

CMJ - CJI Arraignment

4003.1 CJI ARRAIGNMENT

CJ1 Arraignment Court was established to substantially reduce the amount of inmate movement involved in the arraignment procedure.

- (a) Prior to [REDACTED] [REDACTED] Specialty Housing inmates will be identified and separated from the general population list. Specialty Housing and female inmates will be kept at their housing location until they are requested at arraignment court. [REDACTED]
- (b) The day of arraignment court, at approximately 0900 and 1400 hours, CJ1 staff will telephone and/or e-mail food services at the CMJ advising their lunch and count. This count will include all facilities.
- (c) [REDACTED] arraignment inmates in their respective vestibules. CJ1 Deputies will then escort those arraignment inmates to the court holding cells on the first floor of the CMJ. Female inmates can only be placed in a CJ1 holding cell that is separated by a solid security barrier. This will eliminate visual and physical contact from occurring with inmates of the opposite sex. CJ1 Deputies will coordinate with staff from the IRC for their arraignment. Inmates who will not be arraigned until later in the day will remain in their housing locations until needed.
- (d) Once inmates are present in arraignment court, the CJ1 Deputy will hand out summary of their constitutional rights.
 - 1. The summary will be provided by the court in English and Spanish.
- (e) The CJ1 Deputy, once the arraignments begin, is to ensure continuous flow of inmates in the court room.
 - 1. [REDACTED]
 - 2. Safety or security may dictate a smaller group
 - 3. Special Housing inmates will be brought into court separately
- (f) The CJ1 Deputy or Bailiff will be responsible for security during all aspects of the arraignment proceedings. They will have assistance from [REDACTED] from the Court Division.
- (g) The CJ1 Deputy or bailiff will ensure that all court staff involved in the arraignment process will have in their possession appropriate identification at all times while in the Central Men's Jail.
 - 1. The CJ1 Deputy will advise all court staff that no items can be given to, or accepted from any inmate without prior inspection and approval of the CJ1 Deputy.

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2. The CJ1 Deputy will coordinate with Main Control to ensure that all court staff has the ability to enter and exit the arraignment area.
 3. The CJ1 Deputy will be especially attentive to inmate in the area each time the exit/entry door to the staff corridor is utilized.
- (h) At the end of each arraignment day, the CJ1 Deputy will check all rooms encompassing the arraignment area, secure the equipment room, secure the double doors to the court holding cells and turn off all necessary monitoring equipment.

4003.2 MAIN CONTROL

- (a) All court staff involved with the arraignment process at the Central Men's Jail will be directed [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- (c) The Main Control Deputy/SSO/CSA will contact the CJ1 Deputy via stenophone/telephone to make the CJ1 Deputy aware of incoming traffic at the security door in the staff corridor.
- (d) All private attorneys shall check in with Main Control. The main Control Deputy/SSO/CSA will confirm attorney's credentials. The attorney shall provide their valid driver's license and current BAR card. The Main Control Deputy/SSO/CSA will check to verify if the attorney has signed or needs to sign the "NO hostage policy". The Main control Deputy/SSO/CSA will direct the attorney to CJ1.
- (e) Authorized Personnel
1. Attorneys:
 - i. Attorney visitation requests will be made by a licensed California Attorney. Proper identification must be presented at the time of the request to visit.
 - A. An attorney's "BAR card" verifying that the attorney is an active association member entitled to practice law in the State of California, is required. The card must be signed by the attorney and must be of the current year.
 - B. A current California driver's license will also be presented as an additional form of identification.
 - C. Violations of Jail policy and Procedures by attorneys may be referred to the California State Bar Investigative unit.
 2. Interpreters:

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- i. These visitors must have a Security Clearance card on file approved by the Division Commander. Interpreters must also be accompanied by another official visitor.
3. Public Defender paralegals, Interviewers, legal Runners, etc.
 - i. These visitors will require a valid court order on file or a Security Clearance Card on file approved by the Division Commander.
4. Exceptions may be made by the operations Sergeant or the Watch Commander.

4003.3 PROWLER/ESCORT DEPUTY

- (a) The CJ1 Prowler/Escort will assist in the coordination of movement of inmates between the CMJ and the IRC.
- (b) CJ1 Prowler/Escort Deputies and/or CSA's will provide those inmates waiting for arraignment court the opportunity to receive sack lunch and/or dinners. Inmates in CJ1 holding cells will be fed first.

4003.4 MOVEMENT PROCEDURES

- (a) Theo Lacy Facility
 1. The IRC Court Transfer staff will receive all inmates from outlying facilities and verify that all scheduled inmates are present.
 2. After all inmates have arrived at the IRC, the Court Transfer Guard Station Deputy will contact the Central Men's Jail CJ1 Arraignment Deputy and advise that the inmates are ready for pick-up.
 - i. The CJ1 Deputies will escort male and female inmates to the CJ1 arraignment via the second floor housing tunnel.
 3. When the arraignment process is completed, the inmates will be returned to the IRC court/transfer area by CJ1 Deputies.
 4. All court paperwork for Theo Lacy Facility inmates will be delivered to court hold for transport to those facilities along with the inmates.
- (b) Intake Release Center
 1. The CJ1 Deputy will call and notify the module Deputy to put the inmates on-line. CJ1 Deputies will escort the inmates back across the IRC tunnel. Specialty Housing inmates will be kept in their cells until needed for arraignment court.
 2. When the arraignment process is completed, the inmates will be returned to the IRC Housing Guard Station by CJ1 Prowler/Escort.
 3. All court paperwork for IRC inmates will be delivered to IRC records for processing.

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4003.5 CJI DISPUTE RESOLUTION AND EXIGENT CIRCUMSTANCES

- (a) If there is a dispute in the arraignment court policies, procedures or unauthorized personnel attempting to enter the CMJ, the Deputies assigned to CJ1 arraignment court and/or staff assigned to Main Control will attempt to resolve the problem. If they are unsuccessful in resolving the problem, the CMJ Operations Sergeant will be advised by the SSO, CSA or Deputy and they will attempt to resolve the problem. If the CMJ Ops Sergeant cannot resolve the problem, the CJX Watch Commander will be advised and they will resolve the dispute. All department notification will be made according to OCSD policy.
- (b) On rare occasions, exigent circumstances may arise that require an outside agency to bring an arrestee to CJ1 for arraignment (e.g. extradition, demand to be taken before a magistrate, etc.). Prior to the outside agency bringing their arrestee to CJ1, permission must be granted by the IRC Watch Commander. If permission is granted, the outside agency will remain with the arrestee throughout the arraignment process.

4003.6 MEDICAL EMERGENCIES

- (a) If a medical aid situation occurs at the CJX, the Deputy will determine who is involved and notify CHS. Obviously ill or injured inmates in the holding areas will be brought to the attention of the medical staff immediately. If the illness or injury appears to be of an emergency nature, the inmate may be removed from the housing unit prior to the arrival of the nurse. When an inmate cannot or should not be moved due to an injury or illness, the nurse will be called to the inmate's location.

4003.7 PUBLIC/MEDIA IN PUBLIC VIEWING AREA

- (a) Process for Admitting the Public/Media into the Public Viewing Area
 - 1. Members of the public, or the media, will be allowed to enter the Public Viewing Area to watch arraignments. The Public Viewing Area is located in the public visiting corridor near the CMJ Visiting Area. Spectators will enter the Public Viewing Area via the IRC Visiting Lobby. There are signs installed directing spectators to the corridor leading to the CMJ Visiting Area. The IRC Visiting SSO's will also direct these people if asked. CJ1 spectators will be subject to the following safety guidelines listed below. One of the biggest departures from our normal procedure is that these visitors will not be asked to show any form of ID, even on visiting days.

4003.8 PUBLIC/MEDIA SECURITY GUIDELINES

- (a) Rules for the Media Attending Arraignments
 - 1. Media personnel will have their media identification visible at all times.
 - 2. Media personnel can be searched and their immediate property, if requested to do so by a staff member.
 - 3. Cell phones, laptops, and other electronic devices are permitted in the arraignment area. Electronic devices used by the media are only authorized for

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the gathering and dispensing of information gained during an arraignment. Any other use of electronic equipment is prohibited.

4. Media Personnel are only authorized to video tape and/or take photos of arraignments pursuant to California Rules of Court, rule 1.150(e)(1).
5. If at any time the jail's safety and security is jeopardized, OCSO personnel and/or court personnel can have all media stopped and removed from the facility.
6. If at any time there is a violation of any of the rules, those involved directly or indirectly can be removed from the facility, and their security/media clearance may be suspended or revoked. In all incidents, a CMJ Operations Sergeant and CJX Watch Commander must be notified and informed of the situation.

(b) Rules for Visitors Attending Arraignments

1. Submit to a search of your person, immediate property, if requested to do so by a staff member.
2. All electronic devices including cell phones, laptops, etc. are strictly prohibited within the Central Jail Complex.
3. Visiting Lobby Locker Procedures - The following procedures have been adopted to expedite those visitors who intend to watch the arraignments, thereby reducing the time needed to properly search personal property and reduce the amount of personal property brought into the arraignment area.
4. Locker fee is .25 cents (one quarter)
5. All bulk property (e.g., purses, make-up bags, day planners, books, cigarettes, lighters, backpacks, baby diaper bags, etc.) will be placed inside a locker, left in the visitor's vehicle, or at home. Only an identification card will be retained by the visitor.
6. Property may not be left outside the lockers.
7. If a locker is unavailable, the property must remain in the visitor's vehicle.
8. Visitors with babies may take the necessary items such as strollers, diapers and bottles, separate from the diaper bag. However, each item will be subject to search.
9. Any suspicious packages or items are subject to search prior to locker use.
10. Hearing impaired visitors may request the use of the Telex Ear Piece Receiver. The ear piece will be checked out and in from the Sheriff Special Officer in the CJ1 Lobby/viewing area. Some form of Identification (i.e. driver's license) will be needed to check out the ear piece. When the ear piece is returned to the Sheriff Special Officer, the identification will be given back to the visitor.

4003.9 ATTORNEY CLIENT PHOTOGRAPHS

(a) CJ1 Policy re: Attorney Client Photographs

1. Attorneys and/or their approved designee(s) (photographer) will be given the opportunity to take photographs of their clients' (inmate's) injuries.

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- i. This direction will come from the presiding judge and/or the inmate's attorney(s).
 - ii. This would only occur while the inmate(s) are in the arraignment holding area, either before or directly after their arraignment has concluded.
 - A. The photographs will only be taken in the CJ1 holding cell area.
 - B. The inmate(s) will be removed from their cell and advised to stand against the wall directly in front of their cell while the photographs are taken.
 - iii. This will only occur under the direct observation and control of CJ1 Deputies.
 - iv. Attorneys and or their designee will only use their camera to take those photographs of their clients' injuries.
 - v. At no time will they take photographs of other inmates, staff, jail structure or objects that would jeopardize the safety and security of the Central Men's Jail.
2. If at any time CJ1 staff or any Sheriff's Department personnel feels the safety and security of the jail has been compromised, the camera(s) maybe confiscated. Sheriff's Department personnel will immediately notify their supervisor. It will be at the discretion of the Supervisor and/or the Watch Commander as to what will occur with the photographs, equipment (i.e. cameras, etc.).

4003.10 CJI MENTAL HEALTH INMATES

(a) CJ1 Mental Health Inmates

1. Inmates who are in OCSD custody and are under direct and continual medical/mental health observation that require continuous mental health care because they are a danger to themselves, and/or others, may be prohibited from attending CJ1 arraignment court, if mental health places a hold on the inmate through records.

(b) Medical/Mental Healthcare Priority

1. The direct and continual medical/mental healthcare provided to that inmate(s) at their current housing location might outweigh the liability of moving/transporting an inmate to CJ1 arraignment court, where there is NO direct and continual medical/mental health care provided. However, only medical/mental health staff can deny sending an inmate to CJ1 court because of mental/medical reasons.
2. The items listed below could satisfy the criteria listed above:
 - i. The inmate is under direct mental health care because they are a danger to themselves and/or others.
 - ii. The inmate is currently wearing a safety gown and their safety outweighs the need to appear in court.

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- iii. The inmate is displaying one, or all, of the following behaviors: uncooperative, assaultive, and/or acting erratically.

(c) CJ1 Court Procedures re: Medical/Mental Health Inmates

1. If the inmate is clear to attend court and in a safety gown they will remove the safety gown and be given a jumpsuit to wear during CJ1 court. That inmate will be escorted to and from CJ1 court. Once the inmate is returned to their housing location it will be at the instruction of mental health personnel on what clothing the inmate will wear upon returning to their cell.
2. CJ1 arraignment court will be handled no differently than any other court. If that inmate cannot be transported to court because of their mental health condition they will not be seen in CJ1 court.
3. At no time will the CJ1 Judge and/or court staff proceed to an inmate(s) housing location to conduct an arraignment hearing without the approval of the CJX Division Commander.