

Policy 1600 - Orange County Jail Rules

1600 - Orientation and Jail Rules

To maintain inmate discipline within Jail Operations, a set of rules and regulations has been established that specifies violations and sanctions. Inmate rights will be recognized, and responsible inmate behavior will be required at all times. An efficient operating facility, safe working conditions for jail staff and the security of the inmate population are the primary objectives for the enforcement of jail rules. New inmates will be informed of jail rules at the time of admission.

1600.1 - New Inmate Orientation

- a) The following critical jail rules are posted at Medical Triage and Uncuff:
 1. Inmates must obey all directives of staff.
 2. Inmates must be respectful to staff.
 3. Inmates cannot create a disturbance in the jail.
- b) Violation of these rules may result in loss of privileges (dayroom, recreation, phones, and/or visits) and placement into Special Management Unit (SMU) for disciplinary reasons.
- c) Jail rules, programs and services are posted throughout each facility in the dayrooms, outdoor recreation, and other areas.
- d) Inmates are required to read, understand and comply with inmate orientation provisions and jail rules. Any violation of laws or jail rules may result in jail discipline and/or criminal prosecution. If there are any questions, inmates should ask a member of the jail staff for clarification.

1600.2 - Orange County Jail Rules

- a) Orange County Jail Rules
 1. Inmates are required to read, understand, and comply with all inmate orientation provisions and the Jail Rules. If there are any questions, ask a member of the jail staff for clarification.
- b) Obeying Jail Staff
 1. Inmates shall obey all directives immediately and completely.
 2. Inmates shall not make false statements to jail staff.
- c) Addressing Jail Staff
 1. At all times, inmates shall treat staff and visitors with courtesy and shall address them with their proper title such as "Deputy," "Sir," "Nurse," etc.
 2. At no time will any staff member be addressed by his/her first name.
- d) Smoking
 1. Smoking is not permitted inside any Orange County Jail facility. Possession of any tobacco products and/or paraphernalia is prohibited, (e.g., lighters, matches, rolling paper or any other items used for smoking).

e) Housing Assignments and Movement

1. No inmate will occupy a bunk other than the one assigned him/her.
2. At no time will an inmate be permitted in a sector/tank/tent/barrack or cell to which the inmate is not assigned.
3. Any unescorted inmate at the Central Jail Complex or Theo Lacy Facility will have in his/her possession a movement pass or module card which will be presented at each Guard Station. Inmates are not to proceed further until directed to do so.
4. Inmates will return his/her movement pass to a deputy upon returning to the module.
5. Inmates directed to move through any jail facility will proceed promptly and as follows:
 - i. Unless otherwise directed, remain along the right hand side of the corridor.
 - ii. If floor markings are present, inmate must follow the markings.
 - iii. Single file.
 - iv. No talking permitted.
 - v. Hands in pockets.
 - vi. Stay clear of all phones and alarms.
 - vii. Inmates may not enter marked unauthorized areas.
 - viii. Inmates must walk at all times. Running is not permitted.
6. Carrying or passing any article from one housing area to another is forbidden.

f) Communications

1. Inmates are not permitted to communicate in any manner with persons not in custody, except as authorized by the jail staff.
2. Inmates will not communicate with other inmates outside their immediate housing area without prior approval of the jail staff.

g) Jail Issued Clothing

1. Inmates shall dress in full jail issue clothing and workers shall shave prior to the morning meal.
2. Inmates whose gender identity at time of classification differs from their gender assigned at birth shall be permitted to wear undergarments of the gender with which they identify if those particular undergarments are their preference.
3. Transgender inmates who identify as female, (male gender assigned at birth), have the option of choosing female undergarments to include both bras and female underwear.
4. Transgender inmates who identify as male, (female gender assigned at birth), have the option of choosing male boxer shorts and will not be required to wear a bra.
5. Full jail issued clothing consists of:
 - i. Underwear (choice according to gender identity)
 - ii. T-shirt
 - iii. Socks
 - iv. Jumpsuit or pants and shirt
 - v. Shoes

- vi. Bra (choice according to gender identity)
 - vii. Sweatshirt (optional, facility specific)
 - viii. Face Mask
6. Inmates shall remain in full jail issue clothing while in the dayrooms, common areas or outside their cell. At all times, jumpsuits will be worn buttoned up, sleeves, pant legs and collars down. Alterations to jail issue clothing may be considered damage to jail property and the inmate may be subject to disciplinary action. The wearing of any item that is not facility issue clothing (e.g., headbands, etc.) is prohibited.
 7. Inmates shall make their bunks up neatly and keep them that way unless the bunk is actively occupied by the inmate. Whenever inmates are at ease on their own bunks, they may be permitted to cover themselves with blankets, provided that sufficient anatomy is exposed to establish the presence of a person.
- h) Count
1. During the count, inmates shall stand near their bunks unless otherwise directed by jail staff.
 2. Inmates will respond to the deputy as directed during the count.
 3. Talking, horseplay, or other disruptions are not permitted during the count.
- i) Attending Meals
1. Inmates will be called on line for meals by jail staff.
 2. Inmates desiring to attend or receive a meal must be dressed in full jail issue clothing and come on line promptly.
 3. Inmates who do not wish to attend or receive a meal must remain in their housing location.
 4. Inmates will be afforded a reasonable amount of time to eat.
 5. Upon completion of the meal, inmates will proceed directly to their assigned housing location.
- j) Conduct During Meals
1. Inmates will conduct themselves in an orderly manner at all times.
 2. No food may be removed from the dining hall.
 3. Food may not be passed from one table to another.
 4. Food must be handled so as to keep the dining halls and tables neat.
 5. Conversation will be limited to the inmates at each table.
 6. When the deputy announces the end of the meal, all inmates will promptly line up to turn in plates, utensils and any unconsumed food.
- k) Dayrooms/Recreation Areas
1. Inmates shall have access to their assigned dayrooms according to approved schedules. Jail staff will regulate inmate movement into and out of the dayroom.
 2. When dayroom is given, all inmates shall move promptly to their assigned dayroom.
 3. Inmates in dayrooms shall be in full jail issued clothing at all times.
 4. Shower shoes may be worn to and from the showers only, unless authorized by the Division Commander.

5. Dayroom supplies will not be removed from dayrooms.
6. Newspapers shall remain in the dayrooms at all times. Newspapers may not be torn or cut in any manner. Any portion of a newspaper found in any area other than the dayroom or on an inmate's person will be considered contraband and the inmate may be subject to disciplinary action.
7. Blankets, sheets, or other bedding are not permitted in the dayroom. Bedding shall not be used for table cloths, hammocks, etc. All bedding shall remain on the bunk.
8. Tampering with any television set may result in disciplinary action being brought against the inmate. The television may be removed as a result of tampering.
9. Dayrooms will be left in a neat, orderly condition.
10. Moveable chairs shall remain in designated areas.

l) Games and Recreation

1. Inmates may attend scheduled recreation periods and may, while in the dayroom, utilize the games and supplies issued to that dayroom. Violating any jail rules while in the dayroom/outdoor recreation area, or damaging any books, games or equipment, may result in loss of recreation privileges.
2. Gambling in any form is not permitted.
3. Roughhousing, horseplay or physical exercise by use of the jail fixtures is not permitted.
4. The practice of tattooing, body piercing, body branding and body art is not permitted.

m) Property

1. Inmates may possess only those items identified in this policy. All other items shall be considered contraband and will result in the item(s) being confiscated and properly disposed of. Disciplinary action may also be taken.
 - i. Items issued by jail staff
 - ii. Items purchased through commissary from the Jail Commissary Order Slip
 - iii. Items permitted at the time of booking
 - iv. Items permitted to be received through the mail
 - v. Items permitted by court order
2. Inmates (unless they are Pro-Per) may possess a limited amount of personal items such as letters, photographs (no larger than 8" x 10") and court papers. Inmates may also possess materials for correspondence.
3. Inmates shall maintain all personal items and/or legal paperwork in two expandable folders. Any items described in this paragraph that do not fit into two expandable folders shall be discarded or mailed out of the facility at the inmate's expense. Under no circumstances shall personal items and/or legal paperwork be stored outside two expandable folders, or affixed to a cell or the furnishings therein.
4. Inmates shall not possess more than the quantity limit of any one item listed on the Jail Commissary Order Slip. Items purchased through commissary and retained in an inmate's cell

shall be reasonable in quantity such that storage of such items shall not invade the space of other inmates in the cell.

- i. For inmates housed alone, a housing sergeant or above has the discretion to deem the quantity of personal property items unreasonable.
 - ii. The storage area for an inmate is limited to their property box, two expandable folders for personal property and/or legal paperwork, and a reasonable amount of space for commissary items as per the housing sergeant or above.
 - iii. If the quantity of commissary items possessed by any inmate is determined to be unreasonable by the housing sergeant or above, the inmate will be provided advanced notice (5 days) and the opportunity to reduce the quantity of commissary items to a reasonable level. Failure to reduce the quantity of commissary items as requested may result in discipline and/or seizure of the excess items determined to be unreasonable.
5. Articles, including food items, personal hygiene items, etc., will not be accepted from individuals or via the mail.
6. Inmates may only possess the items of clothing issued to them and one complete issue of jail bedding.
7. No food, except that sold in commissary or provided during in-cell feeding, will be permitted in housing areas.
8. Handcrafted or altered items made by inmates are not permitted and will be considered contraband.
9. Possession of articles issued or belonging to another inmate, such as clothing, bedding, commissary, or personal property, is not permitted. The inmate in possession of such property may be punished for a violation of jail rules and the incident may be handled as a criminal matter.
10. No inmate will possess more than a combination of five books and/or magazines. Excess items shall be discarded or mailed out of the facility at the inmate's expense.
 - i. Property that shall not be counted towards an inmate's limit are as follows:
 - A. Holy book (1)
 - B. Religious pamphlets (3)
11. Unauthorized possession or hoarding of medications is not permitted. Possession of another inmate's medication is not permitted.
12. Obscene publications, and mail containing obscene publications are not permitted (Obscene publications include, but are not limited to, photographs showing penetration, oral copulation, defecation, urination or ejaculation. Personal photographs that display nudity of any kind or items that are sexual in nature are not permitted).

13. Any item intending to incite murder, arson, riot, violent racism, or any other form of violence or criminal activity is unacceptable.
 14. Any item concerning gambling or a lottery shall be prohibited.
- n) Buying, Selling, Trading
1. Inmates are not permitted to buy, sell, trade or give away any item of value to any inmate or member of the jail staff.
 2. Possession of any type of currency by an inmate is not permitted.
- o) Court
1. When called on line for court, inmates will respond promptly and be in full jail issue clothing.
 2. Inmates going to court will not take books, combs, commissary items, etc. without a court order. Inmates may take court papers that pertain to their case or other documents requested by the court (e.g. classroom certificates to show completion of courses ordered by the judge) and authorized self-carry medications with approved documentation.
 3. Inmates have an opportunity to comb their hair and prepare for court prior to transport.
 4. In Propria Persona (Pro-Per) inmates may take legal books, documents or papers necessary for their court action.
- p) Cleanliness
1. Each inmate will be responsible for keeping their assigned bunk and property box neat and orderly.
 2. Responsibility for maintaining the cleanliness of each housing area shall be shared by the inmates assigned to that housing area.
 - i. Dayrooms, stairs, floors, windows, showers and toilets will be cleaned by inmates who are assigned by the Barracks/Module CST. The assignment will be changed weekly and be given to inmates not going to court that day. Cleaning closets will be unlocked and supplies will be made available immediately after morning court call. Work will be supervised and directed by the Barracks/Module CST. After the cleaning is completed all supplies and cleaning implements will be locked in the cleaning closet.
 - ii. Inmate workers will keep corridors and hallway areas cleaned at all times. The CST assigned to the housing location will direct inmate work crews in the daily cleaning of rooms, guard corridors and other areas.
 - iii. The assigned CST will direct the inmates in the barracks to collect trash from the trash receptacles so it can be picked up by the facility trash crew under supervision of the CST.
 - iv. The Warehouse CST will direct warehouse inmate workers to prepare supplies for use in barrack cleaning. The quantity of supplies to be delivered to each inmate housing location is posted in the warehouse. The assigned CST will ensure that each housing unit receives the proper issue of supplies.

3. Inmates who refuse or neglect to perform their assigned duties will be subject to disciplinary action.
 4. Inmates shall shower regularly and maintain a good general appearance.
 - i. Inmates who fail to do so will be subject to disciplinary action.
 - ii. Shower areas will be available every other day (per title 15) and at times specified by the jail staff.
 5. All inmates are required to conform to the grooming standards established in which they are housed.
 6. Workers must abide by worker standards.
 7. Inmates must dispose of all waste matter in the receptacles provided for that purpose.
 - i. Depositing trash in the toilets or urinals is not permitted.
 8. Inmates shall not spit on jail floors, walls, ceilings or any place other than a toilet or urinal.
- q) Lights Out
1. At the discretion of jail staff, designated inmates may use the dayroom after lights out.
 2. Between the hours of lights out and reveille, all inmates will remain on their assigned bunks quietly, except when it is necessary to use toilet facilities.
- r) Security Devices/Inmate Identification Cards
1. Tampering, or the attempt to tamper with any manual or automatic door, telephone, window, vent cover, light, or any other security or building device is not permitted and may be handled as a violation of jail rules and/or by criminal prosecution.
 2. Each inmate will be issued an identification card.
 - i. Identification (ID) card- The inmate will wear the ID card clipped to his/her smock top at the bottom of the V-neck with the picture facing outward whenever he/she is outside of his/her assigned sector, dorm, barracks.
 3. Tampering with an ID card, failing to display the ID card as required, or failing to present the ID card to any staff member upon request are violations of the jail rules which will result in disciplinary action.
 4. Inmates are prohibited from coming into contact with any part of any security fence or door.
 5. Non-emergency use of the in-cell Emergency Communication Button is prohibited.
- s) Destruction of Jail Property
1. Destruction of jail property and the writing or marking upon any part of the jail is not permitted and is punishable as a Felony or Misdemeanor under California Penal Code Section 594 and 4600.
 2. Burning of any material is not permitted and may be handled as a violation of jail rules and/or by criminal prosecution.
 3. No items will be affixed to any walls, ceilings, bars, bunks, fixtures, property box or any part of the building.
- t) In-Custody Contact

1. Personal Contact:
 - i. Any inmate who engages in lewd or lascivious acts with the appearance of arousing, appealing to, or gratifying the lust, passions or sexual desires of themselves or others is in violation of "Personal Contact."
 - ii. Inmates shall avoid deliberately placing themselves in situations, or behaving in any way that will encourage sexual activity.
 - iii. Inmates will not solicit or engage in sexual activity with other inmates.
 2. Discipline by Inmates:
 - i. "Kangaroo Courts" (mock courts set up by inmates) and/or "Sanitation Committees" (inmate committees set up to enforce sanitation rules) are illegal in any California Jail.
 - ii. No inmate will inflict punishment upon another inmate.
 - iii. No inmate may ever be given authority over, or permitted to exert control over any other inmate.
 - iv. Inmates involved in the above actions will be subject to immediate discipline and/or prosecution.
 3. Fighting and Horseplay:
 - i. Inmates shall not fight or engage in physical horseplay. This includes wrestling, hitting, or any other physical contact.
- u) Self-Carry Medication
1. Under certain circumstances, inmates may be allowed to self-carry personally prescribed medication within the jail facility at the discretion of CHS and the Division Commander.
 - i. Inmates must carry approved documentation at all times.
 - ii. Inmates found hoarding or possessing another inmate's medication are subject to disciplinary actions. For more information about inmate property, reference CCOM Policy 1600.2 (m) – Property.

1600.3 - Orange County Jail Rules-continued

- a) Visiting and Communications
1. It is a misdemeanor violation of California Penal Code Section 4570 for any unauthorized person to bring into or take from any jail any letter to or from any inmate.
 2. Visitors who have been released from jail or prison within the preceding sixty (60) days are ineligible to visit; however, visits between blood relatives (i.e., mother, father, sister, or brother, or a spouse) may be permitted.
 - i. Penal Code Section 4571 prohibits persons convicted of a felony, and who have served time in any California State Prison, from entering upon the jail premises without permission of the Watch Commander.

3. Visitors must be at least eighteen (18) years of age or accompanied by an approved adult visitor such as a parent, legal guardian, or have written, notarized permission to visit from the child's parent or legal guardian. Visitors will be required to produce satisfactory identification.
 4. The following will be the only acceptable forms of identification for visiting purposes:
 - i. Valid U.S. Government issue picture ID card (including Driver's license and Identification cards)
 - ii. Passport
 - iii. Military Identification
 - iv. US Issued Naturalized Citizen Card
 - v. Matricula Consular Card issued after April 22, 2002
 5. Upon prior request and approval of the Watch Commander, unaccompanied minor children may visit any relative in custody.
 6. Visits will be a minimum of one-half hour. A minimum of two visits totaling at least one hour per inmate per week should be made available. Specific visiting times are posted at each facility.
 - i. Official visits are permitted any time of the day, without time restriction.
 - ii. Weekenders do not receive public visits.
 - iii. Inmates are permitted only one public visit per day.
 7. Inmates are not permitted to take property of any kind with them to a visiting session without prior approval from jail staff.
 8. If contact visits are permitted, they will comply with the facility policy.
- b) Mail
1. There is no limit on the amount of mail an inmate may send or receive. There is a maximum of 10 items of correspondence allowed per envelope. Only mail written on postcards or white paper (plain or lined, not cardstock) is permitted. All outgoing mail must be delivered unsealed to a Deputy or mail drop box.
 2. Legal Mail - There is no limit on the amount of legal mail an inmate may send or receive. Inmates may correspond confidentially with state and federal courts, any member of the State Bar or holder of public office, the State Board of Corrections, or the Division Commander. Legal mail may be sealed by the inmate in the presence of a Deputy and after the mail has been inspected for contraband. The Deputy will initial the letter across the seal and include his/her badge number.
 3. Incoming confidential/legal mail may be checked for contraband, checks, or money orders, provided the mail is opened in the presence of the inmate.
 4. Outgoing mail must have the inmate's name and address in the upper left corner on the front side of the envelope. Mailing addresses are as follows:
 - i. Intake and Release Center (IRC), Central Men's Jail (CMJ) or Central Women's Jail (CWJ)

- A. INMATE'S NAME and Booking Number
550 N. Flower Street
Santa Ana, CA 92702
 - ii. For inmates at Theo Lacy Facility (TLF)
 - A. INMATE'S NAME and Booking Number
501 City Drive South
Orange, CA 92868-3390
 - 5. No writing or marks other than the inmate's name and address and the name and address of the person to whom the letter is being sent, or proper directions to the post office, will be permitted on the envelope.
 - 6. All letters must contain the correct amount of postage and a valid return address.
 - i. POSTAGE MUST BE PLACED IN THE UPPER RIGHT CORNER OF THE FRONT SIDE OF THE ENVELOPE.
 - 7. Incoming mail may not exceed 9x12 inches, unless previously approved by the Watch Commander (legal documents and material are exempted).
 - 8. Inmates will be permitted to receive through the mail any newspaper, magazine or paperback book. All books must be new and ordered through any publisher, book store or book distributor that does mail order business. Publications shall be shipped directly to the jail facility from the vendor. Torn pages or torn articles from publications are not allowed.
 - 9. Books may not be purchased at a store and shipped to the jail facility.
 - i. The package must be accompanied by an invoice listing the purchaser, recipient, contents, and the name of the online store.
 - ii. Exceptions to this policy must be made by the Division Commander.
 - 10. Inmates may correspond with other inmates in any Orange County Jail facility only via the U.S. Postal Service.
- c) Phone Calls
- 1. Telephone Calls at Time of Booking
 - i. The law requires that arrested persons must be provided the opportunity to make three (3) completed telephone calls within three (3) hours after arrest (CPC 851.5), or supplemental booking.
 - A. During the normal booking process, additional non-collect phone calls are available in a number of holding cells.
 - B. If a custodial parent, two (2) additional phone calls may be made to arrange for child care. It is the responsibility of the arresting or booking officer to ask whether an arrestee is a parent and if so, inform them of their right to make two (2) additional phone calls to arrange for the care of their children (AB 2015). These rights shall be posted in English and Spanish near areas designated for phone call use by arrestees.

2. Telephone Calls After Booking

- i. Phone calls after the time of booking will be permitted by use of housing phones. Phones are available in housing areas, tanks and roof recreation areas. All calls after booking will be made COLLECT to the receiving party. If good cause exists, an inmate may make a non-collect phone call, if approved by the Housing Sergeant. The inmate stating the necessity for the call must submit an Inmate Message Slip.
 - A. Telephone availability is also afforded to inmates classified as administrative housing. Limited telephone availability is afforded to inmates housed in SMU for disciplinary reasons.
 - B. Hours and phone availability will be determined by the Division Commander.
 - C. Inmates may not receive telephone calls at any Orange County Jail facility.
- ii. A notice that all collect housing phones are monitored and recorded will be prominently posted in the area next to all inmate telephones. These notices will read as follows:
 - A. "Notice! Telephone calls may be recorded and monitored."

d) Jail Message Forms

1. Inmate Message Slips will be used by inmates when they desire to communicate in writing with the staff of the Orange County Sheriff's Department, or with persons at other county agencies within the Civic Center Complex. Forms are available from the jail staff. Other written inmate communications will be via United States Postal Service.
2. Inmates desiring to be placed on sick call, or desiring to talk with a member of the medical, dental or mental health staff will complete the pink Inmate Medical Message form and place it in the locked box located in the designated areas throughout each facility. Inmates may request a "confidential contact" by stating so on the message form without describing the nature of the medical need.
3. Requests for legal books will be submitted by the inmate to the deputy on an Inmate Message Slip.
4. Appeals of punishment may be submitted on an Inmate Message Slip.

e) Personal Street Clothing Exchange

1. One exchange of, or addition to personal street clothing, will be permitted during an inmate's incarceration, provided existing clothing is insufficient, improper, or not suitable for court.

f) Prescription Eyeglasses and Contact Lenses

1. Inmates will be allowed to possess one pair of prescription eyeglasses and one pair of eyeglasses that are necessary for reading that are non-prescription. Eyeglasses containing a metal frame or metal temple (arm), decorative eyeglasses or glasses with tinted lenses will not be allowed for security reasons. Decorative eyeglasses are those with frames or lenses which are adorned with colorful stones or other design elements such as flowers, butterflies, name brand insignias, or any other material whose purpose and design is to provide a

fashionable appearance. Plastic eyeglasses with metal reinforcement in the plastic temple (arm) or plastic glasses containing a metal hinge will be allowed. However, plastic eyeglasses that have a metal reinforcement with a pointed tip or any eyeglasses that pose a security risk as determined by the Watch Commander or his/her designee shall not be allowed inside any jail facility.

- i. Reading glasses (non-prescription) and prescription eyeglasses provided to the inmate from outside the jail must be delivered to CJX inmates at the Central Men's Jail Attorney Bonds Guard Station or to the Theo Lacy facility inmates at their respective public visiting guard station. Glasses provided from outside the jail will be screened by security staff and if found to be in compliance with the requirements listed in this section will be delivered to the inmate.
 - ii. Reading glasses (non-prescription), obtained through commissary are compliant with this policy.
2. Inmates may have new contact lenses mailed to them or dropped off to be put on their property, and they may have up to 12 sets of lenses in their possession at a time. Contact lenses received through the mail shall be forwarded and placed on the inmate's property. Contact lens solution and contact lens cases may only be obtained by requesting these items on an Inmate Health Message Slip sent to the medical staff. Decorative or colored contacts will not be allowed for security reasons. Decorative or colored contacts are those that change the look of your eye such as with designs to provide a fashionable appearance or change of eye color.
 - i. Inmates may fill out a Property Release Form and send it to Property requesting the contact lenses be delivered to their housing location.
 - ii. The contacts will be taken out of the inmate's property. One copy of the property release form will be placed around the item for delivery to the inmate's housing location. One copy will be filed in the inmate's property and one copy will be placed in the inmate's jacket.
 - iii. Contact lenses will be screened by a CST and/or Deputy prior to being delivered to the inmate's housing location.

g) Inmate Cash Account

1. Inmates may have money (cash); city, county, state or United States Government checks; and money orders deposited to their account at the Cashier's Office. Money orders shall be made out to the "County of Orange - Sheriff's Department" and the inmate's name and booking number must be annotated in the reference line of the money order. These will be credited to the inmate's account, not to exceed \$500.00.
2. Money orders may also be sent by mail to an inmate for deposit to their account
3. Funds may not be transferred from the account of one inmate to the account of another inmate without the permission of the Watch Commander.

h) Emergencies

1. During any emergency, all inmates shall await instruction from jail staff.
2. In the event of an ill or injured inmate, all other inmates will return to their assigned bunk until jail staff has removed the ill or injured inmate.
3. Falsely reporting an emergency condition is not permitted and will result in disciplinary action.

i) Inmate Voting Procedure

1. Inmates who would like to participate in local, state and Federal elections should contact the Registrar of Voters for information and materials. Registrar of Voters PO Box 15467 Santa Ana CA 92735-9910.

j) Classification of Inmates

1. After booking, each inmate will be interviewed by a Classification Deputy to determine the inmate's classification rating and housing assignment. Background information is reviewed so that inmates of similar backgrounds and characteristics are housed in the same or similar housing units. Inmates who have been sentenced to more than 60 days may request a review of their classification rating no more often than 30 days from their last review. Inmates requesting a review must submit an Inmate Message Slip to the Classification Sergeant. All inmates will be provided with a written response to their respective request(s).

k) Meal Service

1. Each inmate will be offered three meals each day.
2. Meal times are at approximately [REDACTED] (breakfast), [REDACTED] (lunch) and [REDACTED] (dinner). Inmates in the booking or transfer process on the first floor will be offered a sandwich sack lunch. The jail menu and food items comply with all California state standards.

l) Medical/Dental/Psychiatric Care

1. Prior to being booked into the Intake/Release Center each person will be screened by a member of the Correctional Health Services staff. If after booking an inmate wishes to request routine, non-emergency, medical attention they must submit an Inmate Medical Message slip to the medical staff. Slips are available from the medical staff or a deputy. Completed forms are to be deposited in the designated collection box in each module.
2. Sick call will be conducted on a daily basis by medical/mental or dental health care professionals, depending upon the nature of the inmate's complaint. Inmates found to be hoarding medications or possessing another inmate's medication will be subject to disciplinary action.
3. If at any time an inmate expresses the need for immediate medical attention or if the deputy determines that an inmate requires immediate medical attention the medical/ mental health staff will be informed immediately.
4. AIDS testing is available through Correctional Health Services. Inmates may contact the nursing staff on an Inmate Medical Message Slip for testing.

m) Recreation Programs

1. Tabletop games, books and newspapers are provided to inmates in their dayrooms. Each inmate will also be offered an opportunity to have a minimum of three (3) hours of outdoor recreation each week. Volleyball, handball and basketball are sports available in the outdoor recreation yards. Outdoor recreation availability is dependent upon weather conditions, court appearance schedules, etc.
 2. Televisions are provided in housing dayrooms. Program selections are made by the Recreation Director.
- n) Jail Clothing and Hygiene
1. Undergarments and socks shall be exchanged two times each week. Outer garments (except shoes), sheets and towels shall be exchanged at least once each week (title 15: 1262/1271). Inmates are required to shower regularly to prevent an offensive and unhealthful state of body hygiene. Personal grooming items are provided to inmates who do not have money.
- o) Commissary
1. Inmates may purchase commissary items three times each week. Order forms are distributed three times a week.
 2. Inmates without sufficient funds can order a Welfare Pack (per Title 15) of hygiene and stationary items once per week.
- p) Inmate Work Assignments
1. Pre-trial and sentenced inmates may be screened for work opportunities. The inmate's classification, health status and the need for workers will be considered in the selection process.
- q) Jail Records Information
1. Inmates requesting information regarding their bail, sentence expiration date, warrants, out of county holds, etc., may submit an Inmate Message Slip to the housing deputy. Inmates must include their full name, booking number, date of birth and housing location, when they submit their request.

1600.4 - Orange County Jail Rules- Violations by Inmates

- a) Minor Violations
- Deputies may:
1. Counsel the offender
 2. Assign up to four (4) hours extra duty with the approval of a sergeant or Watch Commander.
 3. Deny the inmate certain privileges, such as telephone, TV, or commissary for up to five (5) days for each violation.

MINOR VIOLATIONS (partial listing):

1. Failure to rise for reveille
2. Straggling/disrupting

3. Not dressed in full jail issue
4. Failure to have bunk made up properly
5. Failure to clean assigned cell/area
6. Taking food from dayrooms
7. Passing food from table to table in chow hall
8. Possession of contraband
9. Failure to maintain personal hygiene
 - i. Minor Violation Appeal Procedure: Any inmate wishing to appeal a minor violation must submit a written request within forty-eight (48) hours to the appropriate Sergeant. The Sergeant will review and advise of decision.

b) Major Violations

1. Deputies will prepare a report and submit it to a supervisor.
2. MAJOR VIOLATIONS (partial listing):
 - i. Fighting
 - ii. Creating a disturbance
 - iii. Failure to obey a directive
 - iv. Insubordination or disrespect
 - v. Possession of contraband which would pose a security threat
 - vi. Theft
 - vii. Tampering with a security device
 - viii. Destruction of jail property
 - ix. Unauthorized movement
 - x. Habitual violation of rules
 - xi. Smoking
3. Disciplinary Process Major Violations:
 - i. Major Violations of jail rules will result in a disciplinary hearing.
 - ii. Inmates will receive a copy of the Notice of Disciplinary Violation, on which the rule violation will be documented.
 - iii. Disciplinary hearings will take place no sooner than twenty-four (24) hours and no later than seventy-two (72) hours after an inmate is served their Notice of Disciplinary Violation / Hearing, unless their twenty-four (24) hours are waived by the inmate and so noted on the form.
 - iv. At the conclusion of the hearing, the Hearing Officer will prepare a Disciplinary Hearing Report and submit it along with a copy of the Notice of Disciplinary Violation and any Jail Incident Reports to the Disciplinary Officer for final disposition and imposition of punishment if required.
 - v. Inmates will be formally advised in writing of the Disciplinary Officer's decision on an Inmate's Advice of Punishment Report.

4. Major Violation Appeal Procedure

- i. Appeals of punishment may be made in writing in the form of a grievance, an Inmate Message Slip, or a letter to the facility and must be submitted within fourteen (14) days after receiving notice of the discipline imposed. Appeals submitted after this period will not be considered timely and will not be evaluated. The Division Commander or designee will review the incident and advise the inmate of the decision on an Inmate's Advisement of Appeal form.

c) Criminal Conduct

1. If the incident involves criminal conduct, the matter may be referred to the Orange County District Attorney's Office for prosecution.
 - i. Regardless of whether or not criminal prosecution is sought, a Major Jail Rule Violation report should be completed.

1600.5 - Inmate Grievance Procedure

a) Purpose

1. The Department endeavors to meet the legitimate needs of the inmates in its custody. It also recognizes that problems relating to conditions of confinement can and do arise, and can seem especially significant to inmates who have limited control over their own circumstances.
2. The grievance procedure is a formal process for an inmate to address a specific issue or condition of confinement that personally and directly affects him/her. It provides a positive outlet for the expression of concerns, and facilitates their fair and appropriate resolution. It also reduces the likelihood that inmates will resort to misconduct as a means of handling their real or perceived problems. In these ways, the grievance procedure improves custody operations.
3. In order to exhaust administrative remedies as required by the Prison Litigation Reform Act (PLRA), the inmate must follow the grievance procedure outlined in this section.

b) Allowable Grievances

1. Any inmate may file a grievance related to any condition of confinement, including but not limited to:
 - i. Medical Care
 - ii. Classification Actions
 - iii. Program Participation
 - iv. Telephone, Mail, and Visiting Procedures
 - v. Food, Clothing, and Bedding Issues
 - vi. Disability Discrimination
2. The grievance procedure is not to be used for disciplinary appeals. For more information about the disciplinary appeal process, reference CCOM Policy 1602.6 - Appeal Procedure.

- i. Staff will accept disciplinary appeals even if they are on the wrong form and will forward them pursuant to CCOM Policy 1602.6 - Appeal Procedure.
 3. An inmate may not file a grievance on any issue which the Department has no control over, such as
 - i. Federal, State, or Local Laws
 - ii. Judicial Proceedings or Decisions of the Courts
 - iii. Probation or Parole Actions
 4. If a grievance is invalid, staff will document the specific reason on the form. Staff will provide the inmate with a copy and forward the original to Inmate Records for inclusion in the inmate's records file.
 - i. Invalid grievances will not be entered into the grievance database and will be kept only for documentation purposes.
 - ii. Staff may act on an invalid grievance if it is in the best interest of the Department.
- c) Initiating a Grievance
1. Inmates may utilize the grievance procedure regardless of disciplinary status, housing location or classification.
 2. Grievance forms are available in all housing locations.
 3. Any staff member who receives a verbal or written request for a grievance form shall, as soon as practical, provide one to the requesting inmate.
 4. The grievance procedure is to address the specific concerns of the individual inmate filing the grievance.
 - i. The inmate shall place a single complaint with related issues on a single grievance form. If multiple, unrelated issues are included on a single form, staff will return the form to the inmate and instruct him/her to submit a separate form for each unrelated complaint.
 - ii. An inmate shall not submit a grievance on behalf of another inmate or group of inmates. Petitions or joint grievances involving multiple inmates will not be accepted.
 - iii. This shall not prevent an inmate from obtaining assistance in preparing or filing a grievance (e.g., family, attorney, or other inmates).
 5. Illiterate, disabled, or non-English speaking inmates shall be provided assistance, upon request.
 6. All properly completed grievance forms shall be submitted within 14 calendar days of the alleged incident. Any grievance form submitted after 14 days will be considered invalid. The inability to obtain assistance is not a valid reason for exceeding the time limit for submissions.
 - i. The inmate may drop the completed grievance form in any grievance drop box. These boxes are located throughout the facility and accessible to all inmates. The grievances will be retrieved by the sergeant responsible for the area where the box is located.
 - ii. The inmate may submit the grievance form directly to sworn staff.

- A. Any grievance form submitted to non-sworn staff will be considered invalid.
- B. If at the time of submission the staff member who receives a completed grievance form determines the grievance is actually a request (i.e. – sentence ending date, law book request, haircut, etc.) he/she will check the “Handled as Inmate Request” on the form and process the form as a request.
- C. The receiving staff member will legibly print his/her name and PID number and enter the date/time of submission on the “Received By” line of the grievance form.
- D. If the sworn staff member can resolve the grievance upon receipt from the inmate, he/she shall document the resolution in the appropriate sections of the grievance form and assign the grievance a jail incident number (JI number). The staff member will write his/her name and PID number and the date/time of return on the “Response Returned to Inmate” line of the grievance form. The staff member will provide the inmate a completed copy, and place the original completed and signed form in the area’s grievance box for supervisor review, database upload, and distribution.
- E. If the staff member cannot resolve the issue, he/she will assign the grievance a JI number and deliver the grievance to the area sergeant before the end of the shift.

d) Supervisor Responsibilities

- 1. At least once per shift, each sergeant will collect all new grievances from the locations in his/her area of responsibility.
- 2. The sergeant will review all submitted grievances and determine the appropriate level at which to handle them. This may include delegation to a deputy, assignment to another sergeant or forwarding to the facility Captain. The sergeant may also elect to handle the grievance personally.
- 3. The sergeant will assign a JI number to each grievance, prior to entering it into the Grievance Database.
- 4. Once uploaded, the sergeant or his/her designee will assign and/or distribute the grievances to the appropriate staff member for review and response.
- 5. When the assigned staff member returns the grievance to the sergeant with the written response, the sergeant will update the Grievance Database with any findings, actions taken or the need to elevate the grievance to Administration. The original grievance with the written response will be forwarded to the facility Administrative Sergeant for review, distribution, and will be filed in administration at the originating facility.

e) Grievance Resolution

- 1. All grievances will be resolved at the lowest possible level. If the assigned staff member is unable to resolve the issue, the form will be forwarded to the next highest level in the chain

of command. The chain of command for the grievance process shall be as follows: Deputy, Sergeant, Captain, and Division Commander.

2. Staff investigations and responses shall be completed within a reasonable amount of time. Reasonableness will be based on the type and scope of the grievance submitted, but all inmate grievances will be acted on within ten working days of receipt.
3. All grievance forms will detail the resolution, including any corrective actions taken.
4. Grievances that are denied or cannot be resolved will have written reasons for the denial from each level of review which acted upon the grievance.
5. The Captain will review all completed grievances. The Administrative Sergeant will ensure the Grievance Database has been updated, the original grievance has been filed in administration at the originating facility, a copy of the completed grievance has been provided to the inmate, and a copy of the completed grievance has been placed in the inmate's records jacket.

f) Grievances Requiring Special Handling

1. If the grievance is a complaint about staff misconduct, the sergeant will enter it into the Grievance Database and follow the departmental procedures as outlined in the Orange County Sheriff-Coroner Department Policy Manual ([Lexipol](#)) 347 – Disciplinary Policy and 1020 - Personnel Complaint Procedure for the investigation of citizen complaints.
 - i. Return a copy of the grievance form to the inmate with "The matter is being investigated." in the staff response section.
 - ii. Document the complaint on an intra-department memorandum form, include any recommendations, attach a copy of the original grievance, and forward it to the Watch Commander or Bureau Commander.
2. If the grievance is about a medical or disability issue, the sergeant will enter the grievance into the Grievance Database and forward it to the facility Administrative Sergeant.
 - i. The Administrative Sergeant is the facility Americans with Disabilities Act (ADA) coordinator.
 - ii. The Administrative Sergeant will forward medical grievances to the Correctional Health Services (CHS) Administrative Manager for resolution.
 - iii. The CHS Support Services Manager will notify the Administrative Sergeant at the facility where the grievance originated when the grievance has been resolved.
3. If the grievance is received from CDCR via ADA Compliance Staff.
 - i. The ADA Compliance Deputy will obtain a Jail Incident Number from the 24-hour log where the Inmate is housed and enter the grievance into the Grievance Database.
 - ii. ADA Compliance deputy will reply to CDCR with a scanned copy of the grievance receipt from the system.
 - iii. Receipt copies of the grievance will be provided to the inmate and the inmate's records file.

- iv. The grievance will be handled per CCOM Policy 1600.5 - Inmate Grievance Procedure and staff will involve CHS Medical and the facility Administrative Sergeant as necessary to address the grievance.
 4. If the grievance is about an Inmate Services Division (ISD) issue, enter the grievance into the Grievance Database and forward it to the facility Administrative Sergeant.
 - i. ISD includes Correctional Programs, Food Services, and Commissary.
 - ii. The Administrative Sergeant will forward the grievance to the appropriate ISD contact.
 - iii. The ISD will notify the Administrative Sergeant when the grievance has been resolved.
 - iv. If the issue has already been resolved by sworn staff, the administrative sergeant will forward a copy to ISD for informational purposes.
 - v. If the grievance is related to a religious diet, it will be assigned to the Special Needs Deputy (ADA Deputy) at the facility where the inmate is housed.
 - A. The Special Needs Deputy will interview the involved inmate, coordinate with the involved stakeholders and work to resolve the grievance.
 - B. The Special Needs Deputy will document the outcome in the Grievance Database.
 5. If the grievance is regarding an Inmate Pro-Per issue, enter the grievance into the Grievance Database and assign it to the Custody Pro-Per Sergeant.
- g) Grievance Appeals
 1. Any staff member who receives a verbal or written request for a grievance appeal form shall, as soon as practical, provide one to the requesting inmate. The form is the same for initial grievances and appeals.
 2. In the event an inmate is dissatisfied with the outcome of the actions taken at the initial level, the grievance may be appealed to the next highest level.
 3. All appeals must be submitted in accordance with all procedures established for submitting an initial grievance.
 4. Any grievance appeal must be submitted within 14 days of notification of the previous grievance outcome.
 5. The inmate must include the original jail incident number from the top right corner of the initial grievance in the appropriate field. The inmate must mark the form "APPEAL."
 6. The appeals process will be considered exhausted when the inmate's grievance has been reviewed by the division commander.
- h) Emergency Grievances
 1. The grievance procedure is a written procedure. As such, it may not be conducive to resolving true emergencies. Inmates should immediately notify staff of any emergency.
 2. An emergency grievance involves an immediate or imminent threat to an inmate's health, safety or welfare.

3. When staff receives a grievance marked as an emergency, or determines a grievance may be an emergency, staff will
 - i. If necessary, move the inmate and any other inmates potentially affected by the issue, to a safe location pending the grievance review and resolution.
 - ii. Deliver the grievance to a supervisor immediately.
- i) Protection from Retaliation
 1. Staff shall not harass, discipline, punish, or otherwise retaliate against an inmate who uses or participates in the grievance process.
 2. The inmate may pursue any alleged or threatened retaliation through the grievance procedure.
- j) Grievance Procedure Abuse
 1. Abuse of the grievance procedure is defined as the misuse of the process through excessive frivolous complaints or continued complaints of previously resolved issues. The Division Commander or his/her designee has final determination of what is considered grievance procedure abuse.
 - i. It shall be considered an abuse of the grievance procedure to file a grievance on an issue that has already been resolved.
 - ii. Abuse of the grievance procedure will be considered a violation of jail rules and is subject to appropriate disciplinary action.
 - iii. Discipline resulting from grievance procedure abuse is not considered retaliation as covered in 1600.5.9.

1600.6 - Orange County Correctional Programs

- a) For assistance or information on the following programs, an inmate message slip should be addressed to Correctional Programs, noting which program you are interested in.
- b) Academic Programs/Classes
 1. General Education Development (GED)
 2. High School Subjects Class
 3. English as a Second Language (ESL)
 4. Adult Basic Education (ABE)
 5. United States Government/Citizenship
 6. Basic Literacy Program – Provides 1 on 1 tutoring for inmates who are unable to read or write.
- c) Developmental Programs/Classes
 1. Substance Abuse Class
 2. Domestic Violence Class
 3. Anger Management Class
 4. Positive Parenting Class
 5. Health Class

- d) Vocational Education Programs
 - 1. Computer Business Skills Class
 - 2. Vocational Job Training Classes – Provides basic skills training for a variety of occupations.
 - 3. Job Development Skills Classes – Guides inmates through abilities testing, application preparation, resume writing, etc.
- e) Religious & Inspirational Programs
 - 1. The Orange County Sheriff's Correctional Programs Unit offers religious services in several denominations. These services are offered in English, Spanish, and Vietnamese.
 - 2. Individual pastoral counseling is also available upon request.
- f) Law Library
 - 1. For Law Library books assistance fill out an inmate message slip addressed to "Law Library."
- g) Great Escape Program
 - 1. This program helps inmates who want to continue substance abuse treatment after they have been released.
 - 2. Great Escape helps arrange inpatient and outpatient treatment upon request.
- h) Re-Entry Center
 - 1. Re-entry Center was developed to assist inmates make a seamless transition from jail back into the community.
 - 2. Some of the services offered at the Resource Center are referrals to residential treatment programs, sober living homes, counseling, educational assistants, employment information, bus passes, clothing and shelter information.
- i) Criminon Program
 - 1. Criminon program is a self-study life skills class.

1602 – Discipline

Inmate misconduct will be documented in the Sheriff's Data System and sanctions will be imposed in proportion to the severity of the rule violated. Inmates may utilize the formal appeal process to appeal any disciplinary action against them.

1602.1 – General

- a) The discipline of inmates and/or the reporting of rule violations are the responsibility of every employee, regardless of work assignment. This will be done to ensure the good order of the facility.
- b) All personnel who deal with inmates will receive sufficient training to be thoroughly familiar with the rules of inmate conduct, sanctions available and the rationale for the rules.
- c) Discipline will be conducted in an impartial and consistent manner by facility Staff.
- d) Each inmate will have access to posted rules.

- e) Violation of law or jail rules will result in disciplinary action. Depending upon the conduct, violations will be classified as either minor or major violations with corresponding degrees of punishment.
- f) As punishment for jail rule violations, no inmate shall be deprived of implements necessary to maintain personal hygiene, food, bedding, correspondence or access to counsel.
- g) The decision to treat a violation as a minor or a major jail rule violation is determined by the severity of the event and all extenuating or mitigating factors.

1602.2 - Minor Violations (a partial listing)

- a) Disrespect to staff (simple)
- b) Failure to obey directive (simple)
- c) Tampering with a security device (simple)
- d) Tampering with an ID card (simple)
- e) Unauthorized movement (simple)
- f) Destruction of Jail Property (simple)
- g) Court refusal
- h) Creating a disturbance (simple)
- i) Lying to staff
- j) Hoarding medication
- k) Possession of contraband (simple)
- l) Unauthorized communication
- m) Failure to rise for reveille
- n) Straggling/disrupting the count
- o) Not dressed in full jail issue
- p) Failure to have bunk made up properly
- q) Failure to clean assigned cell/area
- r) Taking food from dayrooms
- s) Passing food from table to table in the chow hall

1602.3 - Major Violations (a partial listing)

- a) Assault on Staff (Code Alpha)
- b) Creating a disturbance (egregious and/or results in large scale multi inmate disturbance)
- c) Possession of drugs or weapon
- d) Assault (multi suspect/one victim)
- e) Assault (mutual combat)
- f) Disrespect to Staff (egregious)
- g) Failure to obey a directive (egregious)
- h) Tampering with a security device (egregious)
- i) Tampering with an ID card (egregious)
- j) Unauthorized movement (egregious)
- k) Destruction of jail property (egregious)
- l) Possession of contraband (egregious)

1602.4 - Violations of Law

a) Violations of Law/Initial Crime Reports

1. Whenever it is determined, that an inmate's actions constitute a violation of law and the circumstances warrant prosecution, the incident will be referred to the District Attorney for a criminal complaint. In such instances, the incident will be reported on an "Initial Crime Report" under a DR number. This may be in addition to discipline being administered by the jail staff.

b) Medical Release Authorization Form

1. In cases where an inmate is the victim of an assault and requests prosecution, a Medical Release Authorization Form will be completed and submitted along with the Initial Crime Report. The Medical Release Authorization Form is located on the intranet under Knowledge Center/Forms-Document Center/Medical Release Authorization.

1602.5 – Discipline

a) Counseling an Inmate:

1. If, in a maximum security facility, a deputy believes it is necessary to remove an inmate from his/her cell; whether to address his/her behavior, or restore/maintain order, the deputy will do one or more of the following:
 - i. Conduct the counseling in view of a fixed facility video-recording camera.
 - ii. Conduct the counseling in view of a handheld video camera.
 - iii. Conduct the counseling with a sergeant present.
2. Deputies are ultimately responsible for determining the safest location for conducting the counseling.

b) Minor Violations

1. Minor violations may be handled on an informal or formal basis at the discretion of the deputy. Deputies are encouraged to resolve minor incidents on an informal basis.
2. Deputies may:
 - i. Counsel the offender.
 - ii. Assign up to four (4) hours extra duty with the approval of a sergeant or Watch Commander.
 - iii. Deny the inmate certain privileges, such as telephone or TV for up to five (5) days for each violation. (Under no circumstance should a loss of telephone privileges be used to prevent an inmate from making legal calls to his/her attorney.)
 - iv. Deny the inmate commissary for up to five (5) consecutive calendar days (not five commissary days).
3. Deputies may not:
 - i. Deny the inmate dayroom, visiting and/or outdoor recreation as a result of a minor jail rule violation.
4. Documentation:
 - i. Minor Disciplinary Report - This report may be used whenever a deputy observes a minor violation of jail rules. The report is not intended to replace the Jail Incident Report and should not be used to report major violations. Deputies will log onto the Sheriff's Data System (SDS) and complete all portions of the report, including a brief

statement regarding the exact circumstances of the violation. The report shall be submitted to a supervisor for approval and assignment of punishment. This will be done prior to the inmate working any extra duty or losing any privilege.

- ii. Multiple suspects will be entered separately using the SDS system. The same date and time may be used for the incident, but each inmate should have a separate entry, under his/her booking number, describing the violation.
- iii. After approval, all copies of the report shall be retained in the respective module until the punishment is completed. Upon completion of punishment, the Module Deputy will send the original copy of the report to Inmate Records, where it will be filed in the inmate's jail file.

c) Major Violations

1. Major violations of jail rules will result in a disciplinary hearing. The deputy shall complete two (2) copies of "Notice of Disciplinary Violation" using the SDS system along with a Jail Incident Report and submit them to a supervisor. The inmate will be handed the original copy of the Notice of Disciplinary Violation. Deputies shall note on the notice whether the inmate waived the twenty-four (24) hour delay.
2. Disciplinary hearings will take place no sooner than twenty-four (24) hours and no later than seventy-two (72) hours after the inmate is served their Notice of Disciplinary Violation / Hearing, unless their twenty-four (24) hours are waived by the inmate. The inmate(s) involved in the violation, along with any witnesses, will be temporarily segregated until they have been interviewed. The hearing will be conducted by a supervisor who was not involved or a witness to the incident. The Deputy(s) and inmate (s) will be interviewed along with any witnesses they wish to call. Interpreters will be provided as needed. The inmate shall have access to staff or inmate assistance when the inmate is illiterate or the issues are complex.
3. Punishment for major violations of jail rules may consist of one or any combination of the following:
 - i. Any of the punishments listed under minor violations
 - ii. Loss of privileges (commissary, visiting, recreation, program classes, etc.)
 - A. "Loss of All Privileges" does not include group religious services. Exclusion from group religious services may only be based on security concerns.
 - iii. Loss of good time/ work time
 - iv. Removal from work status
 - v. Confinement to Special Management Unit
 - vi. Or the combination of any of the above
4. Under no circumstances will an inmate be denied food as a means of punishment.
5. Safety cells (medical restraint) will not be used as a form of punishment.
6. Final disposition of punishment will be made by the Disciplinary Officer and reviewed by the Division Commander.
7. Inmates shall be advised of the action taken by the Disciplinary Officer by means of an "Inmate's Advisement of Punishment Report" which is prepared by the Disciplinary Officer. Distribution of the form is as follows:
 - i. One (1) copy to Inmate Records
 - ii. Two (2) copies to Classification
 - iii. One (1) copy to the inmate

- d) Discipline by Inmates
 - 1. No inmate may inflict punishment upon another inmate.
 - 2. "Kangaroo Court" (mock courts set up by inmates) and/or "sanitation committees" (inmates set up to enforce sanitation rules) are illegal in any California jail.
 - 3. Inmates involved in any of the above actions will be subject to immediate discipline and/or prosecution.
 - 4. No inmate may ever be given authority over, or permitted to exert control over any other inmate.

1602.6 - Appeal Procedure

- a) Minor Violation Appeal Procedure: Any inmate wishing to appeal a minor violation must submit a written request within forty-eight (48) hours of notice of the violation to the appropriate Sergeant. The Sergeant will review the appeal and advise the inmate in writing of his/her decision.
- b) Major Violation Appeal Procedure: Appeals of punishment may be made in writing in the form of a grievance, an Inmate Message Slip, or a letter to the facility and must be submitted within fourteen (14) days after receiving notice of the discipline imposed. Appeals submitted after this period will not be considered timely and will not be evaluated. The Division Commander will review the Watch Commander's report and advise the inmate of the decision on an Inmate's Advisement of Appeal form.
- c) Inmate Disciplinary Appeal Reporting Process
 - 1. Inmate disciplinary appeals shall be handled by the Watch Commander of the inmate's current housing location. The Watch Commander or their designee will complete a package containing:
 - i. Inmate Appeal Hearing Report – completed by the Watch Commander after the inmate interview
 - ii. Inmate's Advisement of Appeal – completed by the Watch Commander to be reviewed by the Facility Commander or his/her designee
 - iii. Copy of the Jail Incident Report – from the inmate records file
 - iv. Copy of the Sergeant's Disciplinary Hearing Report – from the inmate records file
 - v. Dated Inmate Message Slip
 - 2. The person who issued the discipline shall not be the same as the one who conducts the Inmate Appeal Hearing. The completed package will be returned to the Classification Sergeant for further processing (inmate notification, admin file, inmate file).

1602.7 - Special Management Unit (SMU)

- a) Special Management Unit (SMU) means a temporary housing status which confines inmates to designated cells for prescribed periods of time as punishment for the most egregious rule violations as set by the disciplinary bail schedule. This policy is considered integral to maintaining a safe environment for the inmates and jail personnel by providing a system of consequences for behavior that jeopardizes day-to-day jail operations. SMU cells may also be used as alternative housing (i.e. medical quarantine, facility safety and security, other appropriate circumstances) after receiving approval from the Watch Commander.
- b) No inmate will be placed in the SMU prior to a disciplinary hearing held by the Disciplinary Officer and without permission from the Watch Commander. Correctional Health Services (CHS) will be

notified prior to an inmate being housed in a SMU cell. A medical evaluation of the inmate will be conducted within 72 hours prior to the inmate's placement into the SMU and a mental health evaluation of the inmate will be conducted within 24 hours prior to the inmate's placement into the SMU. If CHS staff believe that the inmate is unable to control his/her behavior or is unable to understand the consequences of his/her behavior due to a disability or mental health condition, the inmate will not be housed in the SMU and this will be documented in the disposition of punishment.

1. To accommodate CHS' resources for these evaluations, inmates will not be placed in the SMU on Sundays or Mondays.
 2. When emergency placement is required due to a threat to safety and security of the facility, an inmate may be placed in SMU with prior clearance by Medical and Mental Health staff, any day of the week. This prior clearance will consist of Medical and Mental Health evaluations.
 3. Due to the nature of the violation, an inmate may be moved to a SMU cell pending his/her hearing. Placement of an inmate in SMU pending a disciplinary hearing will not include the loss of any regular privileges such as commissary, public visiting, dayroom or outdoor recreation (Full-Privileges). If an inmate is moved to another housing location, the Classification/Housing Review Form (J-203) will be completed (Refer to CCOM section 2104.1(c) for further details).
- c) An inmate may be assigned to SMU, as a result of jail discipline, for a period of time determined by the Disciplinary Sergeant based upon the severity of the violation and inmate's disciplinary history.
1. Frequent jail rule violators shall be assigned progressive discipline.
- d) A Correctional Health Services staff member will check the status of all inmates housed in SMU at least once per shift.
1. The visit will be to inquire to the inmate's health and/or need for medical services.
 2. These checks will be recorded on the Daily Inmate Activity Log and SMU Master Log.
- e) A Correctional Health Services staff member will check the mental health status of any inmate housed in SMU on a weekly basis to determine whether the disciplinary status is to continue.
- f) The Disciplinary Sergeant will conduct a review to determine if SMU is still necessary for the offender.
- a. This review will occur every 7 days that the inmate is housed in SMU.
 - b. The Sergeant will interview the inmate, consult with Mental Health staff and complete the Special Management Unit Review form and forward the form to the Watch Commander. The Watch Commander will review and sign the form the same day.
 - c. One copy of the completed Special Management Unit Review form will be provided to the inmate and one copy will be stored in the inmate's records jacket.
- g) After an inmate has completed thirty (30) consecutive days in SMU, there shall be a review by the Division Commander before the SMU status is continued.
1. This review shall include a consultation with medical and mental health staff.
 2. The Division Commanders reviews shall continue at least every fifteen (15) days thereafter until the disciplinary status is discontinued.
- h) No inmate, under any circumstances, will spend more than thirty (30) consecutive days on SMU status without three (3) days relief. During the three (3) days of relief, the inmate shall be on full-privileges in the housing location to which he/she is assigned.

- i) An inmate assigned to SMU will have the following privileges suspended:
 - 1. Outdoor recreation
 - 2. Public visiting (Official visits are permitted)
 - 3. Commissary ordering, delivery, consumption or use
 - 4. Newspapers, magazines or other publications (Exception-One book from the Orange County Jail Library)
 - 5. Cards or games
 - 6. Unnecessary inmate movement outside of the cell.
 - 7. An inmate will not be denied exercise of his religion.
 - i. Exclusion from group religious services may only be based on security concerns.
- j) Inmates housed in SMU will be offered a minimum of 2 hours per day of out of cell time.
- k) Telephone use will be made available on request to contact an attorney, the courts, or for personal emergencies.
- l) Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than seventy-two (72) hours without the review and approval of the Division Commander.
- m) Access to legal counsel shall not be suspended as a disciplinary measure.

1602.8 - Personal Hygiene Articles in Special Management Unit

- a) All inmates shall be issued a welfare pack upon placement into SMU. The welfare pack will minimally contain:
 - 1. One Toothbrush
 - 2. One Toothpaste
 - 3. One Comb
 - 4. One Bar of soap
 - 5. One Pencil
 - 6. Two Inmate Message Slips
 - 7. Two Stamped Envelopes each w/ 2 sheets of lined paper
- b) If the inmate runs out of allowable personal hygiene articles, the deputies will provide the articles from a welfare pack upon request.
- c) Inmates will not be permitted to keep a shaving razor in their cell, however, they will be permitted to shave daily unless otherwise ordered by the facility administrator (Title 15, Minimum Jail Standards, Section 1267). Deputies will furnish an electric razor or, a safety razor to inmates requesting to shave and supervise the inmate's use of the razor.

1602.9 - Pro-Per Privileges in Special Management Unit

- a) In order to provide consistency of punishment, Pro-Per inmates shall be permitted to have legal materials in their possession. Pro-Per inmates will be permitted access to legal books, Pro-Per phone calls, or normal visitation with a legal runner during the time they are in SMU.
- b) When a Pro-Per inmate is placed in SMU for disciplinary reasons, the Housing Sergeant shall be notified in writing. The following court day, the sergeant shall contact the clerk of the court in which the inmate is Pro-Per and advise the clerk of the temporary restrictions placed on the inmate and his/her release date from SMU. The sergeant shall also record this information in the inmate's Pro-Per file.

1604 - Inmates Rights

Jail Operations Administration and Staff recognize that inmates have certain rights relative to the conditions of their confinement that will be acknowledged as a matter of law and for the good order of the facility.

1604.1 - Inmate Rights

- a) Prompt, legal and thorough booking and release procedures will be utilized to minimize time in custody.
- b) Clean and orderly surroundings.
- c) Adequate toilet, bathing and laundry facilities.
- d) Any inmate shall, upon request, be allowed to continue to use materials necessary for (1) personal hygiene with respect to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads and/or tampons at no cost to the inmate, and (2) birth control measures as prescribed by a physician, nurse practitioner, certified nurse midwife or physician assistant.
- e) Adequate lighting, heating, and ventilation.
- f) Compliance with federal, state/local fire and safety laws/regulations.
- g) A minimum of fifteen (15) minutes shall be allowed for the actual consumption of each meal a Minimum Jail Standards, Title 15, Section 1240). The diet will be wholesome, properly prepared, and nutritionally adequate.
- h) Clean and appropriate clothing.
- i) Medically necessary health care services comparable in quality to those available in the general citizen population.
- j) Any inmate shall have the right to summon and receive the services of any physician, nurse practitioner, certified nurse midwife or physician assistant of their choice in order to determine whether they are pregnant. Any expenses for the services of a physician, nurse practitioner, certified nurse midwife or physician assistant whose services are not provided by Correctional Health Services will be the responsibility of the inmate.
- k) Access to indoor and outdoor recreational opportunities and equipment for a minimum of three (3) hours per week (Minimum Jail Standards, Title 15, Section 1065).
- l) Access to clergy, which allows inmates to adhere to their legitimate religious practices, subject only to limitations necessary to maintain institutional order and security.
- m) Visitation with family members and friends in a visiting area that is limited only by those facility requirements necessary to maintain order and security. Private areas are available for official visitation between inmates and attorneys, except where the restriction can be properly justified. Official visits shall be granted during any reasonable hour.
- n) Freedom from discrimination based on the inmate's race, religion, national origin, sex, age, handicap, or political belief.

- o) A dignified conversational form of address. All inmates will be addressed by name rather than booking number or derogatory forms of address.
- p) Protection from personal abuse, corporal punishment, personal injury, disease, property damage and harassment.
- q) Inmates will be classified to housing with due consideration for the safety of the public, staff and other inmates. Inmates are allowed to present opinions, preferences and requests regarding their classification and housing assignment.
- r) Personal grooming choices regarding appearance. This choice is limited only by facility requirements for:
 - 1. Safety
 - 2. Security
 - 3. Identification
 - 4. Hygiene
- s) The expectation that unnecessary force, embarrassment or indignity to the inmate is avoided during searches.
- t) The availability of a written grievance procedure that includes at least one level of appeal.
- u) Deputies and other Sheriff's Department employees will make every attempt to respond to inquiries of inmates and/or direct them to the correct staff member who may have the answer that is requested.
- v) Pursuant to election codes, inmates have the right to participate in local, state, and federal elections via absentee ballots.
- w) Uncensored communication and/or correspondence with persons on the outside, limited only as necessary or by law to maintain order and security.
- x) Inmates shall not be denied reasonable access to the Courts and Counsel. Access shall consist of unlimited incoming and outgoing mail and confidential consultation with attorneys (Minimum Jail Standards, Title 15, Section 1068).
- y) Inmates will have the right to request assistance in their legal matters. This will include persons with legal training, the Public Defender's Office and law library facilities. Inmates seeking judicial or administrative redress will not be subject to reprisals or penalties as a consequence.
 - 1. Inmates may assist one another with legal matters. If documents belonging to one inmate are found in the possession of another inmate, the deputy making the discovery will make every effort to determine if the inmate named on the document gave his/her permission for the other inmate to possess the document. If permission was not given, the inmate who is not named on the document will be in "Possession of Contraband" and a Jail Incident Report will be written.
 - 2. Inmates may request books from the County Law Library by submitting a written request to the Law Librarian. All books previously checked out must be returned prior to obtaining additional books.

- z) Inmates may request the assistance from other inmates (jailhouse lawyers). These communications must be for specific legal purposes.

1604.2 - Inmate Rights - CCOM Sections

- a) Specific procedures to fulfill requirements described in the Inmate Rights Section of this chapter are detailed in other sections and chapters in this manual:
 1. Inmate Services and Programs
 2. Sanitation and Maintenance
 3. Food Service
 4. Medical and Health Services
 5. Safety and Emergency Procedures
 6. Communications, Mail and Visiting
 7. Classification of Inmates

1604.3 - Rights of Arrested, Detained, or Imprisoned Foreign Nationals

Foreign nationals are those individuals who are not citizens of the United States, whether in the country legally or not.

- a) Article 36 of the Vienna Convention on Consular Relations sets forth certain rights of foreign nationals from member countries when arrested, detained, or imprisoned by law enforcement officials in this country. This article requires that the following procedure be followed whenever a law enforcement agency arrests, detains, or imprisons a foreign national.
 1. At the request of the foreign national, the agency must, without delay, inform the appropriate consular officials in California that the foreign national has been arrested, detained, or imprisoned.
 2. The agency must, without delay, advise the foreign national of the right to have the appropriate consular officials in California notified.
 3. The foreign national must be given the opportunity to communicate, correspond with and be visited by consular officials representing the foreign national's country in California.
 4. A sign is posted outside the Receiving sally port advising the arresting officers of their responsibility for Foreign National Consular notification.
- b) Notification of Consular Officials
 1. If an inmate is identified as a "foreign national requesting consular notifications," the arresting agency will be notified. The arresting agency will make the appropriate notification to the consular officials representing the foreign national's country.
- c) Consular Officials, Rights of Visitation
 1. If an inmate is identified as a foreign national, he/she will be given the opportunity to communicate, correspond with and be visited by consular officials representing the inmate's country.

2. Visits by consular officials will be conducted in the Attorney-Bonds visiting area. The visitor shall fill out an Official Agency Visitation form. The Watch Commander must be notified prior to the visit and will designate the location of the visit.
- d) Deaths of Foreign Nationals in California
1. When a foreign national dies in custody in California, Article 37 of the Vienna Convention requires that the appropriate consular official be notified. Such notification assists consular officials in advising next of kin and other appropriate parties on a timely basis.
- e) Current information regarding the appropriate consular office to notify in case of the arrest, detention, imprisonment, or death of a foreign national may be obtained from the "Consular Notification and Access" manual located in the Watch Commander's office. A copy of this manual will also be kept in the Receiving Guard Station and will be made available to arresting agencies for review in the booking area. The complete text is also available on-line at: http://travel.state.gov/law/consular/consular_636.html. The United States Department of State Bureau of Consular Affairs can be contacted at (202) 647-4415. After hours (EST) the State Department Operations Center – Senior Watch Officer can be contacted at (202) 647-1512.

1604.4 - Inmate Voting Procedure

- a) Inmates who would like to participate in local, state and Federal elections should contact the Registrar of Voters for information and materials.
- Registrar of Voters
PO Box 15467
Santa Ana CA 92735-9910

1604.5 - Inmate Services

- a) Medical/Dental/Psychiatric Care
1. Prior to being booked into the custody of the Sheriff, each person will be screened by a member of the Correctional Health Services (CHS) staff. If after booking, an inmate wishes to request routine, non-emergency, medical attention he/she must submit an Inmate Health Message slip to the healthcare staff. Slips are available from the Module or Prowler Deputies. Completed forms are to be deposited in the collection box in each module where they will be collected twice daily.
 2. Medical, mental, or dental health care professionals, depending upon the nature of the inmate's complaint, will conduct sick call daily in each module. Inmates found to hoarding medication or possessing another inmate's medication will be subject to disciplinary action.
 3. HIV testing is available through CHS. Inmates may submit an Inmate Health Message Slip for testing.
- b) Recreation Programs

1. Tabletop games, books and newspapers are provided to inmates in their dayrooms. Each inmate will also be offered an opportunity to have a minimum of three (3) hours of outdoor recreation each week. Volleyball, handball and basketball are sports available in the outdoor recreation yards. Outdoor recreation availability is dependent upon weather conditions, court appearance schedules, etc.
 2. Televisions are provided in the dayrooms.
- c) Religious Programs and Bible Study
1. Church services are conducted on a regular schedule.
 2. The Module Deputies will announce exact times and locations for these programs in advance.
- d) Individual Family Service Programs
1. The Inmate Programs Coordinator and his / her staff maintain an extensive reference log of social service programs and groups available for use for inmate referral. Inmates desiring social service assistance can submit an Inmate Message Slip to the Inmate Programs Coordinator who will furnish the inmate the name, address and/or phone number of the appropriate person or agency to contact.
 2. Substance abuse programs / groups are also available. Alcoholics Anonymous and Substance Abuse classes are available through the Correctional Services Education Team. Some one-on-one counseling through the County of Orange Health Care Agency is also available. Any information on any type of substance abuse counseling is available through Correctional Programs. Inmates interested in any of these programs will inquire by use of an Inmate Message Slip addressed to the Correctional Programs Coordinator.
 3. The Community Transition Program is designed for inmates who have been released from custody. The individual may contact job developers through Rancho Santiago College and Correctional Program Technicians for a variety of services. These services are free and include interest and abilities testing, enrollment in additional education, job training, and actual job placement.
 4. Pre-release counseling is also available. Matters such as transportation upon release, housing, and employment referrals may be addressed to the pre-release counselor.
- e) Education Programs
1. Any sentenced or pre-trial inmate who is in-custody longer than 29 days will have the opportunity to enroll in the California State General Education Diploma (GED) program. Inmates interested in enrolling in the GED program will address an Inmate Message Slip to the Correctional Programs Coordinator.
- f) Jail Clothing and Hygiene
1. Bed sheets, towels, under/outer garments, and socks are exchanged two times each week. Blankets will be exchanged every three months, or as needed. Inmates are required to shower regularly to prevent an offensive and unhealthful condition of body hygiene. Personal grooming items are provided to inmates who do not have money.

g) Commissary

1. Inmates may purchase candy, writing materials, postage, and personal hygiene items three (3) times each week. Order forms are distributed three (3) times each week. Inmates without any funds can order a "welfare pack" of free grooming items.

h) Library Services

1. A list of legal books available from the jail law library is available for review in each housing location. Requests for legal books must be submitted on an Inmate Message Slip. If a certain book is not available from the jail law library, the request will be taken to the Orange County Law Library. Inmates may request or possess a maximum of five (5) books. Books may be retained for a twenty-four (24) hour period unless properly renewed.

1604.6 - Pregnant Inmate Rights

a) Pregnant inmates shall be advised in writing of the rights afforded to them, which include but are not limited to the following:

1. Childbirth and infant care education;
2. Health information related to diet and nutrition;
3. Prenatal and postpartum health care;
4. Opportunity to request a review of their eligibility for termination of the pregnancy;
5. Information on the OCSO policies governing the use of leg restraints, waist restraints, handcuffs and other restraints placed on pregnant inmates. For more information regarding the use of restraints on pregnant inmates, reference CCOM Policy 1800.3 (d) - Pregnant Inmates.
6. The right to summon and receive the services of any physician and surgeon of her choice, at her own cost.

b) Upon confirmation of a pregnancy, CHS shall provide the inmate with an acknowledgement form (Pregnant Inmate Information form) advising them of the rights afforded to them. The signed form shall be placed in the inmate's health record.

c) If an inmate refuses to sign the acknowledgement form, the staff member providing the form shall write "refused" above the inmate signature line.

d) If a custody staff member is informed of a pregnancy or believes an inmate may be pregnant, the staff member shall immediately refer the inmate to CHS for medical evaluation. CHS shall provide the inmate with a "Pregnant Inmate Information" form. This form shall be provided even if the pregnancy has not yet been confirmed.

e) Pregnant inmates housed in multitier housing units shall be assigned lower bunk and lower tier housing.

f) Pregnant inmates shall not be tased, pepper sprayed, or exposed to other chemical weapons.

- g) A pregnant inmate may elect to have a support person present during labor, childbirth, and during postpartum recovery while hospitalized. The support person may be an approved visitor or the jail's staff designated to assist with prenatal care, labor, childbirth, lactation, and postpartum care.
 - 1. For more information about a support person, reference CCOM Policy 1902.6 - Special Visits for Inmates.
- h) A pregnant inmate in labor and delivery shall be given the maximum level of privacy possible during the labor and delivery process. If a deputy is present, they shall be stationed outside the room rather than in the room absent extraordinary circumstances. If a deputy must be present in the room, the deputy shall stand in a place that grants as much privacy as possible during labor and delivery. The deputy shall be removed from the room if a professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of the deputy is medically necessary.
- i) The rights provided by Penal Code sections 4023.6, 4023.8 and 4028 shall be posted in all holding cells at the Intake Release Center as well as the dayroom areas in all housing facilities.

1604.7 – Lactating Inmates

1604.7.1 – Purpose

To establish a policy as required by Penal Code section 4002.5 to allow inmates who are lactating access to a breast pump for the purpose of expression of milk to relieve discomfort, to maintain milk supply for their infant or toddler, and/or to prevent infection.

1604.7.2 – Policy

County Health Care Agency (HCA), Correctional Health Services (CHS) has established a program, which allows a lactating inmate the ability to express, store, dispose of, arrange transportation for, and provide proper handling instruction for breast milk.

Information regarding the lactation program shall be posted in all locations in the jails where medical care is provided for female inmates. The provisions of the lactation program shall be communicated to all staff who interact with or oversee pregnant or lactating inmates.

1604.7.3 – Procedure

A lactating inmate, who desires to maintain lactation to supply breast milk for their infant or toddler, will be permitted to do so during their incarceration. Inmates who wish to discontinue lactation or has been removed from the program by a CHS prescriber will be provided access to a breast pump for the purpose of preventing discomfort and/or to prevent infection.

- a) Screening for Lactating Inmates
 - 1. CHS will screen female arrestees upon entry to determine if they are postpartum and breastfeeding.

2. Admittance to the program may be denied only if, in the professional medical opinion of a CHS prescriber it will not be possible to provide milk that is safe for an infant's consumption while maintain the health of the mother.
 3. Lactating inmates with positive urine drug screen results will be referred to the OB/GYN prescriber to determine continuance in the program.
 4. Manual breast pumps will be kept on person (KOP), made readily available, and may be used when electric pumps are not available.
- b) Correctional Health Services (CHS)
1. CHS will provide the proper education and instruction to safely and effectively collect, store, and/or dispose of the inmate's breast milk.
 2. CHS will provide instruction on the procedure for the inmate to arrange the pick-up of their breast milk.
 3. CHS will ensure the required documentation and forms are completed by both the inmate and the designated caregiver.
 4. CHS will provide the necessary equipment for the inmate to collect their breast milk.
 5. CHS will properly store the expressed milk in a designated freezer as soon as it is collected from the lactating inmate.
 6. CHS will be responsible for coordinating the exchange of breast milk with a designated caregiver.
 7. The exchange of breast milk will take place at the IRC or Theo Lacy Visiting area depending on the housing of the lactating inmate.
- c) Sheriff's Personnel
1. If a custody staff member is informed of an inmate's desire to maintain lactation or to stop lactation, the staff member will refer the inmate to CHS for medical evaluation or advise the inmate to fill out an "Inmate Health Message Slip" to notify CHS of their request. For more information about referring an inmate to CHS, reference CCOM Policy 2100.5 - Areas of Responsibility/Goals - Sheriff's Department.

1606 - Inmates with Disabilities

The Federal Americans with Disabilities Act (ADA) and the California Disabled Persons Act (CDPA) provide, in general, that qualified individuals with disabilities shall not be excluded from participation in, denied the benefits of, or subjected to discrimination in a public entity's services, programs, or activities, based upon a disability. The ADA and CDPA apply to all OCSD jail facilities.

For the purpose of this policy, when referring to the term "inmate," the Orange County Sheriff's Department is referring to incarcerated individuals within our custody, including but not limited to: sentenced and un-sentenced inmates, civil detainees, US Marshals inmates, CPC 1170(h) inmates, etc.

Inmates with disabilities are entitled to the same rights, privileges, and services as other inmates of the same classification level. While the ADA does not specify specific impairments, an inmate is covered by the ADA when the inmate has a permanent, temporary, or intermittent condition that impacts a major life activity. Some examples of major life activities include bathing, caring for one's self, moving from place to place, understanding or interpreting instructions, and eating.

Each inmate covered under the ADA must be reasonably accommodated through some means, such as modified housing for wheelchair access, or closed-captioning on the television for someone with a hearing impairment.

DEFINITIONS:

Disability: An individual has a disability if there is a physical or mental impairment that substantially limits one or more major life activities; or the individual has a record of such an impairment; or the individual is regarded as having such an impairment.

a) Physical or mental impairment:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
2. Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities
3. The phrase physical or mental impairment includes, but is not limited to, contagious and non-contagious diseases; orthopedic, vision, speech and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; specific learning disabilities; HIV disease (whether symptomatic or asymptomatic); tuberculosis; and issues caused by past drug addiction and alcoholism.
4. The phrase physical or mental impairment does not include homosexuality or bisexuality.

b) Major life activities: Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

c) Has a record of such an impairment: Has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.

d) Is regarded as having an impairment:

1. Has a physical or mental impairment that does not substantially limit major life activities, but that is treated by a public entity as constituting such a limitation.
2. Has a physical or mental impairment that substantially limits major life activities but only as a result of the attitudes of others toward such impairment or, has none of the impairments

defined in paragraph 1 of this definition, but is treated by a public entity as having such an impairment.

e) The term disability does not include:

1. Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders.
2. Compulsive gambling, kleptomania, or pyromania; psychoactive substance use disorders resulting from current illegal use of drugs.

Reasonable Accommodation: Any change in the facility or field environment, policies, procedures, or the manner in which tasks are completed that enables a qualified individual with a disability to participate in and receive the same benefits from a program or service. This includes ensuring a qualified individual's opportunity to receive the same benefit of service. Reasonable accommodation does not require fundamental alteration of the nature of a program or activity.

Auxiliary Aids and Services: Includes, but is not limited to, assistive communication devices for the deaf, hard of hearing, and visually impaired (e.g., TDD/TYY, closed caption video as necessary and appropriate, Braille, audio technology, large print); a qualified interpreter (or, in some circumstances, an interpreter who demonstrates proficiency adequate to the task); providing a reader or note taker; use of an elevator by mobility-impaired inmates to enable access to programs; and modification or acquisition of adaptive equipment and devices.

Undue Burden: An accommodation(s) which would result in a fundamental alteration in the nature of a program or activity, or an undue financial and administrative hardship. An accommodation will not impose undue hardship on the Department or compromise the safety or security of staff, inmates or others at facility or field sites.

Qualified Individual With a Disability: An individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

[1606.1 – ADA Procedures](#)

a) Intake

1. The Booking Loop will be utilized to receive, book, and process all incoming qualified inmates with disabilities. The booking process includes self-commitment bookings and the pre-booking process.
2. When CHS becomes aware of a qualified inmate with a disability, an interview will occur between CHS, Classification staff, ADA Compliance Staff and the inmate to determine reasonable accommodations and auxiliary aids for the inmate. The decision as to what type

of accommodation/modification is appropriate is made on a case-by-case basis. For more information about inmates with disabilities, reference CCOM Policy 1201.13 – Inmates with Disabilities.

3. Inmates with disabilities may arrive with an assistive device, such as a cane, crutch, walker, wheelchair, etc. Unless a Captain or Watch Commander determines and documents, based on an individualized assessment, that the said device constitutes an immediate risk of bodily harm to inmates, staff or threatens the security of the facility, the inmate shall be allowed to retain the device. If there is a security issue with a specific device (e.g. metal tipped cane), the inmate will be provided a County-approved substitute device. These inmates will be permitted to possess their assistive device in a temporary holding cell at all times.
4. Triage Medical Staff will contact the Operations Sergeant and the ADA Deputy whenever a qualified inmate with a disability enters triage. If the Sergeant is not available, the telephone call will automatically transfer to the Receiving Guard Station Deputy (available 24 hours-a-day).
5. The ADA Deputy shall complete periodic reviews during the period where the device has been removed and/or they have been issued an alternate accommodation, in order to determine whether the inmate is a risk of harm or otherwise can function adequately.
6. For more information about inmates requiring the use of orthopedic or prosthetic devices while in custody, reference CCOM Policy 2108.1 - Screening Process.
7. Triage Medical Staff will complete a Classification/Housing Review/ADA Booking Checklist form (J-112) according to medical protocol. Triage Medical Staff will indicate “ADA” and the specific impairment on the form. (Face- to- face interviews are required for inmates in a wheelchair or those who cannot stand for the interview). A copy of this form will be given to Classification staff.
8. Classification staff will email a copy of the (J-112) to [REDACTED], as well as provide a copy of the (J-112) to the Receiving Guard Station Deputy.
9. The Operations Sergeant or the Receiving Guard Station Deputy will designate a First Floor Deputy to ensure reasonable accommodations are made during the booking process.
10. If an inmate is wheelchair bound, mobility impaired, or requires the use of a wheelchair accessible holding cell, the Classification Deputy will complete the bottom portion of the Classification/Housing Review/ADA Booking Checklist form confirming all booking activities are completed. The deputy will checkmark “yes” or “no” in the boxes provided and place his/her initials and PID number next to each activity. Completed forms will be delivered to the IRC Operations Sergeant’s Office by the assigned deputy. Completed forms will be collected by the Administrative/ADA Deputy.
11. The Operations Sergeant will enter the following information into the Corrections Sergeant Log under the drop down menu, “ADA Booking Process:”
 - i. The date and time the inmate enters the triage area.

- ii. The name of the deputy assigned to ensure reasonable accommodations are made.
 - 12. Reasonable accommodations will be made during the intake process. Some examples are:
 - i. Using a counter modified for accessibility to assist inmates who are not able to reach or see over standard counters.
 - ii. Conducting face-to-face interviews by Medical and Classification staff, for inmates who are not able to stand.
 - iii. Fingerprint using a portable rolling cart or clipboard, so the inmate does not have to reach up above his/her shoulder height.
 - 13. Inmates who have special or chronic medical needs will be accommodated and/or expedited through the booking process per CHS instructions.
- b) Accessible Housing
- 1. Qualified inmates with a disability will have access to the same services, programs, and activities offered to other inmates of the same classification level.
 - 2. Inmates will have proper access to showers, toilets, sinks, necessary accessibility equipment, etc.
 - 3. Inmates with disabilities may arrive with an assistive device, such as a cane, crutch, walker, wheelchair, etc. Unless a Captain or Watch Commander determines and documents, based on an individualized assessment, that the said device constitutes an immediate risk of bodily harm to inmates, staff or threatens the security of the facility, the inmate shall be allowed to retain the device. If there is a security issue with a specific device (e.g., metal tipped cane), the inmate will be provided a County-approved substitute device. These inmates will be permitted to possess their assistive device in their housing location at all times.
 - 4. When an inmate requiring an assistive device is moved outside of their assigned housing location for court, visiting, chow hall, medical appointment, etc., while being moved between floors, up or down stairs and/or escalators, a deputy may escort the inmate on a case-by-case basis in order to maintain the inmate's safety.
- c) Court Transfer Procedures
- 1. Inmates requiring the use of accessible holding cells will either be held in cells designed to be accessible, or be prepared for court in their respective housing units and moved directly from their housing units to awaiting vehicles in the court transfer area.
- d) Release Procedures
- 1. Reasonable accommodations will be provided to inmates during the release process. Inmates requiring the use of accessible cells will either be held in cells designed to be accessible, or be prepared for release in their respective housing units and expedited through the release process.
- e) System-wide Functions
- 1. The ADA Coordinator will manage the Sheriff's Department's ADA compliance.

2. The Administrative Sergeant at TLF, CMJ, CWJ, James A. Musick Facility (JAMF) and the Behavioral Health Sergeant at the IRC will serve as the ADA compliance officer for their respective facility. The Administrative Sergeants and Behavioral Health Sergeant will receive training on accessibility standards, their application in jail settings, and the compliance officer's responsibilities to process and respond to requests for accommodation and/or complaints of denial of access to programs and services.
3. In addition to the facility Administrative Sergeants or Behavioral Health Sergeant, one deputy from the CJX and one deputy from TLF will be assigned to monitor ADA compliance under the ADA Coordinator.
4. Inmates identified by CHS staff will be interviewed by the facility ADA Deputy. Each inmate will be notified in writing regarding what level of programs and services he/she is eligible to receive based on classification level and medical needs. In addition, each inmate will receive a copy of the jail rules and correctional programs brochure.
5. Each week, the ADA Deputy will forward a current list of qualified inmates with disabilities to each area where they are housed. The list will specify what level of programs each inmate is eligible to participate in based on his/her classification level and medical needs.
6. Initial training will be given to all safety personnel through the Jail Academy, to ensure that they are aware of the guidelines in this administrative directive and their duties, if any, related to it. Updated training for transportation personnel, programs staff members, and security staff members assigned to housing locations where disabled inmates are housed will be provided as necessary.
7. Tracking logs will be maintained for qualified inmates with disabilities. The logs will include outdoor recreation times and locations, dayroom, shower access (if separate from dayroom), and any other specific information documenting accommodations made for the inmate. The log will also include the dates, times, and locations of public visits.
8. Documentation will be maintained according to the department records retention schedule for that type of information.
9. Documentation of staff training will be maintained according to the department records retention schedule for that type of information.

1606.2 – Programs and Services

- a) Qualified inmates with disabilities will have access to visiting, church services, inmate programs, dayroom/recreation, etc. consistent with their classification level.
- b) Staff will provide reasonable modifications to jail rules, policies, and practices to enable inmates to participate in the services, programs, and activities offered to other inmates of the same classification level. Some examples of reasonable accommodations include:
 1. Using a sign language interpreter, Video Remote Interpreter (VRI), or other means to ensure proper communication with deaf inmates (e.g., jail rules & rights, Miranda admonishments,

interviews, disciplinary hearings.) The complexity and importance of the communication, the number of people involved, and the length of the communication are some factors to consider when deciding on the best method of assistance.

2. Providing Telecommunications Devices for Deaf Persons (TDDs), Video Relay Services (VRS), or other texting devices to allow deaf inmates to make telephone calls. These devices, and directions for usage, are maintained inside [REDACTED].
3. The device used to provide VRI and texting usage for deaf and/or hard-of-hearing inmates will be stored in a [REDACTED], located in the [REDACTED]. The directions for usage will be located inside the [REDACTED]. Watch Commander's approval is required for its usage. This device must be used under direct supervision of a deputy. The deputy must remain with the device during the entire length of its use.
4. Providing wheelchairs, crutches, canes or other assistive devices when necessary.
5. Including the special needs of inmates in emergency evacuation plans and drills.

1606.3 – Disability Discrimination Allegations

- a) Any qualified inmate with a disability who believes that he/she is the subject of disability discrimination should use the grievance procedure described in Jail Operations Manual 1600.5 and posted in all housing areas. The inmate must indicate in the box provided on the grievance form that the grievance is disability related. The grievance should be addressed to the facility Administrative Sergeant, who is the designated ADA coordinator for each facility.

1606.4(a) - California Department of Corrections and Rehabilitation ADA Notifications

- a) Pursuant to Federal Court Order, the CDCR is required under *Armstrong v. Brown* to send daily electronic notifications to county jails regarding newly booked parolees, who are *Armstrong* class members, providing information about their disability status and accommodations previously provided while in state prison. Keep in mind the person's disability or accommodations may have changed since release from state incarceration or while on parole. The OCSD guidelines for sharing CDCR notifications are as follows:
 1. ADA Compliance and CHS Case Management staff receives CDCR notifications via email.
 2. Inmate is located in OCSD Sheriff's Data System.
 3. ADA Compliance and CHS Case Management staff collaborate as necessary to determine course of action.
 4. CHS Case Management staff may follow up regarding medical issues. This may include a face to face interview with Case Management, including a follow up appointment(s) with a nurse or doctor, if needed.
 5. ADA compliance staff may follow up, as necessary to provide appropriate housing and programming accommodations.

6. Every CDCR notification received is inputted into a database maintained by OCSD ADA Compliance staff according to the department records retention schedule.

1606.4(b) - California Department of Corrections and Rehabilitation ADA Grievance Notifications

- a) Pursuant to Federal Court Order, under *Armstrong v. Brown*, CDCR Parole/Notice Agents are required to ask Armstrong class members to self-identify any disability needs related to assistive devices, housing and programming. They will provide class members with a Reasonable Modification or Accommodation Request CDCR form and a self-addressed, postage-paid envelope. CDCR Parole/Notice Agents inform Armstrong class members they can use the form to file a grievance if they believe they are not receiving assistive devices, housing or programming accommodations in the county jail.
- b) Upon receipt of a CDCR Grievance from an Agent of CDCR, OCSD, and more specifically the ADA Compliance Team will follow the procedure for grievances requiring special handling. For more information about grievances requiring special handling, reference CCOM Policy 1600.5 (f) - Grievances Requiring Special Handling.