Division 104 Part 7, Chapter 4, Articles 6-8, Sections 113700 et seq. California Retail Food Code.
- viii. Train food service staff and inmates.
- ix. Arrange to dispose of garbage and trash in a safe and sanitary manner.
- x. Prepare a yearly food budget.
- xi. Plan a logistical support system for the food preparation function.
- xii. Implement a food cost accounting system and inventories.
- xiii. Develop an emergency feeding plan.
- xiv. Maintain and repair food service equipment and appliances.
- xv. Ensure ovens are operating properly and controls are pre-set correctly.
- xvi. Ensure hot water dispensers are set at the correct temperature to meet standards as set by the Health and Safety Code.

(b) Management of Nutritional Services Records:

- a. The nutritional services manager will maintain budgeting, purchasing, and a cost accounting systems to document the following information:
 - i. Compliance with established daily nutritional requirements.
 - ii. Special diet requests and composition.
 - iii. Food consumption.
 - iv. Number of inmate meals served daily.
 - v. Number of meals served to employees, guests, and visitors.
 - vi. Average raw food cost per person, per day.
 - vii. Average total cost per meal served.

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- viii. Estimate of food service requirements based on population count at least 30 days in advance.
- ix. Daily records of food production and utilization as well as disposal.
- x. Monthly, semi-annual, and annual utilization records.
- xi. Maintenance of records kept on all food products purchased, raised, produced, and utilized to compute average daily raw food cost, per day.
- xii. Effective procurement procedures which result in the purchase of supplies at competitive wholesale prices and under other favorable conditions when possible.
- xiii. Records of perpetual and monthly physical inventories and methods used to ensure that food is not stored beyond its safe shelf life.
- xiv. Cost performance data for objective program planning and evaluations.

(c) Food Portion Control:

- a. All meals will be prepared to allow inmates, staff, guests, and visitors the same quality and quantity of food.
- b. Portion control techniques are applied by nutritional services at the time the food allowances are filled for each housing area.
- c. Standard individual portion sizes are provided as they appear on the posted menu and transport log.
- d. Excess hot and cold trays may be distributed to inmates.
- e. Excess foods such as milk, which has not passed the expiration date printed on the carton, bag lunches and loafed bread should be saved for later distribution.
 - i. Store excess food in the walk-in refrigerators located throughout the Public Safety Center site.
 - ii. Do not return food to the main kitchen by food cart. Food returned in this manner must be disposed of because there is no way of determining if proper cold storage or holding temperatures were met.

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(d) Food Storage:

- a. Kitchen supplies shall be stored in the proper locations upon delivery to the facility and or housing units.
- b. Food carts shall be immediately moved into refrigeration units when they are received at the facility or the housing units.
- c. Food carts shall not be left outside of the refrigerator for extended periods of time.

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PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for health and safety compliance regarding nutritional services.

POLICY

Nutritional Services will comply with all applicable federal, state, and local health laws and health regulations in order to provide for adequate health and safety protection for all inmates, staff, and visitors.

DEFINITIONS

PROCEDURE

(a) Personal Hygienic Requirements for Food Handlers:

- a. The nutritional services manager will ensure that all food handlers working in food service:
 - i. Utilize hygienic food handling techniques:
 - 1. Use appropriate equipment such as tongs, gloves, ladles, etc.
 - 2. Wear clean and washable uniforms.
 - ii. Thoroughly wash hands and any portion of the arms exposed to direct food contact with cleanser and warm water, by vigorously rubbing lathered hands and arms for at least 15 to 20 seconds and rinsing with clean running water followed by drying of hands.
 - 1. Upon reporting for duty and before donning gloves for working with food.
 - 2. During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
 - 3. When switching between working with raw food and working with ready to-eat-food.

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4. Before dispensing or serving food.
 5. After touching face or hair.
 6. After picking up items from the floor or handling soiled equipment or utensils.
 7. After handling garbage.
 8. After using restroom facilities.
 9. After coughing, sneezing, eating, or drinking.
 10. After any other activity that may contaminate the hands.
- iii. Maintain clean hands and fingernails. Food handlers may not wear finger nail polish or fake nails.
 - iv. Wear plastic gloves while actually handling food and utensils.
 - v. Inmates will wear hairnets at all times while in the kitchen or food preparation area. Inmates with facial hair will wear a beard net.
 - vi. Employees will wear hairnets at all times while in the kitchen or food preparation area. Staff with short hair may wear a uniform cap in lieu of the hairnet.
- b. The supervising cook will make daily health and safety inspections of all food handlers at the beginning of each shift to ensure:
- i. The absence of apparent illness or infection.
 - ii. The absence of any skin lesions, rashes or wound that is open or draining.
 - iii. The adherence to dress code and sanitation hygienic codes and practices.

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(b) Equipment & Safety Inspections:

- a. All food service areas and equipment are to be inspected daily by the supervising cook to ensure acceptable sanitary and safety conditions, and for compliance with established health and safety codes.
 - i. Any deficiencies discovered regarding equipment shall be reported immediately to the shift supervisor.
- b. The nutritional services manager will ensure that an inspection report is generated daily containing:
 - i. Refrigeration and water temperatures.
 1. Refrigeration units are inspected to ensure a temperature of 40 degrees or lower is maintained.
 2. The optimal temperature for food storage is 36 degrees.
 3. The shift supervisor is to be notified immediately if the temperature is found to be above 40 degrees.
 - ii. Deficiencies are recorded and addressed immediately.
- c. Work areas are to be kept in a clean and sanitary condition free of health and safety hazards.
- d. Food storage areas shall continually be inspected for cleanliness and sanitary conditions.
- e. Kitchen facilities will comply with all structural and equipment standards set forth and mandated in the Health and Safety Code.
- f. Cutlery control is to be maintained in accordance with established policy.

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(c) Personnel Training:

- a. Standardized training, demonstrations, and observations in proper sanitation, hygienic and safety techniques are facilitated by the supervising cook, environmental health staff, and department members on a continuous basis.
 - i. Personnel are to be trained in accident prevention, first aid, use of safety devices, floor care, knife storage, and use of fire extinguishers.
 - ii. Personnel will attend regular meetings to discuss accident prevention and analyze major accidents to prevent reoccurrence.

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PURPOSE AND SCOPE

This policy establishes procedures for menu planning.

POLICY

A standardized 30 day menu cycle shall be planned and certified at least 1 month in advance of its use and will provide a variety of foods in order to prevent repetitive meals.

DEFINITIONS

- (1) Dietary Allowances: the total utilizable nutrient composition of food items provided daily at planned meal times.
- (2) Recommended Dietary Allowances, National Academy of Science: the average daily nutritional requirements needed for overall body maintenance and working efficiency adjusted for age, sex, and activity level.

PROCEDURE

(a) Food Preparation:

- a. Nutritional services will maintain a standardized recipe file based on tested recipes established by the Stanislaus County Nutritionist and adjusted to a yield appropriate to the facility population.
- b. All food is prepared and served in a manner which will maximize safety, quality, control, and will:
 - i. Preserve the nutrient quality and content.
 - ii. Enhance appearance and overall palatability.
 - iii. Preserve flavor, color, and texture.
 - iv. Fulfill the appropriate temperature requirements for hot and cold food.

(b) Menu Evaluations:

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- a. Menus shall be planned at least 1 month in advance and shall be planned to provide a variety of foods. The Stanislaus County Nutritionist shall approve menu cycles.
- b. If any meal served varies from the planned menu, the change shall be noted in writing on the Menu Change Log.
- c. Prior to a meal being served, the Stanislaus County Dietician should approve substitutes and additions to the menu.

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PURPOSE AND SCOPE

This policy establishes procedures regarding the use and delivery of special diets.

POLICY

Special diets are available to provide dietary modifications for medical and therapeutic needs, religious preferences, and for disciplinary reasons.

- (a) Religious diets must be validated by the Sheriff's Department Chaplin and approved by the Adult Detention Division Commander or designee.
- (b) Other than medical staff; the Facility Commander shall review and approve procedures and authorizations for special diets.

DEFINITIONS

- (1) Therapeutic and Medical Diet Modifications: the need to change standard menu composition for the expressed purpose of addressing a therapeutically physical or biological need. The adjustments of specific nutrients, texture and consistency, or feeding frequency are designed to facilitate and maintain the health and wellbeing of the individual.
- (2) Religious Preference: a set of principles supporting religious practices that are recognized by persons who share common ethical or moral views.
- (3) Disciplinary Separation Diet: a diet which is nutritionally balanced that is served in place of the 3 meal a day standard, twice daily, to inmates placed on disciplinary restriction.

PROCEDURE

- (a) Service of Special Diets:
 - a. The attending physician prescribes medical diets. Medical will send a list of medical diets to Support Services daily. A registered dietician will approve all diet plans.
 - b. Medical diets and their delivery must be documented. The inmate must sign the work production sheet signifying that they have received their special diet tray.

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- i. If the inmate is unable or unwilling to sign; staff will sign the sheet indicating the special diet tray was delivered.
- ii. The signed form is returned to Support Services.
- c. Support Services will maintain a Medical Diet Manual containing a list of diets, sample menus, and a list of appropriate substitutions. The county dietician and the attending physician will review and approve the diet manual annually.
- d. Inmates who are currently on a medical diet require medical review and approval prior to being placed on a disciplinary diet.

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SECTION: Control of Kitchen Cutlery Equipment	REVISION DATE: 05/01/19
RELATED ORDERS:	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes accountability procedures for all controlling kitchen cutlery equipment.

POLICY

The supervising cook is responsible to monitor the control of all kitchen cutlery equipment.

- (a) All kitchen cutlery equipment shall be inventoried and controlled to maintain safety and security.
- (b) Department members shall be held responsible to safeguard against loss and to ensure the safety of staff and inmates.

DEFINITIONS

- (1) Kitchen Cutlery Equipment: sharp objects used for food preparation such as knives, meat cleavers, slicer or dicer blades, spatulas, forks, etc.
- (2) Control Panel or Shadow Board: a locked cabinet, located in the kitchen area, used to secure cutlery equipment. Each item stored within the box is outlined to show its proper place and for quick recognition when an item is out of the box.
- (3) Modified Control: staff having visual supervision and recognition of cutlery objects in use for food preparation.

PROCEDURE

- (a) Equipment Control Process:
 - a. Department members shall inventory all equipment stored in the control panel or shadow board at the beginning and end of each shift.
 - b. Department members will conduct a weekly inventory of modified control items.
 - c. Department members will ensure the control panel is locked at all times unless issuing an item or returning an item to the control panel.
 - d. Department members will immediately notify the shift supervisor when a controlled item is missing or unaccounted for.
 - i. Inmate workers are not to leave the kitchen area.
 - ii. Inmate workers are to be searched and cleared before leaving the kitchen area.

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- e. The shift supervisor will initiate a search for the missing items and assign a deputy sheriff to investigate and write an incident report.
 - i. The supervising cook is responsible to write a supplemental report.

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PURPOSE AND SCOPE

This policy establishes procedures for the service of inmate meals.

POLICY

Department members shall supervise the service of inmate meals to ensure food safety, proper handling, adequate distribution, equal treatment of inmates, and overall waste reduction.

- (a) Inmates are provided 3 meals daily during a 24 hour period.
 - a. At least 1 meal is to be served hot.
- (b) Meals are to be served at regular intervals daily during a 24 hour period.
- (c) There shall be no more than 14 hours between the evening meal and the breakfast meal.
 - a. Exception for this directive is exigent circumstances.
- (d) Supplemental food or meals shall be provided if the time between meals exceeds 14 hours.
- (e) 15 minutes shall be allotted for eating time once the last inmate has received their meal.

DEFINITIONS

- (1) Work Production Sheet: detailed information regarding all food to be served at each meal, the portion sizes, heating instructions and any special diet instructions.

PROCEDURE

- (a) Meal Times and Meal Counts:
 - a. Inmate meals are served at approximately 0400, 1030, and 1630 hours.
 - i. The time between meals shall not exceed 14 hours.
 - ii. Meals are served either in the inmate's cell, dayroom, or at work sites; depending on the inmate's classification status.
 - b. The shift supervisor must approve any meal service deviations from the regular menu.

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- i. Example: disciplinary lockdown requiring bag lunches or disciplinary separation diet to be served.
- c. Kitchen staff will confirm the inmate count with each facility when preparing meals.
 - i. Kitchen staff will contact the shift supervisor for any discrepancies regarding the count.
 - ii. The supervisory cook shall prepare meals projected on estimated future numbers.
- d. Work crew supervisors and staff responsible for checking out inmate work crews shall request the amount of lunches needed from support services.
 - i. Kitchen staff will contact the shift supervisor for any discrepancies between the number of meals requested and the number of inmates on the work crew.
- (b) Inmate Kitchen Workers:
 - a. Inmate workers will prepare and serve meals under the supervision of department staff.
 - i. This includes pre-heating ovens and maintaining sanitary conditions in food preparation and service areas.
 - b. Inmate kitchen workers will:
 - i. Contain and cover hair and facial hair with hair nets.
 - ii. Wash their hands upon:
 1. Reporting to duty.
 2. After using restroom facilities.
 3. After handling garbage.
 4. After any other potentially unsanitary practice.
 - iii. Wear plastic gloves at all times during the preparation of meals or handling food.
 - c. Kitchen workers are to eat their meals after all inmates have been served.

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(c) Meal Service:

- a. Preparation for meal service is to start approximately 45-minutes before the time the meal is intended to be served.
- b. Staff will supervise food preparation and food service.
- c. Inmate workers are responsible for the following duties:
 - i. Prep food.
 - ii. Heat food in the oven.
 - iii. Remove heated food from the oven.
 - iv. Place food on the service line or in service carts or trays.
 - v. Serve all food items on the menu.
- d. Meals are to be saved for those inmates who are out of the unit during meal service.
 - i. Inmates not present during the lunch meal will be provided a sack lunch upon return, if they were not served a meal while out of the unit.
- e. Special diets are to be served first before regular meal service.
 - i. The inmate will sign the work production sheet documenting that he or she received their special diet.
 1. In special handling units, where inmates are served meals in their cells, staff will sign the production sheet documenting that the inmate has received the special diet tray.
 - ii. Staff will return the production sheet to the main kitchen.
- f. Once all special diets have been served; the remainder of the inmates will be paged to report to the dayroom.
 - i. Inmates will form an orderly line and remain quiet while in the service line.
 - ii. Inmate housed in special handling units shall be served their meals through the tray slot in their cell door.

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1. This service to be completed by staff, not inmate workers.
 - g. Staff will log any meal refusals on their unit log.
 - h. If inmate indicates they are on a hunger strike:
 - i. Staff will notify the shift supervisor. The shift supervisor will notify the facility commander and medical immediately.
 - ii. Staff will generate an incident report.
 - i. Staff will ensure the following housekeeping duties are completed at the conclusion of each meal:
 - i. All tables are cleaned and sanitized.
 - ii. Garbage is removed from the dayroom and kitchen area.
 - iii. Ovens and other kitchen equipment are cleaned and sanitized.
 - iv. Kitchen and dayroom floors are swept, mopped, and vacuumed if necessary.
 - j. Staff shall collect garbage from inmates who are served meals in their cell.
 - k. The following will apply in housing areas where meals are served in the dayroom:
 - i. Each inmate will place trays and paper refuse in the containers provided.
 - ii. Inmate workers will tie all garbage in plastic bags and place them in the sally port foyer area for removal.
 - iii. Soiled materials, bags of garbage, or bags of laundry are not to be placed on top of or in the food carts at any time.
- (d) Serving and Food Tray Count:
- a. Kitchen staff will count the number of serving trays in each food cart. The number of trays is recorded on a strip of masking tape on the outside of the food cart.

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- i. Staff will verify the number of serving trays in their carts as food arrives to the unit.
 - ii. Serving trays are to be verified again at the completion of the meal service, prior to the cart being sent out of the housing unit.
 - iii. The shift supervisor is to be notified regarding any discrepancies of the serving tray count.
 - b. Kitchen staff will count food trays on each meal cart verifying the number of trays is adequate to feed the number of inmates in each housing area.
 - i. Kitchen staff will record the food tray count on the work production sheet. The work production sheets are sent with the each meal cart to the respective housing unit.
 - c. Staff will count the food trays on each meal cart at the beginning of their shift, ensuring that the number of food trays or sack lunches is adequate to feed the number of inmates in their housing unit.
 - i. Staff will record the food tray count on the work production sheet included in the food cart.
 - ii. Staff will contact kitchen staff for any needed additional food trays.
- (e) Transporting Food Carts:
 - a. Support Services shall be responsible for the transportation of food carts from the main kitchen to the facility walk-in refrigerators.
 - b. Facility staff is responsible to move food carts from the walk-in refrigerators to the housing units.
 - i. At MHU 1 & 2 inmate workers will move food carts from the main kitchen to Units 1 and 2.
- (f) Extra Food and Disposal:
 - a. No food trays that have been cooked shall be saved for a later meal service.
 - b. Any food that is left over or extra after a meal service may be passed out to the inmates or eaten by staff.

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- i. Cooked food trays are to be eaten within 2-hours of cooking.
 - ii. Cooked food trays are to be discarded after 2-hours and not consumed.
- c. Food trays that are not cooked within the day they are intended to be served shall be disposed of.
- d. Sack lunches maybe kept in the refrigerator as extra meals.
 - i. Sack lunches shall only be kept for a period of 3 days. There is a date stamp on each sack lunch.
 - ii. Staff shall check the date stamp before eating or serving the sack lunch to an inmate. If expired, the sack lunch must be disposed of.
- e. All food served by staff to inmates is intended to be eaten during meal service.
 - i. Inmates shall not take food from meals to their cells or save food.
 - ii. Any facility food found in an inmate's cell is to be considered contraband and disposed of, unless approved for medical reasons.
- f. When meals are served to inmates in their cells; additional or left over food is to be collected, removed from the inmate's cell and disposed of.
- g. When meal service is complete, the unit trash is to be removed from the unit and disposed of.

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PURPOSE AND SCOPE

The purpose of this policy is to establish procedures regarding treatment and health care services for all individuals detained or confined in Stanislaus County detention facilities and who are in need of or require medical care.

POLICY

Health services are provided to all individuals for the purpose of reducing suffering from medical, dental, or mental health problems. The primary responsibility of health services personnel is to provide required services for the entire inmate population.

- (a) Health services personnel shall not be required to provide any service that is of non-medical nature.
- (b) Health services shall adhere to and comply with all security regulations.
- (c) Inmates will not be used for medical, pharmaceutical, or cosmetic experiments.
 - a. This does not prohibit the need for individual medical treatments, which are not generally available.
- (d) Health services personnel shall make timely room visits to non-ambulatory or bed rest recovery room patients to complete interviews, exams, and treatments.
- (e) Scheduled medical and dental appointments are to be conducted in designated areas.
 - a. Medical and dental prostheses are authorized upon approval of the responsible physician or dentist; when the health of the inmate would otherwise be adversely affected.

Health services personnel will assist in the management of inmates with medical and mental health conditions.

- (a) The health services administrator and the classification officer will consult with each other regarding inmates who are diagnosed as having psychiatric illnesses.
- (b) When appropriate, such consultation could include:
 - a. Housing assignments.
 - b. Program assignments.

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- c. Disciplinary measures.
- d. Transfers in and out of the facility.

The medical detoxification of inmates is accomplished under the supervision of medical personnel. A sobering cell shall be utilized for those individuals, displaying such a high level of intoxication, that they are a danger to themselves.

- (a) The sobering of intoxicated individuals is accomplished under the observation and care of custodial personnel and medical personnel.
- (b) Any individual whose condition requires them to remain in a sobering cell environment, in excess of 6 hours, shall be examined by medical personnel to determine the presence of a more severe medical condition.

No individual shall be deprived of health care services as a result of being indigent. No essential medication is to be withheld because of a lack of funds.

An inmate may refuse both emergency and non-emergency medical treatment and psychiatric care. Inmates are to be informed of their right to refuse treatment.

- (a) An inmate may be treated by their own private physician at the facility. The inmate or their insurance carrier shall be liable for all physician fees for services.
 - a. Use of over the counter medications is not included in this requirement. This includes aspirin, laxatives, and antacids, etc.

Department members with a reason to believe, that an inmate is suffering from a mental disorder shall immediately notify the shift supervisor and classification.

- (a) Classification shall take appropriate action to segregate the inmate and arrange for a psychiatric evaluation as soon as practical or minimally within 24-hours or the next day's sick call, whichever is earliest.
- (b) At the request of health services personnel; arrangements shall be made to transfer a mentally disordered inmate to the proper facility for diagnosis, evaluation, and treatment under the authority of 4011.6 PC, pursuant to CCR MJS Title 15: 1029.

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- a. If an inmate is transferred to such a facility, the Director of Mental Health is to be notified as soon as possible. If local charges are pending against the inmate, the court shall also be notified of the transfer.

Department members with a reason to believe, that an inmate is developmentally disabled shall immediately notify the shift supervisor and classification.

- (a) If necessary, classification shall take appropriate action to segregate the inmate pursuant to CCR MJS Title 15: 1050.
- (b) Health services personnel shall be notified. Arrangements are to be made with Valley Mountain Regional Center within 24 hours.
- (c) Classification shall be notified regarding any change or need for housing.

Prescribing, dispensing, and administering pharmaceuticals shall be accomplished in accordance with federal and state laws by licensed health care and psychiatric professionals.

- (a) Psychotropic medications are only prescribed when clinically authorized as one part of a program or therapy.
- (b) Psychotropic medications shall not be used as a means of chemical restraint.

Medical records shall be kept by health services personnel separate from booking records. Health services personnel will control access to all medical records.

- (a) Health services personnel will inform the Facility Commander regarding any information deemed to be necessary for the management of the inmate's security status or ability to participate in programs.
- (b) Inmate consent is required for the transfer of medical records, unless the records are transferred directly from one health services provider to another for the sole purpose of providing continued patient care.
- (c) Pursuant to Welfare and Institutions Code 5328; release of confidential information is controlled by the patient consent, unless otherwise stated by law.

- a. Summaries or copies of medical records, routinely sent to health service providers of facilities to which the inmate is transferred, must be transferred in a confidential manner.

DEFINITIONS

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- (1) Triage: the sorting and allocation of treatment to patients according to priorities of need.
- (2) Serious Mental Illness (SMI): defines a severe disabling condition which impairs behaviors, thoughts, and emotions. SMI includes but is not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. Individuals with serious mental illness may also have substance use problems, developmental disabilities or other physical illnesses. Without treatment, support, and rehabilitation; serious mental illness may interfere with the ability to do any or all of the following:
 1. Manage activities of daily living.
 2. Function independently.
 3. Maintain personal or community safety.
 4. Achieve emotional or cognitive stability.
 5. Develop and sustain positive relationships.
- (3) Health Services Personnel or Medical Personnel: is Stanislaus County's contracted medical service provider, providing licensed medical services to the inmate population in the county's adult detention facilities.
- (4) Psychiatric Professionals: are licensed psychiatrists or psychiatric nurse practitioners contracted to provide mental health and program services within the county's adult detention facilities.

PROCEDURE

- (a) General Health Services:
 - a. Adult detention medical services includes:
 - i. Screening new bookings.
 - ii. Pill call rounds in housing areas daily on each shift.

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- iii. Physician's sick call is held daily.
 - 1. When necessary, inmates are transported by staff to the clinic area for treatment by a physician or psychiatric doctor.
- iv. Staffing coverage of the hospital and clinic area when occupied by inmates.
- v. Medical care and housing in a clinic and medical bed unit.
- vi. Referral service for hospitalization and specialty treatment as needed.
- vii. Dental services.
- viii. Mental health services.
- ix. Emergency Response:
 - 1. Medical personnel shall respond to the location of the incident when requested to do so by Department staff.
 - 2. The inmate can be taken to the clinic area if stabilization is not required.
- x. Should an inmate be designated as Total Care; medical personnel will assist the inmate with showering or bathing.
- b. Inmates shall not be used for the following duties:
 - i. Performing direct patient care services.
 - ii. Scheduling health care appointments.
 - iii. Determining access of other inmates to health care services.
 - iv. Operating or repairing medical equipment.

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v. Handling or having access to:

1. Surgical instruments
2. Syringes
3. Needles
4. Medications
5. Health records

c. Inmates requiring non-emergency medical, dental, or mental health care must complete a blue medical request form and hand it directly to medical personnel at pill call or place it into the unit mailbox located in the dayroom.

d. Non-emergency medical visits, known as sick call, are conducted Monday through Friday by licensed medically trained personnel.

(b) Detoxification:

a. Inmates experiencing acute withdrawal reactions and symptoms shall be transferred to an acute care facility at the discretion of medical staff.

i. The shift supervisor may give direction regarding transfer to an acute care facility, in the absence of medical staff.

b. Pursuant to 11222 HSC; a provision for medical aid is available, to relieve symptoms of withdrawal, when there is reasonable cause to believe an individual is addicted to a controlled substance.

i. Pursuant to 11757.59 HSC; pregnant females on methadone maintenance are allowed to continue with the program until conviction, under approval of a licensed methadone program director.

(c) Suicidal Inmates:

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- a. If an inmate makes a suicidal threat while intoxicated or on drugs, department members shall conduct a risk assessment of the individual in accordance with policy. Medical and mental health personnel shall assess the individual upon referral.
- b. Inmates will remain under observation as long as they are determined to be a danger to themselves or others. Mental health personnel shall complete continued assessments until the individual is no longer a threat to themselves or others.
- c. Referrals and notifications sent to mental health personnel should be as informative as possible in regards to the threats and behaviors displayed by the inmate.
- d. If an inmate declares themselves as suicidal during pre-screening or booking, medical is to be immediately notified.

(d) Suicide Precautions:

- a. Department members shall place any person who threatens or gestures suicide into a safety cell until seen by medical and mental health personnel.
 - i. This regulation relieves a clinical judgment decision on the part of staff. Only licensed practitioners are qualified to make a clinical judgement.
- b. Suicidal inmates shall remain under observation until they are no longer deemed to be a threat by mental health practitioners.

(e) Attempted Suicide

- a. In the event of an attempted suicide, that requires the inmate to be transported out of the facility for further treatment, the following shall be completed:
 - i. The Shift Sgt. will fill out the Attempted Suicide Review Form and submit it to the Facility Commander.

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1. The Attempted Suicide Review Form can be found at; G:/ All User Access/ Supervisory Forms
- ii. The Facility Commander shall contact the inmate's Emergency Contact, at their discretion, either while the inmate is at the hospital or upon their return to the facility.
- iii. A review board, consisting of the following, shall convene within 30 days of the event:
 1. Facility Commander
 2. Health Services Administrator
 3. Mental Health Practitioner
 4. Shift Sergeant
 - a. The board will be responsible for reviewing the incident and identifying any preventative measures that could have been taken to prevent the incident.
 - b. Any findings or recommendations of the review board will be done so through the Attempted Suicide Review Form.
 - c. Completed forms will be forwarded to the Title 15 Deputy and retained for reference.
- (f) Heat Plan for Inmates on Psychotropic Medications:
 - a. For those inmates on psychotropic medications; it is important that they do not become overly exposed to direct sunlight without proper protection or heat in excess of 86 degrees Fahrenheit without relief.
 - b. Medical precautions shall be made for inmates on neuroleptic medications, in regards to increased photosensitivity and heat sensitivity. Transfer of these inmates to MHU 1 & 2 or REACT should be reviewed on a case by case basis.

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- c. In the event the air conditioning or environmental controls fail; medical personnel will assess the temperate of the housing environment. Medical personnel shall inform the shift supervisor if cooling procedures are required due to an increase in temperature.
 - i. Medical personnel will provide a list of inmates who are taking neuroleptic medications to the shift supervisor.
 - ii. Fans are to be bought into the unit and ice provided to these inmates for cooling purposes and to prevent overheating.
- d. The following actions are to be taken if the cell or housing unit temperature reaches 86 degrees Fahrenheit or higher:
 - i. Temporary rise of temperature; inmates will be observed closely for complaints of being too hot. In such instances inmates shall be allowed to take a cool shower to reduce their body temperature. This procedure may need to be completed several times until climate controls are operational.
 - ii. Long term cooling problems; inmates are to be transported, in an air conditioned vehicle, to a facility where climate controls are operating properly.
- e. Inmates housed in areas with outdoor recreation; if an inmate is cleared to house in a location with outdoor and uncovered recreation during the summer months and is taking psychotropic medications, a hat or some other type of shading and cooling head wear may be provided. The inmate may also need to wear sunscreen to prevent severe sunburn.
- f. Ice and cold water can be dispensed for cooling purposes, at the discretion of medical.

(g) Dental:

- a. Medically essential dental care and services shall be provided to the inmate population. Services include tooth removal and pain reducing care or any other medically required treatment.
- b. An inmate may refuse county dental treatment and request treatment by their own personal dentist, at their own expense.

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- i. The Facility Commander, after consulting with medical staff, may authorize treatment by the inmate's private dentist. The inmate shall be required to pay the cost for guarding, transportation and all expenses incurred by the dental visit.
- ii. Arrangements with the dentist must be scheduled in advance.
- iii. The cost of guarding and transportation shall be paid in advance of the appointment date.

(h) Pharmaceutical Management:

- a. The identity of the inmate must be verified before any medication is dispensed to the inmate.
- b. All dispensed medication is to be taken immediately in the presence of medical personnel.
- c. Inmates are allowed to carry one dose of certain prescribed medications such as antibiotics, heart, or asthma medication.
 - i. Inmates must possess the proper written authorization, stating the specific medication, inmate's name, and authorizing medical staff member on the form.
- d. Medical staff prescribing medication will include a stop order date for the medication and re-evaluate the prescription prior to renewal.
- e. All controlled substances, medications, and medication supplies are to be stored in a designated secure facility pharmacy or medical distribution area with controlled access and monitoring.
 - i. Inventories of controlled substances, medications, and medication supplies are to be completed by medical personnel at regular intervals.
 - ii. The medical supervisor and supervising nurse practitioner are responsible for ensuring the inventory is complete on a weekly basis.

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- f. First aid kits are available at designated areas within the facility. Each first aid kit must be approved by the medical supervisor.
 - i. The medical personnel shall collect all facility first aid kits and prepare them for review each month.
 - ii. Medical is responsible for inventorying and ordering supplies for first aid kits.
 - iii. First aid supplies are for the use of both staff and inmates.
 - iv. Each facility commander shall ensure first aid kits are readily available throughout the facility.
- (i) Emergency Services:
 - a. Custodial personnel will normally transport inmates to a medical facility in a department vehicle.
 - i. An ambulance may be requested by the shift supervisor or medical staff for emergencies or serious illness, injuries, or for precautionary reasons.
 - b. The inmate will not be transported to the hospital if emergency medical services can be provided within the facility by medical personnel.
 - c. The shift supervisor responsible for authorizing transfer to a medical facility shall make a determination as to whether a guard is needed or not based on the following criteria:
 - i. The charges against the inmate.
 - ii. The inmate's sentence status.
 - iii. The inmate's prior record and history.
 - iv. The inmate's physical condition.
 - v. Any other recommendations from staff.
- (j) Emergency Contact of the Inmate's Next of Kin:
 - a. The shift supervisor may notify the inmate's next of kin in cases of serious illness or injury.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 04/01/11
SECTION: Medical Services	REVISION DATE: 11/17/20
RELATED ORDERS: CCR MJS 15: 1029, 1050, 1056, 1057, 1200, 1209, 1211, 1213, 1214, 1215 PC: 4011, 4011.6, 4011.8, 4011.2 Health and Safety: 11222, 11757.59 Welfare & Institutions Code: 5328 Wellpath: Policy and Procedural Manual, Stanislaus County Adult Facility HIPAA (Health Insurance Portability and Accountability Act of 1996)	ADMINISTRATIVELY APPROVED ANNUALLY

- b. The inmate must provide their contact information, should they desire notification of their next of kin.
 - i. The inmate's willingness to provide emergency contact information indicates the inmate's permission for emergency notification by department members.
- c. The shift supervisor will only notify an inmate's next of kin in cases where the inmate is not physically able or mentally capable to make the notification on their own volition.
 - i. An incident report is to be completed regarding the emergency contact notification.

(k) Hospitalization of Inmates and Commitment to a Treatment Facility:

- a. An Authorization for Treatment form, generated by the medical provider, shall accompany any inmate taken to a medical or treatment facility for treatment or hospitalization.
- b. When an inmate is in need of medical treatment that requires hospitalization, 4011 PC:
 - i. A prisoner may be taken to a medical facility within the county for specialized treatment, without a court order.
 - ii. Hospitalization is not to exceed 48 hours. A 4011 PC order, signed by a judge, is required if hospitalization exceeds 48 hours.
 - iii. Medical is also notified of the transfer to ensure orders, charts, and medications go with the prisoner.
- c. When requesting a 4011 PC order; a recommendation is made to the court describing the inmate's charges, prior record, and physical condition. The Facility Commander shall also include any requirements for guarding the inmate at the hospital or treatment facility.
- d. 4011.6 PC, Commitment of a Prisoner to a Mental Health Facility:
 - i. The following criteria is to be considered when custodial personnel guards an inmate at a mental health treatment facility:
 - 1. The inmate's level of agitation or aggression, which the treatment facility may not be able to manage.
 - 2. Need to employ restraints.

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3. Known potential escape risk.
4. Security level of the treatment facility.

- a. This criterion is not the sole factor in determining the need for a guard, but should be considered in combination with the other factors listed above.

- ii. When the treatment facility requests custodial personnel to guard the inmate:

1. The decision to guard is to be re-evaluated by treatment facility staff at each change of shift.
 2. The Facility Commander is to be given no less than 12 hours advance notice for the need of continued guarding.
 3. Custodial personnel are to return to the facility once a guard is no longer needed.

- (l) Inmates with Mental Disorders:

- a. Any staff member who has reason to believe that an inmate is suffering from a mental disorder shall immediately report this information to the shift supervisor and complete a Mental Health Referral report, describing the inmate's specific behaviors and demeanor.
 - b. Custodial personnel will notify medical personnel to arrange an evaluation of the inmate.
 - c. Classification shall take appropriate action to segregate the inmate based on the findings of medical and mental health personnel.

- i. If the inmate cannot function in their current housing location; classification will re-house the inmate.

- (m) Transfer to Treatment Facility of a Mentally Disordered Inmate:

- a. A mentally disordered inmate, who appears to be gravely disabled or a danger to themselves or others, shall be transferred to a treatment facility designated by the county and approved by the State Department of Health Services for diagnosis and treatment.

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- i. Inmates unable to be adequately cared for, while in the detention facility, shall be transferred to a designated treatment facility as soon as practical.

(n) Use of the ADA Shower:

a. If an inmate requires the use of a ADA designated shower:

- i. Custodial personnel will place a hard plastic chair inside of the designated shower or unlock and set the ADA shower seat for use.
- ii. Staff will attach the handheld shower head and hose for the inmate's use.
 - 1. When the shower head and hose are not in use they are to be stored at the deputy station.
 - 2. The ADA seat is also to be returned to the locked position.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 04/01/11
SECTION: Vermin Control	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1212 PC: 4020	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes procedures for vermin control within Stanislaus County detention facilities.

POLICY

Any inmate who has or is suspected of being infested with vermin such as body lice, head lice, or pubic lice shall be immediately reported to medical personnel.

- (a) Medical personnel shall prescribe treatment and develop medical protocols to prevent the spread of vermin.
 - a. Pursuant to 4020 PC; an inmate's hair shall only be cut, as a prescribed treatment, under the following conditions:
 - i. The County Board of Health or the designated County Physician presents to the Sheriff, or other officer having charge of the county jail a certificate, or order, in writing, to the effect that it is by them, or him, considered necessary for the purpose of protecting the public health, or to prevent the introduction or spreading of disease, or to protect or improve the health of criminals under sentence.
 - ii. The Sheriff, or other officer, must cut, or cause to be cut, the hair of any such person or persons in his charge convicted of a misdemeanor and sentenced to a longer term of imprisonment than 15 days, to a uniform length of one and one-half inches from the scalp of such person or persons so imprisoned.
- (b) Medical personnel shall develop control procedures and arrange for treatment in the areas where the inmate had contact with other inmates.
- (c) Each facility shall have scheduled pest control services. Additional services shall be utilized as necessary.

DEFINITIONS

PROCEDURE

- (a) Lice Information:
 - a. It is not uncommon for staff to observe what appears to be a lice infestation on a prisoner during processing or subsequent to a housing assignment.
 - b. The most common observation will involve adult lice and eggs on the scalp or other hairy portions of the body. Lice can also be found on clothing, particularly along the seams or inner surfaces.

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- c. The three types of lice commonly observed in detention environments are the head louse, body louse, and crab or pubic louse. The crab louse is usually observed in the pubic area and in some cases in the eyebrows and eyelashes.
- d. It is also possible for various forms of mites and scabies to be found on inmates.
- e. Lice do not jump; they transfer by direct contact with another person, their clothing, or other personal belongings.

(b) Vermin Control:

- a. When medically necessary, department staff will use the following procedures for delousing. These procedures are divided into 3 sections: treatment of the inmate, treatment of clothing and belongings, and treatment of facility areas and equipment contaminated by the inmate.

- i. Treatment of the inmate:

- 1. Pediculicides for the control of lice on the individual area are available.
- 2. Most shampoos available are effective for the control of head, crab and body lice.
- 3. The label instructions are very simple and must be followed.
- 4. Persons held for 24 to 48 hours, before being released or transferred, do not usually require re-treatment.
- 5. Treatment is recommended only when persons are found to be infected.
- 6. Medical staff will dispense the appropriate treatment as needed.

- ii. Treatment of clothing and belongings:

- 1. Infested inmate clothing and other belongings are to be properly bagged in a water soluble bag, labeled, and removed from the facility.
 - a. The washing and drying of infected clothing shall be completed at the laundry facility, located in the Support Services building.
- 2. Removal is the safest option for decontamination.
- 3. Lice and their eggs may be killed by:

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- a. Washing in water at 140 degrees Fahrenheit or higher for 20 minutes.
- b. Tumbling clothing in a dryer at 140 degrees Fahrenheit or higher for 20 minutes.
- c. Dry cleaning.
- d. Storing in a sealed plastic bag for 30 days.
- e. Treating with an insecticide specifically developed for this purpose: Li-ban, R&C, Silox, Dri-cide, or non-toxic pesticide sprays such as Pyrethrin.

iii. Treatment of facility areas and equipment:

1. Housing areas and equipment contaminated by an individual with lice should be treated with a disinfectant cleaner.
2. Blankets, facility clothing, towels, and all infected linens shall be treated in the same manner as inmate clothing and or belongings as stated in number ii. above.
3. Floors or other surfaces may be cleaned of lice by using a vacuum cleaner with a disposable bag. The vacuum bag is to be placed in a second bag and tightly closed before disposal.
4. Housing areas and equipment contaminated by lice shall be disinfected with a non-toxic pesticide. After disinfecting, all contaminated equipment shall be thoroughly cleaned.
5. A non-prescribed product shall be used for vermin control when applied by non-medical personnel.
6. Prescribed products shall only be applied by medical personnel.
7. Anyone using any product for vermin control shall be thoroughly trained in its use by medical personnel.
8. In cases where vermin contamination is heavy, the services of a licensed pest control operator should be considered.
9. The use of toxic sprays, by a licensed pest control company, may require specific areas to be out of service for extended periods of time.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 04/01/11
SECTION: Inmate Death	REVISION DATE: 06/15/20
RELATED ORDERS: CCR MJS 15: 1029, 1046 PC: 5021, 6030 GOV: 12525 (a) (1) (b) (1), 26643 Health and Safety code: 7113	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish assurance procedures that every inmate death, which occurs while the inmate is in the custody of the Stanislaus County Sheriff's Department, is investigated by trained personnel and reviewed by an In-Custody Death Review Board.

POLICY

Department members will not make any public comment regarding an in-custody death or the individuals involved in the incident and will refer all inquiries to the shift supervisor or the Facility Commander.

The Crimes Against Persons Unit (CAP) and the Coroner's Unit shall investigate all in-custody deaths.

- (a) The CAP Sergeant is responsible for submitting all required notification forms to the Department Of Justice for all in-custody death cases.
- (b) Life saving measures such as CPR and first aid are to be administered immediately in cases where cessation of life is not obvious.
 - a. Appropriate emergency life-saving measures, administered by custodial personnel and medical personnel, are to be continued until staff is relieved by emergency medical first responders. If necessary, custodial personnel will continue to administer life-saving measures during transport to a medical facility.
- (c) In cases where death has already been determined by a physician or coroner's personnel, or death is obvious such as post-mortem lividity or rigor mortis, the body will not be disturbed or moved from the scene until approved to do so by CAP investigators or Coroner's personnel.
- (d) The Medical Administrator, of the contracted medical services provider, shall ensure that a medical review is completed of every in-custody death.
- (e) Each in-custody death is reviewed by a review board. The Board shall be appointed by the Adult Detention Division Commander.

DEFINITIONS

- (1) In-Custody Death: is the death of a confined or detained person, which occurs in an adult detention facility or while the confined or detained person is in the custody of department personnel.

PROCEDURE

- (a) Responsibilities of Custodial Personnel:

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- a. Custodial personnel shall secure and preserve the scene and all evidence contained within the scene. This includes instruments and/or materials used to affect the death.
- b. Custodial personnel will detain, identify, and separate all suspects and witnesses.
- c. Custodial personnel will notify the shift supervisor immediately regarding any discovery of death.

(b) Responsibilities of The Shift Supervisor:

- a. Notifying the Facility Commander or if unavailable the Adult Detention Division Commander or the next available person in the chain of command up to the Sheriff, if necessary.
- b. Notifying the Investigations Division.
- c. Notifying the CAP Unit either through dispatch or by calling the on-call phone number.
- d. Completing the In-Custody Death Checklist.
 - i. The checklist is located at: G:>Detention Division>Detention Facilities>Inmate Death
- e. The Coroner is responsible for notifying the inmate's next of kin in all inmate death cases.
 - i. In the event of a homicide, the Investigations Unit will make notification.
 - ii. If the shift supervisor receives an inquiry by the inmate's next of kin; the shift supervisor will take down contact information and forward it to the Coroner or the Investigations Unit for notification.
- f. In officer involved deaths or any instance when a department member is involved in an in-custody death, the Internal Affairs Unit will notify the Deputy Sheriff's Association Representative as soon as practicable.
- g. In all in-custody death cases the shift supervisor is to make a complete copy of the inmate's booking pouch for the Investigation Unit. This is to include all documents contained within the inmate's pouch.

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- h. The shift supervisor will submit a memo to the Facility Commander detailing the chronological set of events preceding the death of the inmate, to include a brief history of the inmate.
- i. The shift supervisor will retain the original booking pouch, containing all records and documentation.
 - i. The booking pouch is to be forwarded to the BAS Unit once all reporting requirements are complete.

(c) Responsibilities of The Facility Commander:

- a. Notifying the Sheriff.
- b. Notifying the Adult Detention Division Commander.
- c. Ensure the CAP Unit has been notified and has responded or is responding to the facility.

(d) Personal Effects of the Deceased Inmate:

- a. The Coroner is responsible for and will take custody of all of the deceased inmate's personal property and clothing.
 - i. In a homicide case, the Coroner and CAP Unit will determine the disposition of the property.
- b. The Investigations Unit or Coroner will secure the following:
 - i. Any suicide notes.
 - ii. Any medications.
 - iii. All clothing, personal property, and money.

(e) Reporting:

- a. As directed by the shift supervisor; an incident report is to be initiated by the staff member supervising the inmate when death originated or was discovered.
 - i. Subsequent follow-up investigations are to be completed by the Investigation Unit or Coroner as deemed appropriate.

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- ii. The CAP Unit will coordinate notification to the California State Attorney General's Office by completing and mailing the Death in Custody Reporting Form (bcia_713) within 10 days.

- 1. Contact information:

California State Attorney General
C/O Bureau of Criminal Statistics
Attention: Death in Custody Program
P. O. Box 903427
Sacramento, California 94203-4270

Facsimile: (209) 227-0427 or 227-3561
Telephone: (916) 227-3720

- iii. Pursuant to California Government Code Section 12525; the Attorney General is to be notified within 10 days of an inmate's death, explaining the circumstances surrounding death.

- (f) Responsibility of Medical:

- a. The Medical Administrator will ensure that a medical review of every in-custody death is conducted.

- (g) In-Custody Death Review Board:

- a. The Board shall consist of the following members:
 - i. Stanislaus County Counsel
 - ii. An Adult Detention Commander
 - iii. The Health Services Administrator
 - iv. Responsible Physician
 - v. Other medical personnel and supervisory staff relevant to the incident.
- b. The In-Custody Death Review Board will complete their review within 30 days and submit their findings and recommendations in the form of a written report to the Adult Detention Division Commander.

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- c. The In-Custody Death Review Board will include the following information in their written report of findings and recommendations:
 - i. A synopsis of the circumstances surrounding death.
 - ii. Any recommendations to update policies and procedures.
 - iii. Any recommendations regarding staff conduct.
 - iv. An overview of medical personnel's response and any care rendered to the inmate.
 - 1. If the Board finds discrepancies regarding the care rendered; the Health Services Administrator will submit an independent report of the medical and mental health services rendered to the inmate prior to death.
- d. Any recommendations regarding staff documentation of the incident on observation logs, incident reports, or referrals.

Stanislaus County Sheriff's Department Policy & Procedure Manual - Adult Detention Division	8-01.08 GDP
CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 04/01/11
SECTION: Inmate Food or Hunger Strike	REVISION DATE: 05/01/19
RELATED ORDERS: CCR MJS 15: 1029, 1050, 1057,1209, 1210, 1211, 1213, 1214, 1246 PC: 4011.2, 4011.6, 4011.8, Welfare and Institutions Code: 5328	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes treatment and health care procedures for an inmate who is engaged in a food or hunger strike.

POLICY

The primary responsibility of all department members during an inmate food or hunger strike is to protect the health and welfare of the inmate involved.

- (a) Custodial personnel will actively investigate the cause of a hunger strike, and if possible, seek reasonable solutions to resolve the hunger strike.
- (b) Medical staff will assess and monitor the involved inmate to mitigate, to the degree possible, any health risk associated with not eating.
 - a. Documentation shall be made on the housing unit log for each occurrence of the inmate refusing medical treatment.
- (c) Inmates engaged in a hunger strike will remain in their current housing assignment until such a time their behavior warrants housing in administrative segregation or disciplinary separation.
 - a. At the request of medical personnel or the shift supervisor, an inmates housing assignment may be adjusted to achieve better observation.
 - b. If medical staff determines the physical condition of the inmate warrants hospitalization or transfer to a medical housing unit, the inmate is to be moved accordingly, as soon as possible.

DEFINITIONS

- (1) Food or Hunger Strike: occurs when an inmate or group of inmates refrains from eating for more than 24 hours or declares that they are on a hunger strike.

PROCEDURE

- (a) Inmate Engaged in a Hunger Strike:
 - a. Any staff member discovering an inmate engaged in a hunger strike will:
 - i. Interview the inmate involved to determine the reason for the hunger strike.
 - ii. Immediately notify the shift supervisor and medical personnel.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 04/01/11
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RELATED ORDERS: CCR MJS 15: 1029, 1050, 1057,1209, 1210, 1211, 1213, 1214, 1246 PC: 4011.2, 4011.6, 4011.8, Welfare and Institutions Code: 5328	ADMINISTRATIVELY APPROVED ANNUALLY

- iii. Generate an individual, information only, incident report documenting:
 - 1. The identity of the inmate(s) engaged in the hunger strike.
 - 2. The last known time the inmate ate.
 - 3. The reason for the hunger strike.
 - 4. Any known pre-existing medical conditions or any current medical problems the inmate is experiencing.

- b. Medical personnel will:
 - i. Perform an examination and initial assessment of the inmate within 4 hours of notification.
 - ii. Monitor the inmates health in accordance with established medical protocols.

- c. The shift supervisor will:
 - i. Notify the Facility Commander and document the hunger strike on the watch report.
 - ii. Interview the inmate and attempt to resolve the issue.
 - iii. Confer with medical staff.
 - iv. Ensure the staff member who discovered the inmate completes an incident report and starts a food log.

- d. The Facility Commander will:
 - i. Notify the Adult Detention Captain.
 - ii. Identify the cause of the hunger strike and attempt to mitigate, if possible.

- e. Custodial Personnel assigned to the housing area of the involved inmate will:
 - i. Ensure that each inmate involved is offered a meal at each meal service. Note the offering in the housing unit log and whether the inmate refuses or accepts the meal.
 - ii. Maintain a food log for the involved inmate.

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- iii. Check each involved inmate's commissary slip, when commissary is delivered, to determine if the inmate is purchasing food items. Note any findings in the housing unit log.
- iv. Write a supplemental incident report when commissary food items are purchased and indicate whether or not the food is consumed by the inmate.
- v. Enter the time of the medical checks in the housing unit log.

(b) Ending the Hunger Strike:

- a. If staff observes the inmate eating food:
 - i. Interview the inmate and determine if the inmate intends to continue eating.
 - ii. Notify the shift supervisor.
 - iii. Complete a supplemental report indicating what the inmate ate and any statements the inmate made regarding ending or continuing the hunger strike.
 - iv. Log all relevant information in the housing unit log and on the food log.
- b. The shift supervisor will:
 - i. If warranted, interview the inmate and conduct further investigations.
 - ii. Confer with the medical staff.
 - iii. Discontinue hunger strike procedures unless there is a compelling reason to continue monitoring the inmates' food intake.
 - iv. If hunger strike procedures are continued; the inmate is to be considered on a hunger strike.
 - 1. Monitoring procedures will continue until there is no longer a compelling reason to monitor the inmate.
 - v. Advise the Facility Commander regarding the inmate's status.
- c. The Facility Commander will:
 - i. Notify the Division Commander when the hunger strike has ended.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 11/03/20	
SECTION: Naloxone HCl (Narcan Nasal Spray)	REVISION DATE: 00/00/00	
RELATED ORDERS: Civil Code § 1714.22; 22 CCR 100019 CCR, title 22, Division 9. Mountain-Valley, E.M.S.A Policy	ADMINISTRATIVELY APPROVED ANNUALLY	

Purpose and scope

Formatting administration of opioid overdose medication. To serve as a patient treatment standard for EMRs, EMTs and Law Enforcement within their scope of practice. EMRs, EMTs and Law Enforcement Agencies desiring to administer naloxone hydrochloride (Narcan) shall be approved and authorized by the EMS Agency in accordance with CCR, title 22, Division 9.

Policy

Formatting members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the appropriate designee. All uses of Naloxone shall complete an Overdose Report Back and Naloxone Refill Form and forward to Safety Officer in administration.

Administration opioid overdose medication responsibilities

In the event a Custodial Deputy or a member who is qualified to administer naloxone has reason to believe an inmate or persons are showing signs of an opiate overdose the following will be considered:

- (a) Observation
 - a. Environment is suspicious for use of opioids; AND
 - b. Victim is unconscious/poorly responsive and respiratory (breathing) rate appears slow or shallow
 - c. Victim is unconscious and not breathing (Note: If patient has no pulse, begin continuous chest compression CPR immediately. CPR should take priority over administration of Naloxone.
 - d. First Aid and life saving measures shall continue until relieved by E.M.S
 - e. Individual whom Naloxone has been given to shall be medically cleared from a hospital.

There may be incidents where the overdose person may have multiple narcotics/opioids in their system and shows no response to Naloxone, multiple applications of Naloxone can be administered with a waiting period of 15 minutes in-between application.

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Opioid overdose Documentation

Any member or Deputy who administers an opioid overdose medication should contact the Dispatch Center as soon as possible and request a response from EMS/Fire. Custodial Deputy administering opioid overdose medication should detail the following:

- (a) Documentation on ICJIS incident report
 - a. ICJIS incident report
 - i. Applications of Naloxone and waiting periods in between
 - ii. First Aid measures
 - iii. Incident following up to application of Narcan.

All documentations are to be generated through ICJIS. All uses of Naloxone shall complete an Overdose Report Back and Naloxone Refill Form and forward to Safety Officer in administration. Form can be located on the G drive.

Definitions

- (1) Narcan (Naloxone HCl) Nasal Spray 4mg: Opioid (narcotic) overdose is the result of an individual's exposure to opioid narcotic pharmacological substances (accidental or intentional). Common narcotic substances include heroin, morphine, oxycodone, hydrocodone, fentanyl, methadone, Dilaudid and Demerol. Naloxone (Narcan) is an antagonist to opioid narcotics and is not effective with other medications. It will NOT reverse non-opiate exposures.

Opioid overdose medication training

The Training Manager should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22). Annual training will consist of updated policy and nomenclature of Narcan Nasal spray.

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CHAPTER 8: Medical/Mental Health & ADA Services	ISSUE DATE: 02/17/18
SECTION: Jail Based Competency Treatment Program	REVISION DATE: 06/03/20
RELATED ORDERS: MJS CCR 15: 1208.5, 1209, 1210, 1214, 1217 PC: 1369.1, 1370	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

This policy establishes program facilitation procedures for mental health inmates participating in the Jail Based Competency Treatment (JBCT) Program for restoring competency to stand trial.

POLICY

The safety and security of program participants and program staff is the responsibility of custodial personnel assigned to the JBCT program.

- (a) Custodial personnel assigned to JBCT will ensure security protocols are adhered to during the delivery of programs or treatments.
- (b) Custodial personnel assigned to JBCT are responsible for compliance with established post orders and specific program tasks which may overlap with their daily duties.

DEFINITIONS

- (1) Jail Based Competency Treatment Program (JBCT): is a partnership between the California Department of State Hospitals, Stanislaus County Sheriff's Department, and the Stanislaus County contracted medical provider to restore competency to mentally ill offenders deemed incompetent to stand trial.

PROCEDURE

Inmates enrolled in JBCT are to be housed in HUM 6, cells 601-611 and HUM 5, cell 509.

- (a) Program inmates are to be of both male and female gender.
- (b) Inmates are housed in accordance with established classification and mental health criteria.
- (c) Inmates will participate in programs, classes, and treatment within their cells, the dayroom, and in the interview room.
- (d) There will be no razors in the unit. Electric razors are provided for use. Electric razors shall be sanitized between uses.
- (e) Programs, treatment and classes generally occur Monday through Friday, between the hours of 0800 and 1500.

JBCT Staff Duties:

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- (a) Custodial personnel is responsible for the following duties:
- a. Daily count of inmates.
 - b. Conduct cell searches, security checks, and inspections of all program inmates.
 - c. Inmate movement and transfers.
 - d. Maintain and update the JBCT log.
 - e. Work collaboratively with program staff to organize classes and therapy sessions.
 - f. Facilitate and log cell activity, meal service, sick call, visits, medication pass, classes, and any other activities of the program, occurring during program hours.
 - g. Document all necessary information.
 - h. Facilitate cleaning, ensuring inmate participation.
 - i. Assist with classes and group sessions when requested by program staff.
 - j. Process inmate request forms, grievances, and all other inmate mail in accordance with policy.
 - k. When available assist housing unit staff with the day to day operation of HUM.
 - l. Attend weekly treatment meetings with program staff.

Classes and Treatment:

- (a) All program inmates are expected to participate in all classes and programs.
- (b) If an inmate refuses to participate; staff will determine the reason for the refusal and document the information in the inmate management notes.
- (c) Inmates of different classifications and genders are allowed to mix during classes and treatment as approved by the JBCT Deputy, Classification, and the supervisor overseeing JBTC, or the JBCT Commander.
 - a. Custodial personnel shall be present in the dayroom during classes and treatment.

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Inmate Movement:

- (a) Inmates who require restraint for movement will not mix with any inmates who are not restrained.
- (b) Inmates of different classifications and/or genders are allowed to temporarily mix during movement to accomplish required tasks such as visiting and medical exams.
 - a. Staff will exercise caution when moving different classifications and genders together.
 - b. Staff shall escort female inmates through the dayroom, while male inmates are out of their cells.

Out of Cell Activity (OCA):

- (a) Recreation is accomplished in accordance with established policy.
 - a. All program inmates will complete recreation in the dayroom or rec yard of HUM 6.
 - b. Recreation is conducted during the hours of 0800 and 2200.
- (b) The program has a separate programing log for participating inmates.
 - a. Staff is responsible for maintaining and updating this log. All log entries shall be legible and complete.
 - b. Program staff will keep housing staff apprised of any OCA before going off-duty.
 - c. Any activity refusals shall be logged on the OCA log, including the time of the refusal.
 - d. Any activity that disrupts the normal operations must be documented on the log.
 - e. Staff will document both positive and negative behaviors while supervising OCA.
- (c) Male and female inmates of the same classification are allowed to conduct OCA together. Custodial personnel must be present in the dayroom for the entirety of OCA.
 - a. If staff needs to leave the dayroom for any reason, inmates will lock down ensuring males and females are no longer able to mix.

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- b. All cell doors will be secured during OCA.
- c. Males may shower during male only OCA.
- d. Females may shower during female only OCA.

Meal Service:

- (a) All inmates are served meals in their cells by custodial personnel.
- (b) Food trays, cups, unconsumed food items, and milk cartons shall be collected at the completion of the meal. Any trash from the meal is to also be collected.
- (c) If an inmate refuses or does not respond for the meal, staff will determine the reason for refusing or not responding and document accordingly.

Medication Pass, Sick call, and Vital Checks:

- (a) Delivery of medication and sick call takes priority over other non-emergency activities in the unit.
- (b) Staff shall escort medical personnel when administering medication.
- (c) Medical personnel shall dispense medications and check vital signs as necessary.
- (d) The inmate being examined shall be required to come to the cell door for evaluation. Exams may also be completed in the unit medical exam room.
- (e) If an inmate does not respond for medication, staff will determine the reason for not responding and document accordingly.

Professional and Personal Visiting:

- (a) All visiting is accomplished in accordance with established policy and procedure.

Commissary:

- (a) Commissary delivery is completed at the cell door by custodial personnel.
- (f) If an inmate refuses or does not respond for commissary, staff will determine the reason for not responding or refusing and document accordingly.

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Clothing Exchange, Cleaning, and Cell Cleaning:

- (a) Clothing exchange takes place on Wednesday.
- (b) The clothing exchange is completed at the cell door by custodial personnel.
- (c) Custodial personnel will ensure each inmate removes all dirty clothing from their cell and is issued clean clothes.
- (d) Cell cleaning is monitored by staff daily. Double-scrub is completed on Wednesdays.

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SECTION: Persons with Disabilities & Armstrong Class Inmates	REVISION DATE: 06/03/20
RELATED ORDERS: American with Disabilities Act: Title II, Section 504 United States Supreme Court cases: 42 ss12131, 29 ss794 Armstrong v. Brown 9 th circuit: case C94-2307 CW, 12-16018, 622 F.3d at 1068, 1074	ADMINISTRATIVELY APPROVED ANNUALLY

PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the identification of Armstrong Class Inmates and to establish reasonable accommodations that allow them as well as other persons with disabilities equal access to programs, services, and health care while maintaining the security and operation of the adult detention facilities.

POLICY

The Stanislaus County Sheriff's Department shall ensure, to the degree reasonably possible, equal access to services and programs for persons with disabilities in accordance with Title II of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in all services, programs, and activities provided to the public by state and local governments, including those programs offered within jails.

- (a) The following established adult detention policies detail what accommodations are offered to persons with disabilities and how those accommodations are accomplished within each facility.
 - a. 2-01.01 Receiving Arrestees & Transfers (General Process)
 - b. 2-01.02 Screening Arrestees & Transfers
 - c. 2-01.03 Intake & Processing
 - d. 2-06.03 Classification Assessment Interview
 - e. 2-06.06 Facility Housing Classification
 - f. 3-01.01 Inmate Rights
 - g. 3-03.03 Inmate Grievances
 - h. 3-03.04 Inmate Rules and Orientation
 - i. 8-01.01 Medical Services

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Department members with any reason to believe that an inmate or visitor is deaf or hard of hearing will advise that person that appropriate auxiliary aids and services are available for effective communication, or direct the person to the appropriate staff member for assistance.

- (a) The Sheriff's Department shall adopt and implement written policies and procedures to provide telecommunication devices for inmates who are deaf or hard of hearing in a manner that ensures effective access to telephone services.
- (b) This policy shall also provide that inmates in this category have access to telecommunication devices to communicate with family members or friends who are deaf or hard of hearing.

The Bureau of Administrative Services (BAS) Unit shall maintain all necessary information about access to and maintenance of this policy. BAS shall provide appropriate assistance regarding immediate access to and proper use of auxiliary aids and services available under this policy.

- (a) Each facility commander shall know how to obtain services, where the appropriate auxiliary aids are stored and how to operate them, and shall be responsible for their maintenance, repair, replacement, and distribution.
- (b) BAS shall maintain records of requests inquiries regarding the delivery of auxiliary aids and services.
- (c) BAS shall schedule, announce, and promote all training required by this policy.
- (d) BAS shall draft, provide, and maintain all reports required by this Policy.

Individuals identified as Armstrong Class Inmates, by the California Department of Corrections and Rehabilitation (CDCR) shall be afforded reasonable accommodation and care for their respective disabilities in accordance with established department policy and current ADA standards.

- (a) No Armstrong Class Inmate shall be deprived of health care services as a result of being indigent or for any other reason.
- (b) Grievances submitted by Armstrong Class Inmates shall be addressed in accordance with current grievance procedures outlined in established department policy.
- (c) The department's contracted medical provider shall be made aware of any disabled individual requiring health care services.

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- (d) The Facility Commander will furnish reasonable and appropriate auxiliary aids and services, where necessary, to afford a disabled individuals equal opportunity to participate in and enjoy the benefits of a service, program, or other activity facilitated by the Sheriff's Department.
- (e) Department members will take appropriate action to ensure effective communication with disabled inmates or members of the public with disabilities.
- (f) Armstrong Class notifications, received from CDCR, are to be entered into ICJIS by BAS for tracking and follow-up care.
 - a. After initial documentation; individuals are to be interviewed by designated department members to determine if their identified disabilities are being accommodated and if there is any change in their documented status.
 - i. Any information or deficiencies discovered during the interview are to be documented in ICJIS and corrected as soon as possible.
 - 1. Deficiencies in medical or mental health care.
 - 2. The lack of reasonable accommodation.
 - ii. Deficiencies that cannot be corrected by medical, mental health or the Classification Unit shall be reported to the facility commander for review and corrective action.

DEFINITIONS

- (1) Armstrong Class Inmates: are individuals on parole or who are sentenced to state prison and serving their sentence in a county adult detention facility, and are documented with physical or developmental disabilities that may require a special housing arrangements or assistance including but not limited to, access to and use of medications, wheelchairs, walkers and telecommunication devices or a video relay phone system.
- (2) Qualified Interpreter: means an interpreter who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary.
- (3) Disabled Person: an individual is considered to have a disability if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.
 - a. Major life activities include:

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- i. Caring for one's self.
- ii. Performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- iii. To be substantially limited means that such activities are restricted in the manner, condition, or duration in which they are performed in comparison with most people.

PROCEDURE

(a) Identification:

- a. If a new arrestee or transfer tells any department member that he or she has a disability, or staff suspects the individual has a disability, the shift supervisor, medical personnel, and classification officer are to be notified.
 - i. Medical personnel will:
 - 1. Examine the individual and determine the type and degree of the individual's disability.
 - ii. Classification will:
 - 1. Document assessment information in ICJIS and arrange appropriate housing for the individual.
 - iii. The shift supervisor will:
 - 1. Determine what accommodations are required to ensure equal access to services and programs.
 - 2. Inform staff regarding the individual's needs and accommodations.
- b. If the individual appears or claims to be deaf or hard of hearing, staff will:
 - i. Interview the individual to determine what kinds of communication (reading lips, written notes, and sign language) the individual is able to communicate with.

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ii. Notify the shift supervisor, medical personnel, and classification officer.

1. The shift supervisor will:

- a. Determine what accommodations are required to ensure equal access to services and programs.
- b. Inform staff regarding the individual's needs and accommodations.

2. Medical personnel will:

- a. Examine the individual and determine the type and degree of the individual's disability.

3. Classification will:

- a. Document assessment information in ICJIS and arrange appropriate housing for the individual.

c. If staff becomes aware that an inmate has a disability, which was not identified during the initial screening and booking process, staff will notify the shift supervisor and classification.

d. If the inmate later requests additional or different accommodations than were indicated on the initial assessment; the decision to grant or deny the newly requested accommodation will not be made based on the initial assessment.

i. Medical personnel and classification will conduct a new assessment.

ii. The shift supervisor, after consulting with medical staff, shall review and approve any change to the original accommodation.

(b) Deaf, Hard of Hearing or Deaf-Blind Inmates:

a. People who identify as deaf, hard of hearing or deaf-blind are entitled to a level of service equivalent to that which is provided to others.

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- b. Department members will make every effort to communicate effectively with individuals identified as deaf, hard of hearing or deaf-blind.
- c. Various types of communication aids, known as auxiliary aids and services, are used to communicate with people who are deaf, deaf-blind or hard of hearing. These include:
 - i. Gestures or visual aids to supplement oral communication.
 - ii. An exchange of written notes.
 - iii. Use of a computer, tablets, and/ or typewriting devices.
 - iv. Use of assistive listening devices, which amplify sound for individuals who are hard of hearing.
 - v. Use of qualified oral sign language or tactile interpreters.

(c) Delivery of Appropriate Auxiliary Aids and Services:

- a. An initial communication assessment of the individual shall be made at the time of the intake. Department members shall perform and document a communication's assessment as part of the pre-screening process.
- b. Medical personnel shall conduct at least 1 routine assessment on each individual with a hearing disability to determine appropriate auxiliary aids and services.
 - i. Medical personnel shall keep appropriate records reflecting any ongoing assessments or developments in relation to the individual's care.
- c. Department members will provide an appropriate auxiliary aid or service to individuals who are deaf or hard of hearing after determining that the aid or service is necessary.
 - i. This accommodation is to be made for both inmates and members of the public who require such accommodations for effective communication.
 - ii. Auxiliary aids and services include:
 - 1. Qualified interpreters.
 - 2. Note takers.

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3. Transcription services and video remote interpreting tablets.
 4. Writing materials.
 5. Assistive listening devices and systems.
 6. Other effective methods of making hearing assistance materials available to individuals who are deaf or hard of hearing.
- d. Department members shall determine the timing, duration, and frequency regarding appropriate auxiliary aids or services that are made available to individuals with disabilities.
 - e. When an auxiliary aid or service is required for effective communication; department members shall give the individual an opportunity to request the auxiliary aid or service of their choice.
 - i. Department members shall provide the expressed choice unless another equally effective means of communication is available.
 - ii. The expressed choice shall not result in a fundamental alteration of service, program, or activity or create undue financial and administrative burdens.
 - f. Nothing in this policy shall require that an electronic device or piece of equipment, used as an appropriate auxiliary aid, be used when or where its use may be inconsistent with established policy or pose security concerns.
 - i. Example: access to closed captioned or subtitled televisions is provided for inmates with hearing disabilities at the same duration and frequency as televisions which are provided to other inmates of the same classification status.
 - g. The Facility Commander shall maintain an effective complaint resolution procedure, regarding the delivery of auxiliary aids and services, and shall maintain records of all complaints filed and actions taken.
 - h. If an individual who is deaf, hard of hearing, or deaf-blind does not request appropriate auxiliary aids or services, but staff has reason to believe the individual would benefit from appropriate auxiliary aids or services, staff may inform the individual that appropriate auxiliary aids and services are available free of charge.

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- i. Department members shall take appropriate steps to ensure that all personnel having contact with an inmate who is deaf, hard of hearing, or deaf-blind are made aware of the person's disability so that effective communication with the person can be achieved.

(d) Providing Qualified Interpreters:

- a. The Facility Commander shall make qualified interpreters or video remote interpreting tablets available as necessary for effective communication or effective participation in facility programs and activities by inmates and members of the public who are deaf, hard of hearing or deaf-blind.
- b. The following are examples of when it may be necessary to provide an interpreter. This list of circumstances is neither exhaustive nor mandatory and shall not imply that there are no other circumstances when it may be appropriate to provide interpreters for effective communication:
 - i. Intake and classification screening.
 - ii. Facility health care appointments and programs such as medical, dental, vision, mental health, and drug and alcohol recovery services.
 - iii. Treatment and other formal programming.
 - iv. Educational classes and activities.
 - v. Criminal investigations any official hearings conducted by the Sheriff's Department in which the inmate is a participant.
 - vi. Classification interviews.
 - vii. Grievance interviews.
 - viii. Religious services.
 - ix. Formal investigations conducted by department staff.
- c. Qualified Interpreter:
 - i. A department member who signs should not be considered an interpreter unless he or she possesses the proper skills to observe someone signing and change their signed or finger spelled communication into spoken words and vice versa.

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- ii. An employee should not be allowed to interpret if his or her presence poses a conflict of interest or raises confidentiality and privacy concerns.
 - iii. On occasion, an inmate may possess the skill level necessary to provide interpreting services; however, the impartiality concerns remain and in many, if not most situations, inmate interpreters should not be used due to confidentiality, privacy, and security reasons.
 - iv. Someone who has only a rudimentary familiarity with sign language or finger spelling is not a qualified interpreter under this policy.
 - v. Someone who is fluent in sign language, but who does not possess the ability to process spoken communication into the proper signs or to observe someone else signing and change their signed or finger spelled communication into spoken words is not a qualified sign language interpreter.
- d. Contracts for Interpreting Services:
- i. The Sheriff's Department shall establish contracts or provide other effective means to ensure that qualified interpreters or video remote interpreting tablets are available when required, without delay.
 - 1. Response times subject to events, which are outside the reasonable control of the Sheriff's Department, are excluded from the determination of whether the prescribed response criteria have been met or not.
- e. Other Means of Communication During Non-scheduled Circumstances:
- i. Between the times an interpreter is requested and when an interpreter arrives, department members shall continue to try to communicate with the inmate or member of the public who is deaf or hard of hearing using all available methods of communication.
 - 1. Example: seeking the services of an interpreter shall not mean that medical treatment will be delayed until the interpreter arrives.
 - 2. Upon arrival of the interpreter; staff shall review and confirm with the inmate all information received without benefit of the interpreter.
 - 3. This provision in no way lessens the Sheriff's Department's obligation to provide qualified interpreters in person, in a timely manner as required by this policy.

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f. Staff Interpreters:

- i. The Sheriff's Department may, but shall have no obligation to, hire or otherwise contract with qualified interpreters for a staff position.
- ii. Staff interpreters must be qualified as set forth in the Stanislaus County Personnel Policy Manual.
- iii. Inmates and visitors who are provided with staff interpreters must have the same level of coverage, for both duration and frequency, as the Sheriff's Department is otherwise obligated to provide under this policy.
- iv. The Sheriff may assign other duties as appropriate to staff interpreters that do not interfere with the provisions of sign language interpreting service.

(e) Hearing Aids and Batteries:

a. Replacement Batteries:

- i. The contracted medical provider shall purchase and keep appropriate types of hearing aid batteries in stock in the medical supply room during the length of time an inmate who wears a hearing aid is in custody.
- ii. Medical personnel shall provide replacement hearing aid batteries to inmates requesting them as soon as possible.
- iii. The cost for replacement batteries shall be billed to the inmate.

b. Hearing Aid Repairs:

- i. The contracted medical provider shall send an inmate's hearing aid to a hearing aid repair company as soon as possible, following a request by an inmate for repair of his or her hearing aid.
- ii. Medical personnel shall keep the inmate informed when his or her hearing aid was sent out for repair and when it is expected to be returned by the repair company.
- iii. The Medical Care Provider shall provide the inmate with written documentation of all hearing aid repairs, including detailed information regarding the vendor used, the date of the repair, and the specific repairs performed.

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1. The cost for all repairs shall be billed to the inmate.

(f) Communicating with Assistive Listening Devices:

- a. Effective communication with an individual who has partial hearing impairment is an ADA requirement.
- b. Depending on the degree of impairment; effective communication may be facilitated by facing the individual and speaking loudly.
- c. Some individuals may require assistive listening devices to amplify the sound.
- d. Appropriate assistive listening devices are to be made readily available in the following areas:
 - i. Receiving & Release
 - ii. HUK
 - iii. HUL
 - iv. HUM
 - v. HUH – Sheltered Bed Unit.
 - vi. If the inmate is not housed in any of these areas arrangements can be made through the operations sergeant to have the assistive listen device sent to the location of the inmate.

(g) Personal Assistant Listening – FM Receiver System:

- a. Hearing Safety:
 - i. The FM Receiver is designed to amplify sound at a high volume. To protect your hearing and the hearing of others:
 1. Make sure the unit is off or the volume is turned down before putting on the earphones.
 2. Set volume level at the minimum setting, which you need to hear.
 3. Do not allow unauthorized persons access to the system.

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b. Battery Safety:

- i. Do not attempt to recharge alkaline or other non-rechargeable batteries, which may explode, release dangerous chemicals, cause burns, or cause other serious harm to the user or system.

c. Medical Device Safety:

- i. Check with medical personnel before using this system with a pacemaker or other implantable medical devices.

d. FM Transmitter:

- i. The transmitter will broadcast up to 150 feet away. The system is designed to help large and small groups of people overcome background noise and distance to clearly hear the speaker.

(h) Telephones & Telecommunications Devices for the Deaf:

a. Telecommunications devices in visiting areas:

- i. The Facility Commander shall make telecommunication devices available throughout the facility.
- ii. There shall be at least 1 telecommunication's device in each of the visiting areas used by inmates and visitors who are deaf, hard of hearing, or deaf-blind.
- iii. The Facility Commander can either permanently install the required telecommunication's device or make available a sufficient number of portable devices.
- iv. Wherever fee based telephones are available, but telecommunication devices are not permanently installed; the Facility Commander shall post permanent signs in the lobby of the facility in which deaf, hard of hearing, or deaf-blind inmates are housed, indicating the location of the nearest telecommunication's device.

b. Telecommunications devices in housing units and other facility areas:

- i. The Facility Commander shall provide telecommunication devices to all deaf and hard of hearing inmates residing in housing unit to the extent that fee based telephones are available to other inmates.

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RELATED ORDERS: American with Disabilities Act: Title II, Section 504 United States Supreme Court cases: 42 ss12131, 29 ss794 Armstrong v. Brown 9 th circuit: case C94-2307 CW, 12-16018, 622 F.3d at 1068, 1074	ADMINISTRATIVELY APPROVED ANNUALLY

- ii. In those situations where the Facility Commander provides a portable telecommunication's device; department members shall promptly provide a device upon the inmate's request, absent any emergency circumstance, for purposes of communicating with department members or medical personnel.
 - iii. The Facility Commander shall also make telecommunication devices available whenever a fee based telephone is made available to inmates in other areas the facility.
 - c. Toll-free numbers for telecommunication's device:
 - i. The Facility Commander shall take the necessary steps to provide inmates and visitors with access to toll-free numbers for telephone relay services or telecommunication's operators.
 - ii. These numbers shall be posted near all fee based telephones, indicating that the numbers are toll-free.
 - d. Hearing aid compatible telephones:
 - i. The Facility Commander shall ensure that no less than 25 percent of all its fee based telephones are hearing aid compatible.
 - ii. The Facility Commander shall ensure that hearing aid compatible telephones are dispersed among all fee based telephones throughout the facility.
 - e. Video relay service:
 - i. Video relay service is a form of telecommunication's relaying that enables persons with hearing disabilities, who use American Sign Language, to communicate with voice telephone users through video equipment rather than through typed text.
 - ii. Video equipment links the relay service user with a telecommunication's relaying operator, called a communications assistant, so that the user and operator can see and communicate with each other during signed conversations.
 - f. Video Remote Interpreting tablets:
 - i. Video Remote Interpreting (VRI) provides interpreting services to ensure effective communication with deaf and hard of hearing individuals who communicate using sign language. The (VRI) service connects those who are deaf and hard of hearing to a live online interpreter instantly, rather than through typed text.

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- ii. The (VRI) tablet will be located in the Sergeant's Office. The tablet will always be connected to the charger when not in use. The (VRI) tablet can be activated by pressing the home button that is located in the center of the bottom edge of the tablet. To connect to a live online interpreter, press the start button on the tablet screen. Position the tablet so the individual that is deaf or hard of hearing can see the tablet. The interpreter will sign what is being said back to the deaf or hard of hearing individual. When the (VRI) tablet is no longer needed, return the tablet back to the Sergeant's Office.
 - iii. When the (VRI) tablet is used in the absence of an on-site interpreter, it must be used properly in terms of policy, procedure, and technology.
- (i) Televisions:
 - a. The Facility Commander shall provide and maintain closed captioned television decoders or televisions with subtitle capabilities in television rooms to enable inmates who are deaf or hard of hearing to enjoy the same opportunity for television viewing as afforded to other inmates.
- (j) Notices:
 - a. Signs:
 - i. The Facility Commander shall post and maintain signs of a noticeable size and print and wherever other posters or flyers are required by law to be posted.
 - ii. Such signs shall relay the following information:
 1. Sign language and oral interpreter information.
 2. Information regarding the availability of telecommunication devices.
 3. Information regarding other auxiliary aids and services available free of charge to people who are hearing impaired.
 4. Information regarding assistance from department personnel.
 - b. Inmate Rules and Orientation:
 - i. The Facility Commander will ensure printings of the Inmate Rules and Orientation manual references the following information:

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1. To accomplish effective communication between inmates and their visitors, who are deaf or hard of hearing, we provide appropriate auxiliary aids and services free of charge:
 - a. Sign language and oral interpreters.
 - b. Telecommunication and video devices.
 - c. Note takers.
 - d. Computer-assisted real time transcription services.
 - e. Writing materials.
 - f. Telephone handset amplifiers, assistive listening devices and systems.
 - g. Telephones compatible with hearing aids, closed caption decoders, and open and closed captioning during inmate programs.

(k) Personnel Training:

- a. The BAS Unit shall provide training sessions as part of its annual in-service training plan for all department members who have contact with deaf, deaf-blind or hard of hearing inmates and visitors.
- b. This training shall be sufficient in duration and content for personnel who routinely interact with inmates and members of the public with disabilities.
 - i. This training shall address in access to policies, use of policies, and cover awareness and service needs for deaf, deaf-blind, and hard of hearing inmates and visitors.