

Whittier Police Department

Whittier PD Custody Manual

PHILOSOPHY AND GOALS

(Agency Philosophy and Goals statement)

Whittier Police Department

Whittier PD Custody Manual

CODE OF ETHICS

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

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

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

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

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

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

Whittier Police Department

Whittier PD Custody Manual

Table of Contents

Philosophy and Goals.	1
CODE OF ETHICS.	2
Chapter 1 - Role and Authority.	6
100 - Organizational Structure and Responsibility.	7
102 - Authority and Legal Assistance.	9
106 - Custody Manual.	10
112 - Departmental Directives.	14
111 - Annual Facility Inspection.	15
Chapter 2 - Organization and Administration.	18
201 - Drug- and Alcohol-Free Workplace.	19
201 - Operation of the Jail Facility.	20
202 - Financial Practices.	21
204 - Supervision of Incarcerated Persons.	23
206 - Prohibition on Incarcerated Person Control.	24
212 - Disposition of Evidence.	25
214 - Records, Data Practices and Inmate Information Release.	30
218 - Incarcerated Person Records.	32
220 - Report Preparation.	34
222 - Key and Electronic Access Device Control.	37
224 - Daily Activity Logs and Shift Reports.	40
236 - Administrative and Supervisory Inspections.	43
231 - Perimeter Security.	44
233 - Accessibility - Facility and Equipment.	46
235 - News Media Relations.	49
237 - Community Relations and Public Information.	52
243 - Vehicle Safety.	54
Chapter 3 - Emergency Planning.	57
300 - Facility Emergencies.	58
306 - Fire Safety.	65
310 - Evacuation.	68
Chapter 4 - Inmate Management.	70
400 - Population Management.	71
402 - Counts.	73
404 - Reception.	75
406 - Handbook and Orientation.	86
408 - Safety Checks.	88
410 - Special Management Incarcerated Persons.	89
412 - Juvenile Detention Policy.	93
415 - Management of Weapons and Control Devices.	106

Whittier Police Department

Whittier PD Custody Manual

423 - Use of Force.	107
425 - Use of Restraints.	119
429 - Searches.	125
433 - Reporting In-Custody Deaths.	132
435 - Staff and Incarcerated Person Contact.	136
437 - Transportation of Incarcerated Persons Outside the Secure Facility.	139
439 - Safety and Sobering Cells.	141
441 - Biological Samples.	145
Chapter 5 - Inmate Due Process.	148
500 - Discipline.	149
504 - Incarcerated Persons with Disabilities.	152
506 - Access to Courts and Counsel.	153
508 - Foreign Nationals and Diplomats.	156
510 - Incarcerated Person Rights - Protection from Abuse.	159
511 - Prison Rape Elimination Act.	160
516 - Grooming.	169
520 - Grievances.	170
522 - Voting.	173
Chapter 6 - Medical-Mental Health.	175
600 - General Medical Care Considerations.	176
602 - Access to Health Care.	180
608 - Emergency Health Care Services.	182
610 - Health Care for Pregnant Incarcerated Persons.	188
622 - Medical Screening.	192
624 - Mental Health Services.	195
630 - Communicable Diseases.	199
632 - Aids to Impairment.	212
634 - Detoxification and Withdrawal.	214
648 - Suicide Prevention and Intervention.	217
698 - Pharmaceutical Procedures.	221
Chapter 7 - Environmental Health.	224
700 - Sanitation Inspections.	225
702 - Hazardous Waste and Sewage Disposal.	228
704 - Housekeeping and Maintenance.	230
706 - Physical Plant Compliance with Codes.	233
710 - Vermin and Pest Control.	234
714 - Incarcerated Person Hygiene.	236
Chapter 8 - Food Services.	241
800 - Food Services.	242
802 - Food Services Training.	247
806 - Food Services Workers' Health, Safety, and Supervision.	248
808 - Food Preparation Areas.	250
810 - Food Budgeting and Accounting.	252

Whittier Police Department

Whittier PD Custody Manual

814 - Food Services Facilities Inspection. 255

816 - Food Storage. 257

Chapter 9 - Programs for Incarcerated Persons. 260

902 - Incarcerated Person Welfare Fund. 261

918 - Mail. 264

920 - Telephone Access. 269

922 - Visitation. 272

934 - Religious Programs. 276

Chapter 10 - Facility Design. 280

1001 - Facility Description. 281

1002 - Smoking and Tobacco Use. 283

1006 - Crowding. 284

Attachments. 285

. 286

Chapter 1 - Role and Authority

Organizational Structure and Responsibility

100.1 PURPOSE AND SCOPE

The organizational structure of the Department is designed to create an efficient means to accomplish its mission and goals and to provide for the best possible service to the public (15 CCR 1029(a)(1)).

100.2 DIVISIONAL RESPONSIBILITY

The Chief is responsible for administering and managing the Department. There are four divisions in the Department:

- Administration Division
- Patrol Division
- Investigation/Contract City Division
- Services Division

100.2.1 ADMINISTRATION DIVISION

The Administration is commanded by a Division Commander, whose primary responsibility is to provide general management direction and control for the Administration Division. The Administration Division consists of Administration, Professional Standards, Budget and Finance, Training, Community Relations, Recruitment and Jail Management (Title 15 CCR § 1029(a)(1)).

100.2.2 WHITTIER CITY JAIL

The Custody Bureau is commanded by the Administrative Division Commander, whose primary responsibility is to function as the Jail Manager to provide general management direction and control for Food Services, Facility Infrastructure and Maintenance, Laundry Services, Fleet Services and Procurement Services. The Custody Bureau consists of Custody Operations, which includes Trusty Programs, Booking/Release and General Inmate Transportation.

100.2.3 JAIL CONTRACT ROLE

The custody personnel are employeeed and hired by a private contract company otherwise known as the OPERATOR and their AGENTS. All custody staff are under the supervision of the Contract Jail Supervisor whose primary responsibility is to provide the general direction for all daily operations and has the primary responsibility of the processing and care of prisoners. The Jail Manager works with the Contract Custody Supervisor.

The Custody Supervisor is the primary contact person representing the OPERATOR. The Custody Supervisor is responsible for the detention facility operations within the guidelines of all laws, contract agreements, corporate policy manuals and facility policies. The Custody Supervisor will report directly to the Department Jail Manager.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Organizational Structure and Responsibility

100.2.4 DISPATCH/RECORDS ROLE IN JAIL OPERATIONS

The personnel on duty assigned to the Communication Bureau and Records Bureau are responsible for logging and documenting inmate information (Name, DOB, Charges and Case Number) in the Computer Aided Dispatch (CAD) System. They also have the responsibility of notifying medical and/or fire response personnel when needed or requested for the Custody Facility--the Records Bureau may be asked to do so if the Communications Bureau is unavailable due to emergencies. The Communications Bureau maintains visual and audio observation of the custody area via video and audio feeds. The custody facility is also monitored by the on duty Watch Commander and Records Bureau. The Communications and Records Bureau is required to notify the Department Jail Manager or Watch Commander of any and all observed emergencies that occur within the Jail.

100.3 CHAIN OF COMMAND

The chain of command of the Department begins with the Chief, to whom all employees of the Department are responsible.

To maintain continuity, order and effectiveness in the Department, a chain of command has been established and should be respected. All staff members should adhere to the chain of command in all official actions. The Custody Supervisor is a contractual employee with the OPERATOR and are their agent. They are responsible to the Jail Manager and if not available, must notify the Watch Commander or the Whittier Patrol Division Commander.

However, nothing shall prohibit a staff member from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, gross malfeasance or a violation of the law.

100.4 SUPERVISORY GOAL

At every level of supervision, the paramount concern is meeting the goals of:

- (a) The jail facility.
- (b) The City of Whittier
- (c) All Local, State and Federal Laws.
- (d) Departmental procedures and policies.
- (e) Achieving a cooperative contract agreement with the OPERATOR and their AGENTS.

The OPERATOR and their AGENTS will operate within written instructions which have been coordinated between the City of Whittier and the OPERATOR. It is essential procedures are not modified, or deviated from, until the mutually agreed upon changes have been made in the contract.

Authority and Legal Assistance

102.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Whittier Police Department shall operate and maintain a local detention facility in this state. In addition to the authority vested by state law, the jail operates in accordance with these laws, constitutional mandates, regulations and local ordinances.

102.2 POLICY

It is the policy of this Department that the local detention facility will be maintained by all lawful means for the incarceration of persons suspected of violating the law or who have been adjudicated as guilty of committing a crime or civil offense by a competent legal authority, as prescribed by law.

102.3 LEGAL FOUNDATION

Jail staff, at every level must have an understanding and true appreciation of their authority and limitations in the operation of a local detention facility. The Whittier Police Department recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement personnel with the authority to incarcerate suspected law violators to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests.

102.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the City Attorney and legal specialists can be of benefit to the Department:

- (a) Analyze and alert the jail executive and jail management team to jail-related case law.
- (b) Serve as a legal consultant in the construction and review of new jail policies and procedures.
- (c) Serve as a legal consultant on issues related, but not limited to:
 - 1. Use of force
 - 2. Faith-based requests
 - 3. Complaints and grievances
 - 4. Allegations of abuse by staff
- (d) Serve as legal counsel in legal matters brought against this department and the Chief.

Custody Manual

106.1 PURPOSE AND SCOPE

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

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

106.2 RESPONSIBILITIES

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

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

106.2.1 COMMAND STAFF

The command staff should consist of the following:

- Chief
- Jail Manager

106.2.2 OTHER PERSONNEL

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Custody Manual

106.2.3 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

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

106.3 DEFINITIONS

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

Adult - Any person 18 years of age or older.

Department - The Whittier Police Department

Officer - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as a officer of the Whittier Police Department.

Member-Any person employed or appointed by the Whittier Police Department, including:

- Full-and part-time employees.
- Contract Staff Jailers--G4S
- Civilian Employees
- Volunteers

Custody Manual - The Department Custody Manual

Juvenile - Any person under the age of 18.

May - Indicates a permissive, discretionary or conditional action.

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

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

Rank - The job classification title held by an officer.

Shall or will - Indicates a mandatory action.

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

City: Shall mean the City of Whittier Police Department Jail

Custody Facility: Shall mean the detention facility operated by the Department and identified by the California Corrections Standards Authority as a "Type I", used for the confinement of persons for the defined time under the definition of a "Type I" facility or less pending their release, transfer or appearance in court.

Gender: The use of the masculine gender includes male and where applicable, the female gender.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Custody Manual

Inmate: Any person incarcerated in the Jail or any person remanded by a Court to the custody of the Police Department.

Minimum Standards: Shall mean all applicable Federal and State requirements, laws, and statutes, applicable court orders, the CITY Custody Manual, and California State Corrections Standards Authority standards, whether now in effect or hereafter effected or implemented, as applicable to the Custody Facility, except as waived in writing by the CITY or State. Where a conflict exists between Federal and State requirements, laws, and statutes, applicable court orders and California State Corrections Standards Authority standards, the more stringent shall apply.

Operator: Shall mean G4S Solutions.

Personnel: "Member", "Employee", "Jail Manager", "Custody Manager" and "Custody Officer" shall be used synonymously to include any Whittier Police Department or contract employee assigned to the Custody Bureau, whether permanent or temporary.

Pre-trial Detainee: Any incarcerated person waiting for arraignment, hearing, trial or sentencing.

Trusty: Any inmate currently performing a job assignment as directed by court commitment.

Type "I" Facility: Shall mean a local detention facility used for the detention of persons for not more than ninety-six (96) hours excluding holidays after booking. Such a Type I facility may also process persons as ordered by the court for booking or sentenced to a city jail as a trusty, and shall supervise trusties sentenced to jail on a pay to work basis only.

106.4 DISTRIBUTION OF MANUAL

Copies of the Custody Manual shall be made available to all members. An electronic version of the Custody Manual will be made available to all members on the department network (15 CCR 1029).

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

106.5 MANUAL ACCEPTANCE

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

106.6 REVISIONS TO POLICIES

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

Each supervisor will ensure that members under the supervisor's command are familiar with and understand all revisions.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Custody Manual

106.7 POSITIONAL DEFINITIONS

Jail/Custody Manager: The Whittier Police Department Administrative Lieutenant is assigned to manage the Custody facility and facilitate the Custody contract and responsible to the Chief of Police.

Jail/Custody Supervisor: Contractual employee of the OPERATOR responsible for the management and supervision of the contract staff. The Jail Supervisor is the primary contact person representing the contract company. They are responsible for the detention facility operations within the guidelines of all laws, contract agreements, corporate policy manuals and facility policies. The Jail Supervisor will report directly to the WPD Jail Custody Manager.

Lead Jail/Custody Officer and Jail/Custody Officer: The contractual employee has the primary responsibility of the processing and care of in-custodies. They are responsible to the Jail Supervisor and if not available, must notify the Watch Commander or Whittier Police Department Custody Manager.

Watch Commander: Has oversight authority of all in-custodies. They routinely tour, evaluate and make final approval of detentions and release of the in-custodies.

Communications Personnel: The personnel on duty assigned to the Communication Bureau are responsible for logging and documenting inmate information (Name, DOB, Charges and Case number) in the Computer Aided Dispatch (CAD) system. They also have the responsibility of notifying medical and/or fire response crews when needed or requested. The Communications Bureau maintains visual and audio observation of the jail area via video and audio feeds into the center. They are required to notify the Custody Manager or Watch Commander of any and all emergencies that occur within the Jail.

At every level of supervision, the paramount concern is meeting the goals of the detention facility, Whittier, and all procedures, policies and laws and the current contract agreement. The OPERATOR and their agents will operate within written instructions which have been coordinated between the City and the OPERATOR. It is essential that procedures are not modified, or deviated from, until the mutually agreed upon changes are made.

Departmental Directives

112.1 PURPOSE AND SCOPE

Departmental Directives establish a communication practice that may be used by the Chief to make immediate changes to policy and procedure in accordance with and as permitted by statutes, regulations or negotiated contracts. Departmental Directives will immediately modify or change and supersede the sections of this manual to which they pertain.

112.2 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of the Chief. Departmental Directives will modify existing policies or create a new policy as appropriate. The previous policy will be rescinded upon incorporation of the new or updated policy into the manual.

112.3 RESPONSIBILITIES

112.3.1 CHIEF

The Chief, with the assistance of department staff, shall issue and be responsible for all Departmental Directives, including their publication and dissemination throughout the Department.

112.3.2 MANAGERS AND SUPERVISORS

Managers and supervisors are responsible for ensuring that staff under their command receive training on all new Departmental Directives.

Annual Facility Inspection

111.1 PURPOSE AND SCOPE

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

111.2 JAIL MANAGER RESPONSIBILITIES

The Jail Manager is responsible for collecting performance indicators and other relevant data to generate and provide an annual inspection of all custody facilities. The Jail Manager will ensure that inspections are conducted as outlined below for each facility type on an annual basis.

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

111.3 INSPECTION AREAS

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

- (a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Jail Manager, key program staff and service providers. The individual conducting the assessment will need to advise key personnel of the areas they will be inspecting so the appropriate materials will be brought up to date and made available to the assessment team.
- (b) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.
- (c) **Record review** - A review of the records that support jail activities, medical records, and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.
- (d) **Benchmark review** - A review of the department-stated goals and objectives should be discussed with the Jail Manager, program managers, and other key providers of programs. This will provide the opportunity to identify any areas that require correction or additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.
- (e) **On-site inspections** - The assessment team should conduct on-site inspections of the facility to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be used to guide the inspection process.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Annual Facility Inspection

and to ensure consistency. It is important that the jail assessments be viewed as a credible measurement instrument as many issues identified in the assessment may require significant funding.

- (f) **Develop an action plan** - After the fact-finding described in the previous sections has been accomplished, notes, records, and recommendations should be analyzed and an action plan developed to initiate any needed correction. Documenting successful practices is important to determine if they can be replicated in other areas.
- (g) **Reporting** - The results of the inspection should be compiled into a report and should include recommendations and action plans necessary to ensure continuous improvement in the operation and management of the jail system. The completed report and any analysis and documentation required to justify costs, policy revisions, or any other administrative requirements should be submitted to the Chief.
- (h) **Monitor progress** - The Jail Manager should ensure that approved recommendations are being instituted by the responsible program providers.

111.4 FOCAL POINTS FOR INSPECTIONS

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

- Staff training
- Number of personnel
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- In-custody deaths
- Documented suicide attempts
- Classification plan
- Reception and booking
- Communicable disease prevention plan
- Incarcerated persons with mental disorders
- Administrative separation
- Incarcerated persons with developmental disabilities
- Use of force and restraint devices
- Contraband control
- Perimeter security

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Annual Facility Inspection

- Searches
- Access to telephones
- Access to courts and counsel
- Visitation
- Mail
- Religious access
- Health care services
- Intake medical screening
- Pest control
- Detoxification treatment
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food services plan
- Food serving and supervision
- Facility sanitation, safety, maintenance
- Tools, key, and lock control
- Use of safety and sobering cells
- Plan for discipline, including rules and disciplinary actions, forms of discipline, limitations on discipline, and disciplinary records
- Standard bedding and linen use
- Mattresses

111.5 POLICY

This department will use a formal annual inspection process of its facility to ensure that practices and operations are in compliance with statutes, regulations, policies and procedures and best practice standards (15 CCR 1029(a)(2)). Inspections will be used to help identify the need for new or revised policies and procedures, administrative needs, funding requirements, evaluation of service providers and changes in laws and regulations.

Chapter 2 - Organization and Administration

Drug- and Alcohol-Free Workplace

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

201.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

201.3 GENERAL GUIDELINES

Members who have consumed an amount of an alcoholic beverage or taken any prescribed medication that would tend to adversely affect their senses or impair their judgment shall not report for duty. The affected member shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work.

201.3.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

The consumption of illegal drugs or alcohol by on-duty personnel is prohibited.

Members shall not purchase or possess alcohol or other controlled substances on department property, at work or while on-duty. Members shall not illegally manufacture any alcohol or drugs at any time.

201.3.2 USE OF PRESCRIBED MEDICATIONS

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

Any member who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of the position shall report the need for such medication to the immediate supervisor. No member shall be permitted to work or drive department-owned or leased vehicles while taking such potentially impairing medication without a written release from a physician.

201.4 EMPLOYEE RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Operation of the Jail Facility

201.1 GENERAL DUTIES AND OBLIGATIONS:

G4S Secure Solutions (OPERATOR and its AGENTS) shall operate the Custody Facility in compliance with all Minimum Standards and in compliance with the Custody Manual.

201.2 SAFETY

G4S Secure Solutions (OPERATOR and its AGENTS) shall operate the Custody Facility in compliance with all applicable Minimum Standards relative to safety.

201.3 SECURITY

G4S Secure Solutions (OPERATOR and its AGENTS) shall be responsible for providing security for all prisoners in accordance with all applicable Minimum Standards and the Department's Custody Manual while they are inside the Custody Facility and when they are being transported by G4S Secure Solutions Staff.

201.4 RECORDS

G4S Secure Solutions (OPERATOR and its AGENTS) shall generate all prisoner records in accordance with established procedures outlined in the Department's Custody Manual and Minimum Standards.

201.5 UNIFORMS

G4S Secure Solutions shall provide, at G4S Secure Solution's expense, all necessary uniforms and associated uniform articles of clothing agreed upon by both parties for G4S Secure Solution's employees.

201.6 JAIL ACCESS

The Chief, Division Commander, Watch Commander and the Jail manager are authorized to grant public access to the jail facility for emergency purposes and/or matters of routine maintenance. Members of the general public including civilian staff are prohibited from entering the jail facility without authorization of the Chief, Division Commander, Watch Commander or Jail Manager.

The Watch Commander or Jail manager may also upon determination of necessity and providing security of the facility and all person therein, allow limited access to the jail facility for the purposes of medical emergencies, parole or probation conferences or chaplain visitation.

Members of law enforcement agencies involved in legitimate law enforcement activities shall be allowed access to the jail facility.

Financial Practices

202.1 PURPOSE AND SCOPE

The Chief shall prepare and present an annual budget request that ensures an adequate allocation of resources for facility operations and programming. Budget requests shall be prepared in the manner and detail prescribed by the Department. Service goals and objectives should be delineated in the budget plan.

202.2 POLICY

The Department's responsibilities include the development of a budget plan, submitting the plan to the City Manager, and monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year.

A fiscal system has been established that accounts for all income and expenditures on an ongoing basis. Methods for collecting, safeguarding and disbursing monies shall comply with established accounting procedures.

202.3 INSURANCE REQUIREMENTS

The OPERATOR shall procure and maintain, at its cost and for the duration of the terms of the contract, comprehensive general liability and property damage insurance, including automobile and excess liability insurance, against all claims for injuries against persons or damages to property which may arise from or in connection with the performance of the work hereunder by the OPERATOR, its agents, representatives, employees, or subcontractors. If applicable, the OPERATOR shall also carry Workers' Compensation Insurance in accordance with the State of California Workers' Compensation laws.

202.3.1 INDEMNITY

All of the OPERATOR'S insurance shall name the City, its officers, officials, employees, agents, representatives and volunteers as additional insureds. The OPERATOR's naming of the CITY and City Personnel as additional insureds on its liability policies pursuant to the contract shall afford coverage only for the negligent acts or omissions of the OPERATOR pursuant to the Contract and shall in no event be construed for any purposes so as to make the OPERATOR or the insurer of such policies liable for the acts or omissions of the CITY or City Personnel.

The OPERATOR shall furnish CITY with duplicate originals of insurance certificates and endorsements effecting coverage required by the Contract that shall be received and approved by CITY before work commences. All other requirements regarding insurance shall be referred to the most current contract agreement.

202.4 COMPENSATION

The CITY shall compensate the OPERATOR for services performed on a monthly basis for the term of the Agreement. Compensation will be reviewed annually and all increases must be agreed upon by both parties. Annual reviews shall take place 120 days prior to the end of the fiscal year.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Financial Practices

Overtime Costs incurred in the fulfillment of the minimum staffing requirements outlined in the Agreement (including overtime hours worked by staff to cover for sick or vacationing personnel) shall be the sole responsibility of the OPERATOR. For all other considerations regarding compensation (training costs) please refer to the annual Agreement with the OPERATOR.

Supervision of Incarcerated Persons

204.1 PURPOSE AND SCOPE

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

204.2 POLICY

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

204.3 SUPERVISION OF INCARCERATED PERSONS

There shall be, at all times, sufficient staff designated to remain in the facility for the supervision and welfare of incarcerated persons, to ensure the implementation and operation of all programs and activities as required by Title 15 CCR Minimum Jail Standards, and to respond to emergencies when needed. Such staff must not leave the facility while incarcerated persons are present and should not be assigned duties that could conflict with the supervision of incarcerated persons (15 CCR 1027).

When a person from each gender is being held at this facility, a minimum of one officer from each gender should be on-duty in the jail at all times.

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

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

The Jail Manager or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules (Penal Code § 4021; 15 CCR 1027).

Prohibition on Incarcerated Person Control

206.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the incarcerated person population under their supervision and should prevent incarcerated persons from controlling other incarcerated persons within the facility.

206.2 POLICY

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

Disposition of Evidence

212.1 PURPOSE AND SCOPE

The purpose of this policy is to provide direction regarding the proper handling and disposition of contraband and evidence to ensure that the chain of custody is maintained so that evidence is admissible in a court of law or disciplinary hearing.

212.2 POLICY

It is the policy of the Whittier Police Department to seize evidence and contraband in accordance with current constitutional and search-and-seizure law. Members of this department shall properly handle all contraband and evidence in order to maintain its admissibility. All contraband and evidence shall be handled in a safe manner and in a way that will maintain the chain of custody.

212.3 INITIAL SEIZURE OF EVIDENCE

Officers will process all evidence according to the evidence collection policy, and their training and experience. Any OPERATOR or AGENT who first comes into possession of any evidence should retain such evidence in his/her possession until it is properly tagged and booked by an Officer. When handling evidence and contraband, staff should observe the following safety precautions:

- (a) OFFICERS ONLY--Unload any firearm located in the approved loading/unloading area outside of the facility. If it is a revolver, the cylinder should be left open. If it is a semi-automatic pistol, the magazine shall be removed and the slide locked back in an open position. The cartridges and/or magazine will be packaged separately and booked with the firearm.
- (b) Sheath any knife or other stabbing instrument in its holster (if any), or attach (tape) stiff cardboard to completely cover the blade.
- (c) Place needles, such as syringes, into a hard plastic container (located in property room) that cannot be punctured by the needle.

212.4 INCIDENT REPORTS

It is the policy and practice of the Whittier Police Department to maintain a written record of all incidents, which result in physical harm, injuries incurred while in the jail, and any serious threat of physical harm to any employee, inmate, or other person in the detention facility. An incident report will also be generated for all collection of contraband found on inmates or in the jail and damage to jail facilities.

- (a) The Officer is responsible immediately after the occurrence of such incident to notify the Custody Manager/Watch Commander of any such incident, so that it is properly reported in writing within 24-hours.
- (b) The Officer is required to notify the Custody Manager/Watch Commander of any event of special importance occurring in the detention facility, this would include any incident

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Disposition of Evidence

of potential liability for the City or the Operator, or any allegation of misconduct by an inmate toward a City employee or Operator employee.

- (c) Where personal injury or property damage has occurred, the injured City employee shall be responsible for filing an on-duty injury report, together with such insurance reporting forms as may be required or the Operator is responsible for filing the appropriate form from their respective policy. Where property damage has been incurred, the Officer is responsible for notifying the Custody Manager/Watch Commander so that the appropriate report form (City Property Damage Report) is completed.

The Watch Commander/Custody Manager and such other command levels as may be appropriate are responsible for immediately reviewing such jail incident reports upon their completion.

212.5 PROPERTY BOOKING PROCEDURE

All property shall be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method to prevent defacing or damaging the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number in the upper right corner of the bag or in the appropriate field of the evidence/property tag.
- (e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if it is stored somewhere other than a property locker.
- (f) When the property is too large to be placed in a locker, the item may be retained in the secure supply room or another area that can be secured from unauthorized entry. Place the completed property form into a numbered locker indicating the location of the property.

212.5.1 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property form. Paraphernalia shall also be booked separately. All narcotics and dangerous drugs shall be properly weighed by the booking staff member. The weight of all narcotics and dangerous drugs shall be documented on the booking form. A copy of the booking form shall be placed with the evidence in the designated locker and shall also be distributed in accordance with current evidence booking procedures.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Disposition of Evidence

212.5.2 EXCEPTIONAL HANDLING

Certain property items require a separate process. Bodily fluids, such as blood or semen stains, shall be air-dried prior to booking.

212.5.3 RECORDING OF PROPERTY

The Property/Evidence Technician receiving custody of evidence or property shall record on the property control card their signature, the date and time the property was received, and where the property will be stored.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Department shall be noted in the property log book.

212.6 RELEASE OR DISPOSITION OF UNCLAIMED FUNDS AND PROPERTY

The employee managing the case or a supervisor shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

All reasonable attempts should be made to return unclaimed property, found property, or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form. The release authorization shall be signed by the approving staff member and must match the items listed on the property form or must specify the items to be released. A signature of the person receiving the property shall be recorded on the original property form. Upon release, the proper entry shall be documented on the property control card log and related forms.

The Property supervisor shall ensure that all cash not needed as evidence or funds that are left unclaimed by an incarcerated person, are transferred as soon as practical to the City Controller. A record of the transfer shall be kept in the appropriate incarcerated person file.

The Property supervisor or the authorized designee shall submit a report of presumed abandoned property or funds once a year to the Chief and the City Controller, or more frequently as directed. The Property supervisor may dispose of property in compliance with existing laws upon receipt of proper authorization from the Chief.

Found property and property held for safekeeping shall be held for a minimum of 90 days during which time the Property/Evidence Technician shall attempt to contact the rightful owner if sufficient identifying information is available. If no person appears to prove rightful ownership of the property during this period, the Department shall publish notice of its possession of any property valued at \$250 or more at least once in a newspaper of general circulation. If, after seven days following the publication, a person does not appear to claim ownership, the property shall be sold at public auction. Property valued at less than \$250 shall be sold at public auction if no person appears to prove rightful ownership within 90 days (Civil Code § 2080.3).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Disposition of Evidence

If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed in accordance with applicable law. The final disposition of all such property shall be fully documented in related reports.

The Property/Evidence Technician shall release the property upon proper identification presented by the person receiving the property for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. Upon release, the proper entry shall be documented in the property log.

After release of all property listed on the property control card, the card shall be forwarded to the Records Bureau for filing with the case. If some items have not been released, the property card will remain in the property section.

212.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for three months or longer because the owner has not been located or has failed to claim the property, may be disposed of in compliance with existing laws, upon receipt of proper authorization for disposal.

Property personnel shall make reasonable efforts to attempt to contact the owner when known. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented on the property control card and in any related reports (Civil Code § 2080.6).

212.8 UNCLAIMED MONEY

Except as otherwise provided by law, money, excluding restitution to victims, that is in the custody of this department and is no longer needed as evidence, and that remains unclaimed after three years, will be transferred to the general fund after proper notice has been given. Before transferring the money to the general fund, the Department shall publish a notice each week for a period of two consecutive weeks in a local newspaper of general circulation, in accordance with all laws, ordinances and regulations (Government Code § 50050 et seq.). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the department on a designated date, between 45 days and 60 days after the first publication of the notice (Government Code § 50051).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official custody facility operations. Money representing restitution collected on behalf of victims shall either be deposited into a restitution fund or used for purposes of victim services.

Any individual item with a value of less than \$15, or any amount of money if the depositor/owner's name is unknown, that remains unclaimed for a year or by order of the court, may be transferred

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Disposition of Evidence

to the general fund without the necessity of public notice in accordance with applicable laws, ordinances and regulations (Government Code § 50055).

Records, Data Practices and Inmate Information Release

214.1 PURPOSE AND SCOPE

This policy establishes guidelines for the control and access of confidential records by staff, contractors and volunteers.

214.2 ACCESS TO CRIMINAL RECORDS

Official files, documents, records, electronic data, video and audio recordings and information held by the Whittier Police Department or in the custody or control of department employees, the OPERATOR and its AGENTS, volunteers or contractors are regarded as non-public and/or confidential.

Access to confidential paper or electronically generated records in this facility is restricted at various locations according to job function and the need to know. Employees working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Department shall be forwarded to the Custody Manager.

The OPERATOR and its AGENTS, Officers, volunteers and contractors shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, video or audio recordings or other confidential information except as required in the performance of their official duties and in accordance with department policies, statutes, ordinances and regulations related to data practices.

The OPERATOR and its AGENTS, Officers, volunteers and contractors who are uncertain of the confidentiality status of any document should consult with a supervisor, or Custody Manager to determine the status of the documents in question.

214.3 STAFF TRAINING

Prior to being allowed to work inside this facility, volunteers and contractors will receive training on department records, policies and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes. The OPERATOR shall train their AGENTS on all confidentiality requirements prior to deployment into the Whittier Police Department Jail.

214.4 PUBLIC INFORMATION PLAN

General – It is the policy of the Whittier Police Department to provide accurate and timely information to members of the public with a right and need to know on all adult persons arrested by the Department. Such information includes:

- (a) Name of person arrested.
- (b) Date of arrest.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Records, Data Practices and Inmate Information Release

- (c) Charge for which the individual was arrested.
- (d) Amount of bail.
- (e) Estimated date of arraignment or law enforcement disposition if known.
- (f) Other information as permitted by law included and not limited to the Title 15 document and the Inmate Orientation form.

Persons to whom such information is to be provided include:

- (a) Spouses, relatives and next of kin.
- (b) Parents and legally appointed guardians of the arrested person.
- (c) Bondsmen, other law enforcement agencies.
- (d) Parole, Probation and diversion program personnel.
- (e) Authorized members of the press.
- (f) Nothing in this section shall be construed to allow or permit the release of any information regarding juvenile offenders to the press or general public.

Information regarding arrested persons as stated above, may be provided by the following personnel:

- (a) Custody Manager
- (b) Watch Commanders
- (c) Administrative Public Information Officer (PIO).
- (d) Investigators and arresting officers.
- (e) Communications, Records and Jail Personnel.

The Department's General Orders pertaining to the release of information shall govern all information released to the press.

Incarcerated Person Records

218.1 PURPOSE AND SCOPE

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

218.2 POLICY

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

218.3 RECORD MAINTENANCE

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

- Information gathered during the admission process as provided in the Reception Policy
- Photographs and fingerprints cross-referenced to the booking number
- Duration of confinement
- Cash and property inventory and receipts
- Classification records, including incarcerated person classification levels and housing restrictions
- Housing history records
- Reports of disciplinary events and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Special visit forms
- Court appearances, documents, and the disposition of hearings
- Work documentation
- Program documentation
- Visitation records
- Telephone records
- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, and medications

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Records

- Non-medical information regarding disabilities and other limitations

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

218.3.1 COURT ORDERS OF NAME OR GENDER CHANGE

When a court order is received that involves a name change of an incarcerated person, the Records Bureau shall document the new name in the incarcerated person's records and list any prior names as an alias. When a court order is received involving a gender change, appropriate adjustments will be made to the incarcerated person records (Code of Civil Procedure § 1279.5).

218.4 RELEASE OF INCARCERATED PERSON RECORDS

Incarcerated person records are confidential and shall be used for official business only. Any release of incarcerated person records shall be made only in compliance with a lawful court order or as authorized by state and federal law to persons having a legitimate criminal justice need, or with a consent form signed by the incarcerated person (15 CCR 1045). A copy of the release authorization document shall be maintained in the incarcerated person record file.

218.5 ELECTRONIC RECORD MAINTENANCE

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

218.6 RECORDS RETENTION

Incarcerated person records shall be maintained consistent with the established records retention schedule.

Report Preparation

220.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of these reports is to document incidents at the facility, refresh the officer's memory, and provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

220.2 REPORT PREPARATION

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

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the employee shall be required by the reviewing supervisor to promptly correct the report. Employees who dictate reports by any means shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal, or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

220.3 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department-approved form unless otherwise approved by a supervisor (15 CCR 1044).

220.3.1 CRIMINAL ACTIVITY REPORTING

When an member responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime has occurred, the member is required to report the activity to the Watch Commander. The fact that a victim is not desirous of prosecution is not an exception to documentation. The Watch Commander will assign the appropriate officer to take a crime report. The Jailer will provide an incident report to the Jail Manager as specified in the following section.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Report Preparation

220.3.2 INCIDENT REPORTING

Incident reports generally serve as an in-house notation of occurrences in the facility and to initiate, document, and support the incarcerated person disciplinary process. The Department shall establish a filing system that differentiates between incident reports, crime reports, and disciplinary actions. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include (15 CCR 1044):

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

220.3.3 DEATHS

All deaths shall be investigated and a report completed by a qualified investigating officer to determine the manner of death and to gather information, including statements of incarcerated persons and staff who were in the area at the time the death occurred.

Reporting of deaths will be handled in accordance with the Reporting In-Custody Deaths Policy.

220.3.4 INJURY OR DAMAGE BY DEPARTMENT PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of an Officer or OPERATOR and their AGENTS. Reports shall be taken involving damage to property or equipment.

220.3.5 USE OF FORCE

Reports related to the use of force shall be made in accordance with the Use of Force Policy.

220.4 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Report Preparation

220.5 POLICY

It is the policy of the Whittier Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports.

Key and Electronic Access Device Control

222.1 PURPOSE AND SCOPE

The control and accountability of facility keys and electronic access devices are vital factors in maintaining a safe and secure environment for incarcerated persons, staff, volunteers, contractors, and the public (15 CCR 1029(a)(6)). This policy outlines the methods that the Department will use in maintaining strict security of its keys and electronic access devices. For ease of reference, the term "key" as used in this policy includes all physical means of access to or exit from the secure areas of the facility.

222.2 POLICY

It is the policy of this department that all keys used to access secure areas of the facility or to exit the secure areas of the facility are strictly controlled. Employees and supervisors will be held accountable for the security and safety of the facility. All key control activities shall be accurately documented on a daily basis (15 CCR 1029(a)(6)).

222.2.1 KEYSSET CONTENTS

Keysets issued to staff for use within the secure perimeter of the facility shall not contain any key that would permit access to areas outside the secure perimeter. The armory key shall not be permitted inside the secure perimeter. Exterior door keys shall not be permitted inside the facility except during an emergency requiring access to the exterior doors.

222.2.2 KEY CONTROL

All facility keys shall be maintained within the Main Jail Pod room. This room shall have controlled access for staff only. Each person assigned to the facility shall be issued key tags bearing the particular key set number. At the end of a shift, employees shall exchange all keys with the uncoming shift called a "key passdown." Employees shall not possess any key for which they have not been authorized.

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

Supervisors/leads shall, at the beginning and end of their respective shifts, inventory the keys. All keys must be accounted for before the supervisor may end his/her shift.

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

222.3 KEY CONTROL RECORDS

A shift roster will be maintained for the accounting and security of all key sets. Each shift is responsible for reporting any key malfunctions or missing key sets. Key control measures shall be documented by the control room staff on logs and forms, and the records retained in accordance with established records retention schedules.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Key and Electronic Access Device Control

222.4 ELECTRONIC ACCESS DEVICES

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

222.5 KEY IDENTIFICATION

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

A separate secure document identifying all keys will be maintained by the Main Jail Pod supervisor.

222.6 MISSING KEYS

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

A methodical and thorough search of the entire facility will be made by the on-duty staff.

Additional staff may be called to assist with the search. If, after a thorough search, the key or key set is not located, the Jail Manager will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

The Jail Manager shall initiate an investigation into the disappearance of the keys to reexamine the procedures for key control, and shall notify the Chief of their findings. Based upon the findings of the investigation and any recommendations, the procedures governing this policy may be amended.

222.7 DAMAGED KEYS OR LOCK

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Watch Commander, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No incarcerated person shall be secured in a cell, detention room, or area that has inoperable locks.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Key and Electronic Access Device Control

222.8 LOCK POLICY

All security perimeter entrances, Main Jail Pod doors and cell doors shall be kept locked, except when used for admission or exit of employees, incarcerated persons, or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, the officer must submit a written report to the on-duty supervisor prior to the end of their shift.

222.9 EMERGENCY KEY SET

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

222.10 KEY SET CONTENTS

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

Daily Activity Logs and Shift Reports

224.1 PURPOSE AND SCOPE

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

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

224.2 POLICY

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

224.3 PROCEDURES

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

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

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

224.4 SHIFT ACTIVITY LOG

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

- Personnel on-duty
- Bookings and releases
- Formal counts
- Well-being checks, security checks and inspections, and routine activities

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Daily Activity Logs and Shift Reports

- All searches/shakedowns
- Incarcerated persons movement within the facility and incarcerated persons received at a housing assignment
- Meal service
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call, or complaint of illness or injury, and the action taken
- Locking and unlocking incarcerated persons' cells
- Disciplinary actions
- Supervisory rounds to the housing area and/or to specific incarcerated persons
- Unusual behavior by incarcerated persons
- Discovered contraband
- Unusual occurrences
- Use of emergency equipment
- Any use of force
- Key counts

The daily activity log will be retained in accordance with established record retention schedules.

224.5 SHIFT REPORT

Each member assigned to a security post, as well as the supervisor, shall prepare a shift report for the oncoming staff. This report shall include the following:

- (a) The formal incarcerated person count at the beginning and end of each shift
- (b) Key count and exchange
- (c) Money count (at whatever post money is handled)
- (d) Exchange of security equipment (e.g., duress alarm, radio)
- (e) The time the supervisor made rounds
- (f) Information that would assist the oncoming staff
- (g) Unusual occurrences

The shift report will be retained in accordance with established records retention schedules.

224.6 SUPERVISOR RESPONSIBILITIES

Supervisors shall review the daily activity logs and shift reports during the course of each shift. Supervisors shall sign and include the date and time of review on each log or report. When appropriate, supervisors should include comments in the logbook with regard to an incident or unusual occurrence in the facility.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Daily Activity Logs and Shift Reports

Whenever a major event in the facility requires a coordinated command response, the Incident Commander (IC) should designate someone to keep a running log that identifies, at a minimum, the following:

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

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

Administrative and Supervisory Inspections

236.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. This is to encourage contact with staff and inmates and to observe inmate living conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility.

236.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the jail at least weekly to facilitate and encourage communication among administrators, managers, supervisors, staff employees, inmates and the visiting public.

236.3 INSPECTIONS

The Jail Manager is responsible for ensuring that scheduled and unscheduled inspections, visits and contacts are implemented to minimally include:

- (a) The general conditions and overall climate of the facility.
- (b) The living conditions of inmates.
- (c) Communication between administrators, managers, supervisors, staff, inmates and the visiting public.
- (d) Compliance with policies.
- (e) Safety, security and sanitation concerns.
- (f) Inmate concerns.
- (g) Meal services.

236.3.1 AREAS TO BE INSPECTED

The Jail Supervisor inspections should occur in all occupied areas of the facility on a daily basis, including weekends and holidays. Inspections should be conducted randomly and special effort should be given to tour and informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Visiting areas
- the kitchen, janitorial closets
- Sallyports and transportation staging areas

Any deficiencies in procedures or defective equipment should be reported to the Jail Manager immediately.

Perimeter Security

231.1 PURPOSE AND SCOPE

The purpose of this policy is to establish this facility's perimeters, to ensure that incarcerated persons remain inside the perimeters, and that visitor, vendor, volunteer, and employee access is granted only with proper authorization and through designated safety vestibules and sallyports. The secure perimeter of this facility will provide protection from the escape of persons being processed, held, or housed, and will act as a defense against the entry of unauthorized persons. It shall be maintained to prevent contraband from entering the secure areas of the facility (15 CCR 1029(a)(6)).

231.2 POLICY

All entry points to the secure perimeter of the facility shall be monitored and controlled continuously by Main Jail Pod staff. The entire perimeter shall be inspected, maintained, monitored, and continuously assessed to ensure its physical integrity and prevent unauthorized entry, incarcerated person escape, and contraband from entering the facility.

231.2.1 VISITORS

This facility shall be maintained as a secure area and no ridealong, volunteer, explorer or any other person shall enter any portion of the inner perimeter without specific authorization from the Watch Commander/Jail Manager or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver's license, valid passport or military identification. Authorized visitors shall be required to sign in on the visitor log and state the reason for the visit. Visitors must wear a visitor's badge at all times and shall be escorted by one or more staff members at all times while they are in the secure areas of the facility.

231.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff as well as Whittier officers, dispatch and records personnel. The Jail Manager or the authorized designee shall ensure that a staffing plan is in place to monitor the secure perimeter of this facility. Suspicious activity at or near the perimeter shall immediately be reported to the Watch Commander and the Main Jail Pod. The Main Jail Pod staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Warrant checks should be conducted on all individuals who are on the property without proper authorization. Individuals found to be loitering on or around the perimeter of the facility will be stopped and questioned to determine the circumstances of their presence. They may be denied entrance into the facility.

The Main Jail Pod staff shall identify all persons seeking to gain access to the secure perimeter of the facility. Persons delivering goods or services shall identify themselves to the Main Jail Pod staff prior to being allowed access to the delivery area.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Perimeter Security

Materials delivered to or transported from the facility's secure perimeter shall be inspected for contraband. Vendors making deliveries into the secure area of the facility will do so under the supervision of custody staff.

Keys to the secure perimeter shall be easily identifiable and issued only in emergency situations or with the authorization of the Jail Manager.

Weapons lockers are provided outside all secure perimeter entrances. All weapons must be secured prior to an individual being allowed to enter the facility.

The sallyport and the secure south parking lot are to be used for the transfer of incarcerated persons.

Operation of the sallyport doors will be done in such a manner as to effectively control movement into and out of the secure inner perimeter of this facility. Main Jail Pod staff are responsible for ensuring all perimeter surveillance equipment is in good working order and shall immediately report malfunctions or failures to the on-duty supervisor.

Outer perimeter security may be accomplished by using fencing or another type of barrier. These barriers should be designed to route vehicular and pedestrian traffic away from non-public areas. Outer perimeter lighting should be designed to illuminate all areas of the exterior to allow visual inspection by video monitor or perimeter patrols.

Accessibility - Facility and Equipment

233.1 PURPOSE AND SCOPE

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

233.1.1 DISABILITY DEFINED

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

233.2 POLICY

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

233.2.1 ACCOMMODATIONS

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Accessibility - Facility and Equipment

233.2.2 ADA COORDINATOR

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

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

233.3 ACCOMMODATIONS

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

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

233.3.1 MEMBER RESPONSIBILITIES

Members receiving a request for accommodation should make reasonable attempts to do so. If a request cannot be reasonably accommodated, a supervisor should be notified.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Accessibility - Facility and Equipment

Members becoming aware of any potential ADA violation should document the issue in a memorandum and forward the memorandum to the Jail Manager with a copy to the ADA coordinator.

Members receiving a complaint of disability discrimination or inability to reasonably access the facility, or any other complaint related to the ADA, should document the complaint and refer the matter to the ADA coordinator.

233.4 ADA COORDINATOR

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

- (a) The department's structure, activities, and employees, including special issues relating to the requirements of the jail.
- (b) The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act (29 USC § 794).
- (c) The accommodation needs of people with a broad range of disabilities.
- (d) Alternative formats and technologies that enable staff, incarcerated persons, and the public with disabilities to communicate, participate, and perform tasks related to jail activities.
- (e) Construction and remodeling requirements with respect to ADA design standards.
- (f) Working cooperatively with staff, incarcerated persons, and the public with disabilities, as well as with local disability advocacy groups or other disability groups.
- (g) Negotiation and mediation.

233.4.1 DISSEMINATION OF INFORMATION

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

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

233.5 TRAINING

The ADA coordinator should work with the Administrative Lt. as appropriate, developing training regarding issues specifically related, but not limited to:

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

News Media Relations

235.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to this facility's incidents and general public information.

235.2 POLICY

It is the policy of this department that the ultimate authority and responsibility for the release of information to the media shall remain with the Chief. However, in situations not warranting immediate notice to the Chief and in situations where the Chief has given prior approval, the Jail Manager or designated Press Information Officer may prepare and release information to the media in accordance with this policy and applicable law (15 CCR 1045).

235.3 MEDIA ACCESS

Authorized members of the media may be provided access to scenes of disasters, investigations, emergencies, and other law enforcement activities related to this facility, subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.
- (b) Media representatives may be prevented from interfering with emergency operations and investigations.
 - 1. In situations where media access would reasonably appear to interfere with the facility's security, emergency operations, or an investigation, every reasonable effort should be made to provide media representatives with information regarding the incident in such a manner that does not compromise the safety and security of the incarcerated persons, staff, or the facility itself. All information released to the media should be coordinated through the Press Information Officer or other designated spokesperson.
- (c) No member of this department shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief and the express consent of the person in custody. The supervisor shall obtain a signed waiver from the incarcerated person prior to being interviewed, photographed, or videotaped.

235.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

News Media Relations

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

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

Any information related to the safety, security, and maintenance of order shall be redacted before being provided to the general public. Applicable regulations for the operation of a custody facility can be made available for review by the public and incarcerated persons. Incarcerated persons can request a copy through the incarcerated person programs staff.

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

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

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

235.4.1 RESTRICTED INFORMATION

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

News Media Relations

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

235.5 MEDIA REQUEST

Any media request for information or access to this facility shall be referred to the designated Press Information Officer or, if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated Press Information Officer.
- (b) In any situation involving a law enforcement agency, reasonable efforts shall be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement or corrections-related incident that does not involve this department without prior approval of the Chief or the authorized designee.

235.6 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of personnel working in this facility, advance information about planned actions by custody personnel, such as movement of persons in custody or the execution of a mass arrest in which field booking is arranged, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Chief.

Any exceptions to the above should only be considered for the furtherance of this facility's legitimate purposes. Prior to approving any exception, the Chief will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

Community Relations and Public Information

237.1 PURPOSE AND SCOPE

This policy provides guidelines to custody personnel when dealing with the general public or interested groups when requests are received to share information regarding the operations and policies of the facility (see the News Media Relations Policy for guidance on media releases) (15 CCR 1045).

237.2 RESPONSIBILITIES

The Jail Manager/ Watch Commander is responsible for ensuring that the following information is public and available to all who inquire about it.

- (a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility rules and procedures affecting incarcerated persons as specified in 15 CCR sections:
 - 1. 1045, Public Information Plan
 - 2. 1061, Education Plan
 - 3. 1062, Visiting
 - 4. 1063, Correspondence
 - 5. 1064, Library Service
 - 6. 1065, Exercise and Out of Cell Time
 - 7. 1066, Books, Newspapers, Periodicals, and Writings
 - 8. 1067, Access to Telephone
 - 9. 1068, Access to Courts and Counsel
 - 10. 1069, Orientation
 - 11. 1070, Individual/Family Service Programs
 - 12. 1071, Voting
 - 13. 1072, Religious Observance
 - 14. 1073, Grievance Procedure
 - 15. 1080, Rules and Disciplinary Actions
 - 16. 1081, Plan for Incarcerated Person Discipline
 - 17. 1082, Forms of Discipline
 - 18. 1083, Limitations on Disciplinary Actions
 - 19. 1200, Responsibility for Health Care Services

This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility's

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Community Relations and Public Information

library or provided by other means for use by incarcerated persons. At the discretion of the Chief, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

237.3 PROHIBITED MATERIALS

Policies, procedures, and other information and materials related to the safety and security of incarcerated persons, custody personnel, the facility, or the maintenance of order should not be provided as a part of the public information material unless directed by the Chief.

237.4 TOURS OF THE CUSTODY FACILITY

Tours of this facility may be arranged through the Jail Manager/ Watch Commander. Authorized tours are subject to facility rules and restrictions:

- (a) Persons who tour this facility must be of an appropriate age as determined by the Chief.
- (b) A short application form must be completed and a background check for warrants will be conducted before an applicant is approved to participate in a tour.

A record of all facility tours should be maintained in accordance with applicable retention requirements.

237.5 POLICY

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

Vehicle Safety

243.1 PURPOSE AND SCOPE

It is the policy of this department to maintain and operate the vehicles assigned to this facility in a lawful and safe manner. The Department utilizes department-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that department-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "department-owned" as used in this section also refers to any vehicle leased or rented by the Department.

243.2 USE AND SECURITY OF DEPARTMENT VEHICLES

All staff members who operate department-owned or leased vehicles must comply with all applicable state laws and must possess a valid driver's license endorsed for the type of vehicle operated.

A list of individuals who are authorized to drive department vehicles shall be maintained by the Jail Manager. The list shall be updated monthly to ensure that only qualified personnel who are in possession of a current and appropriately endorsed operator's license are on the list.

243.2.1 USE OF SEAT BELTS

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all members operating or riding in department vehicles.

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

Whenever possible, incarcerated persons should be secured in a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts. The incarcerated person should be in the seating position for which seat belts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

No person shall operate any department vehicle in which the seat belt in the driver's position is inoperable. No person shall be transported in a seated position in which the seat belt is inoperable.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Vehicle Safety

No person shall modify, remove, deactivate, or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

243.2.2 VEHICLE SECURITY

Department vehicles will be locked and the keys will be secured when not in use. The staff will make every effort to ensure that the vehicles are parked in a secure location.

Under no circumstances will incarcerated persons be allowed to operate a vehicle or have possession of any vehicle keys. Incarcerated workers who are assigned to clean vehicles must be closely supervised by staff.

The loss of any vehicle key shall be promptly reported, in writing, to the on-duty supervisor.

243.2.3 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer's specifications to avoid the danger of interfering with the effective deployment of the airbag device.

243.3 VEHICLE INSPECTIONS

All department-owned vehicles are subject to inspection and or search at any time by a supervisor. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or any of its contents, regardless of who owns the contents.

243.4 VEHICLE SAFETY REPAIRS

Anyone authorized to drive department vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained, and refueled and present a clean appearance.

Anyone authorized to drive department vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of their shift. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles that are deemed as unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted before the operator checks out a replacement vehicle. The Jail Manager or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Vehicle Safety

Annual vehicle safety inspections will be conducted on all vehicles that are owned, leased, or used by the Department. The inspection will be conducted by a qualified individual designated by the Jail Manager. Inspection reports will be forwarded to and maintained by the Jail Manager.

243.5 COLLISION DAMAGE, ABUSE AND MISUSE

When any department-owned or leased vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. The member shall complete the department's vehicle collision form.

When a collision involves any department vehicle or when a member of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death or potentially involves any criminal charge, an outside agency should be summoned to handle the investigation. If the member is incapable of completing the department's vehicle collision form, a supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented in memorandum format and forwarded to the Watch Commander. An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

243.6 TOLL ROAD USE

Law enforcement vehicles are not routinely exempt from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads while on-duty are exempt from paying the toll.

Commuting or returning to the Department after an emergency does not qualify for this exemption; personnel using department-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, all members operating a department-owned vehicle on a toll road shall adhere to the following:

- (a) Members operating department-owned vehicles for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge.
- (b) Members may submit for reimbursement from the Department for any toll fees.
- (c) Members driving department-owned vehicles through a toll plaza or booth during a response to an emergency shall draft a memo to their supervisor within five working days, explaining the circumstances.

Chapter 3 - Emergency Planning

Facility Emergencies

300.1 PURPOSE AND SCOPE

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

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

300.2 POLICY

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

300.3 PROCEDURE

The Jail Manager should develop, publish, and review emergency response plans that address the following (15 CCR 1029(a)):

- (a) Fires
- (b) Escapes
- (c) Disturbances/riots
- (d) Taking of hostages
- (e) Mass arrests
- (f) Natural disasters
- (g) Periodic testing of emergency equipment
- (h) Storage, issue, and use of weapons, ammunition, chemical agents, and related security devices
- (i) Other emergencies as needs are identified

The facility emergency response plans are intended to provide the staff with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, incarcerated persons, or the community.

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

The emergency response plans should include procedures for continuing to house incarcerated persons in the facility; the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities; incarcerated person transportation options; and contact information for allied agencies.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

The emergency response plans shall be made available to the staff, volunteers, and contractors working in the facility as needed.

300.4 LOCKDOWN

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Main Jail Pod and the Watch Commander. The Watch Commander, or in their absence Main Jail Pod, may determine whether to order a partial or full lockdown of the facility and shall notify the Jail Manager as soon as practicable.

If a lockdown is ordered, all incarcerated persons will be directed back to their housing units/cells. All incarcerated persons in transit within the facility will either be escorted back to their housing units/cells or to another secure location (holding cell). The Watch Commander should instruct any staff not directly involved in the lockdown to escort any visitors and nonessential contractors out of the facility.

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

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

300.5 HUNGER STRIKE

Upon being made aware that one or more incarcerated persons are engaging in a hunger strike, the staff will notify the Watch Commander, who will notify the Jail Manager. The Watch Commander should evaluate the basis for the strike and seek an appropriate resolution, including but not limited to transfer to another facility, cite and release, or examination by a physician.

300.6 RESPONSE TO DISTURBANCES

The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The staff should immediately notify the Watch Commander or the Jail Manager of the incident. The Watch Commander or Jail Manager may direct additional staff as needed to resolve the disturbance (15 CCR 1029(a)(7)(B)).

300.6.1 NOTIFICATIONS

The Watch Commander should notify the Jail Manager of the disturbance as soon as practicable. Based on the seriousness of the event, the Jail Manager should notify the Chief.

300.6.2 REPORTING

The Watch Commander or Jail Manager should direct that an incident report be completed, containing the details of the disturbance, no later than the end of the shift. If appropriate, a crime report shall be initiated and prosecution sought. The incident report should be sent through the chain of command via the Jail Manager's office.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

300.7 RIOTS

Riots occur when incarcerated persons forcibly and/or violently take control or attempt to take control of any area within the confines of the jail.

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

300.7.1 RESPONSE TO RIOTS

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

Staff should evaluate their response given the totality of circumstances in any situation but generally should not enter the space where a riot is occurring until sufficient staff members are present to suppress the riot safely. The Watch Commander or Jail Manager should be involved in the planning and execution of any response plan. Nothing in this policy shall prohibit any staff member from assisting staff members who are being assaulted.

All incarcerated persons who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured incarcerated persons shall receive a medical evaluation and treatment. If the injured incarcerated person is medically cleared to remain in the jail, the incarcerated person will be reclassified and moved to appropriate housing.

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

300.7.2 QUALIFIED HEALTH CARE PROFESSIONALS RESPONSE

A supervisor or the authorized designee should notify the appropriate qualified health care professionals and identify a staging area for medical emergency responders and for medical triage should it appear to be necessary.

The Responsible Physician or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

300.7.3 NOTIFICATIONS

As soon as practicable, the Watch Commander or a responsible staff member shall notify the Jail Manager, who in turn, shall notify the Chief.

300.7.4 REPORTING

The Jail Manager or the Watch Commander shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

responsible law enforcement agency. The incident report should be sent through the chain of command via the Jail Manager's office.

300.8 HOSTAGES

The Department does not recognize the taking of hostages as a reason to relinquish control of the jail environment. All staff, incarcerated persons, visitors, volunteers, and contractors shall be informed of the "no hostage" policy prior to entering the facility for the first time and shall sign an acknowledgment, which the facility shall retain.

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

300.8.1 RESPONSE TO HOSTAGE INCIDENT

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

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

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

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

AUTHORIZATION TO CALL OUT LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Special Weapons Team:

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

300.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

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

300.8.3 HOSTAGE RESCUE

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

300.8.4 REPORTING AND DEBRIEFING

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

300.9 ESCAPES

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

Once the escape is verified and immediate actions taken inside the facility (lockdown, etc.), the Watch Commander should notify all local law enforcement agencies.

300.9.1 INCARCERATED PERSON COUNTS

As soon as the facility is fully locked down, a full incarcerated person/wristband count should be taken.

All incarcerated persons who are outside of the secure perimeter of the facility (e.g., court, work details) should be located and identified. Any missing incarcerated person should have their identity disclosed and their facility record should be accessed by the Jail Manager (15 CCR 1029(a)(6)).

300.9.2 SEARCH

From Jail Facility:

- (a) Lockdown the Jail facility.
- (b) Concurrent with the lockdown, the area surrounding the facility should be searched for the escapee.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

- (c) Areas where an inmate may be hiding or may have discarded jail clothing should be searched first.
- (d) Any witnesses should be interviewed.
- (e) The Investigations Division will develop a flyer with the following information:
 - 1. inmate's name
 - 2. description
 - 3. the inmate's latest picture
 - 4. classification status and charges
 - 5. supply the flyer to patrol personnel.
 - 6. Patrol personnel should also be given the inmate's last known address and a list of his/her associates.
- (f) Contact LASD Aero Bureau
- (g) Contact local law enforcement agencies and provide above information and flyer if available.

If the escape occurred outside of the jail facility:

- (a) Utilizing the Jail assigned radio notify Dispatch of the escape
- (b) The escape location
- (c) Suspect information
- (d) Direction of travel
- (e) Wait for assistance.
- (f) Dispatch shall immediately notify the the Watch Commander.
- (g) The Watch Commander will notify the appropriate jurisdictions to assist with containment and the search and deploy any reasonable resources to the location.

300.9.3 REPORTING

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

300.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Emergencies

The size of the event may also require a lockdown, suspension of any programs that are not critical to jail operations, and/or implementation of alternate staffing plans. To accommodate the influx of incarcerated persons, the Watch Commander shall develop a housing plan that will not adversely affect the safety and security of the facility.

In the event that the jail can no longer accept additional incarcerated persons without compromising the safety and security of the facility, mutual aid may be requested from allied counties. Title 15 CCR standards may be temporarily suspended. The Jail Manager shall notify the California Board of State and Community Corrections (BSCC) in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days require approval of the chairperson of the BSCC (15 CCR 1012).

Fire Safety

306.1 PURPOSE AND SCOPE

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

306.2 POLICY

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

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

306.3 FIRE SUPPRESSION PRE-PLANNING

Pursuant to Penal Code § 6031.1, the Jail Manager shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan shall include but is not limited to (15 CCR 1032):

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

306.4 FIRE PREVENTION EQUIPMENT

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Fire Safety

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

306.5 FIREFIGHTING EQUIPMENT

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

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

306.5.1 SELF-CONTAINED BREATHING APPARATUS

The facility should maintain sufficient quantities of self-contained breathing apparatus (SCBA) for staff to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary. The Jail Manager or the authorized designee is responsible for developing and implementing a written respiratory protection program that includes fit testing and training.

306.6 INSPECTIONS

The Department shall be inspected by an appointed staff member who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained (15 CCR 1032). These inspections will be focused on, but not limited to, fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, SCBA use, emergency response, fire safety equipment use, and the evacuation plan.

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

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

306.6.1 FLAMMABLE, TOXIC, AND CAUSTIC MATERIALS

The Jail Manager, in collaboration with the local environmental health expert, will review the type of materials introduced into the facility to ensure that flammable, toxic, and caustic materials are controlled and used safely. All such materials will be safely stored and only used by incarcerated persons under the direction of the staff.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Fire Safety

306.7 EMERGENCY HOUSING OF INCARCERATED PERSONS

The Jail Manager or the authorized designee shall develop a plan for the emergency housing of incarcerated persons in the event of a fire (15 CCR 1032(e)). The plan should include procedures for continuing to house incarcerated persons in the facility, identification of alternate facilities and the potential capacity of those facilities, incarcerated person transportation options, and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

Evacuation

310.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities, and training requirements for the staff of the Whittier Police Department jail in case of fire and other emergency evacuations.

310.2 POLICY

The community, staff, volunteers, contractors, and incarcerated persons should have a well-researched and validated evacuation plan that can be implemented in the event any portion of this facility requires evacuating due to an emergency (e.g., fire, smoke, flood, storm) (15 CCR 1032(d)). All custody staff should be knowledgeable about the evacuation plan, policy, and procedures.

310.3 EVACUATION PLAN

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

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

The Jail Manager shall ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy at least annually by a qualified independent inspector and in coordination with the local fire authority.

A current copy of the evacuation plan shall be maintained in the Administration office and in the command area of each annex facility.

310.3.1 EVACUATION PLANS AND ROUTES

Plans for evacuation routes will be posted in all public areas of the facility. All custody staff will be familiar with evacuation routes for incarcerated persons.

310.3.2 EMERGENCY HOUSING OF INCARCERATED PERSONS

The Jail Manager or the authorized designee shall develop a plan on the emergency housing of incarcerated persons in the event of a full or partial evacuation of the facility. The plan will address when incarcerated persons should be housed in place, identification of alternate facilities, and the potential capacity of those facilities, incarcerated person transportation options, and

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Evacuation

contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

310.3.3 ALTERNATIVE HOUSING PLANS

If the need arises that inmates cannot be sheltered in place due to structural or security concerns and transportation to other custody facilities due to available space or road conditions is unreasonable, then the old city jail (16 beds) located at 7315 Painter Ave will be utilized until more suitable facilities can be found. Those inmates who do not pose a serious threat to the community will be cited and released. If the alternative site is to be used beyond 96 hours in the event of a major disaster, the Jail Manager shall seek available jail space from nearby locations, including county lockup at Whittier Superior court or until transportation can be arranged to the LA County Jail. Jail Staff will keep keys to the 7315 Painter jail and the associated cells for emergencies.

Chapter 4 - Inmate Management

Population Management

400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of incarcerated person population accounting that promotes the safety and security of the facility on a daily operational basis. It assembles data that enables the Department to forecast staffing and facility growth needs into the future, and to plan for the associated expenditures.

400.2 REPORTS

The Jail Manager or the authorized designee is responsible for ensuring that detailed daily reports of the facility's incarcerated person population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced incarcerated persons by categories of gender and juvenile status. The Jail Manager should collect and submit the data to the Chief in a monthly report within 10 working days of the end of each month. The Chief or the authorized designee should maintain the data in an accessible format for historical purposes and trend analysis and to respond to funding opportunities (see the Crowding Policy) (15 CCR 1040).

400.3 POLICY

It is the policy of this facility that an incarcerated person population management system should be established and maintained to account for the admission, processing, transfer, and release of incarcerated persons.

400.4 DATA COLLECTION

For each reporting period, the report should include but is not limited to:

- (a) Current number of beds in:
 - 1. Compliance with local or state standards
 - 2. General housing
 - 3. Medical/mental health
- (b) Average daily population (ADP) for:
 - 1. Minimum security
 - 2. Maximum security
 - 3. High security
 - 4. Administrative separation
- (c) Highest one-day incarcerated person population
- (d) Number and percentage of:
 - 1. Bookings
 - 2. Incarcerated persons by gender

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Population Management

3. Non-sentenced incarcerated persons
 4. Felony incarcerated persons
 5. Pretrial incarcerated persons released
 6. Sentenced incarcerated persons released early due to lack of space
 7. Incarcerated persons receiving psychotropic medication
- (e) Number of incarcerated persons:
1. Enrolled in work release program
 2. Enrolled in work furlough program
 3. Assigned to home electronic monitoring program
- (f) Number of:
1. Incarcerated person-on-incarcerated person assaults
 2. Incarcerated person-on-staff assaults
 3. Escapes/attempted escapes
 4. Active misdemeanor warrants
 5. Active felony warrants
 6. Incarcerated person grievances and dispositions
 7. Incarcerated person disciplinary reports and dispositions
- (g) Any other demographic information (e.g., gang activity)

The Jail Manager or the authorized designee is responsible for ensuring that all required information is supplied to the Board of State and Community Corrections as required (15 CCR 1040).

Counts

402.1 PURPOSE AND SCOPE

Incarcerated person counts are vital to the security of the facility, the safety of the staff, and the welfare of the incarcerated persons. This policy establishes guidelines for the frequency of incarcerated person counts, which ensures that all incarcerated persons and their status can be accounted for at any time.

402.2 POLICY

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

402.3 PROCEDURE

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

Watch Commanders make a visual inspection of the jail facility and the inmates (sick call) at least once during their shift or a minimum of two (2) per 24-hour period and document in the Watch Commander's Jail Log Book. Counts shall include all persons in custody, including those on work assignments, furlough, and education release, and those who are off-site, such as at the hospital or court.

Custody Jailers shall visually observe and count every prisoner in the facility at least once each one-half hour. Trustees shall be counted at least once per shift.

All incarcerated persons are to have wristbands affixed to their left wrist, and shall be visually inspected to ensure that they are not tampered with and that they comply with the requirements of the Los Angeles County booking procedure. It shall be the responsibility of the arresting officer to complete a temporary wristband, prior to placing them in a holding cell and/or turning over the incarcerated persons to the Officer. After the booking process is complete (live scan and photographs), it is the responsibility of the Custody Officer to replace the WPD wristband with the LA County wristband. In the event that information on the arrestee's wristband is found to be inaccurate, it shall be the responsibility of the Custody Staff to replace the wristband with one that has accurate information.

The wristband shall contain, but not be limited to, the following information:

- (a) Inmate's last name, first name, middle initial
- (b) Inmate's complete LA County booking number.

All counts shall be documented on the daily activity log and verified by the Jail Supervisor. A master count sheet will be used for each day. This form will be the daily Official Count for the jail

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Counts

facility. The written form will reflect the beginning count of all released and arriving incarcerated persons, classified by an adult, juvenile, male, female, felony, or misdemeanor.

Any discrepancy in the count should immediately be reported to the Jail Supervisor and resolved prior to the release of the shift personnel responsible for the count. A formal count in which all inmates are personally identified by an officer should be conducted once a day at a time established by the Jail Manager. The result of the formal count will be used to calculate the average daily population statistics for the facility.

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

A complete report of the incident will be prepared and provided to the Jail Manager and Chief as soon as practicable.

All count sheets shall be signed by the Jail Supervisor and maintained in the Jail Manager's Office at the end of each month. Count sheets shall be maintained for a period of time prescribed by statute, ordinance, or policy.

Reception

404.1 PURPOSE AND SCOPE

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

404.2 POLICY

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

404.3 PRE-BOOKING SCREENING

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

Arresting Officer:

- (a) Brings inmate to Whittier City Jail for booking.
- (b) Completes gray areas on Arrest-Booking form.
- (c) Advises communications staff of the name, DOB, sex and charges on the inmate. The communications staff in turn will give the officer an assigned case number (BR#).
- (d) Performs a cursory search of the inmate or when approved by the Watch Commander a strip search (Except Juveniles who will not be subject to strip searches See Policy 511).
- (e) Removes from and audits all property in the inmate's possession and documents such on the Arrest/Booking Form. Prescribed medicine on their person should go in their personal property unless evidenciary.
- (f) Any cash collected is counted in front of the inmate and is signed by the officer and the inmate. All cash is kept and counted in the jail facility. Any amount \$400 or over requires a supervisor/lieutenant to observe the count. The amount is documented on the Arrest/Booking Form and requires a signature on the booking paperwork and one on the cash envelop when reasonable from the prisoner.
- (g) Completes the Officer's portion of the LA County Medical Screening Form.
- (h) Strip searches and modified strip searches should only be conducted on those inmates going into "General Population" or will be going into "General Population for felonies and those misdemeanors involving weapons, violence or drugs. (See the Searches section for more details) Juveniles, since they do not enter "General Population" should not be subject to strip searches or modified strip searches unless some other reasonable suspicion exists to show contraband is on their person. Where reasonable suspicion exists to conduct a strip search for adults outside of felonies and qualifying

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

misdemeanors and any juvenile, a request for an upgrade search form should be completed with a Watch Commander's approval.

- (i) Requests assistance from Custody Officer to lock inmate in Temporary Holding Cell to house inmate as Officer seeks approval directly from the Watch Commander for pre-booking.
- (j) Will return to the jail and turn over to the Custody Officer:
 - 1. Booking paperwork
 - 2. Inmate
 - 3. Property
 - 4. Medical form

Juvenile Bookings:

- (a) Will escort Juvenile to the juvenile holding area.
- (b) Performs a cursory search of the inmate or when reasonable suspicion exists a strip search. Routine strip searches for juveniles in custody for felonies, "No-bail" warrants, drug possession, 11550 H&S arrests, etc **will not** be strip searched unless the officer can articulate reasonable suspicion exists, beyond the booking charge, for one to be conducted. When a strip search is warranted, the officer will complete the "Upgrade Search Form" and get the Watch Commander's approval. Reasonable suspicion could be:
 - (a) Officer observes the juvenile secreting something.
 - (b) Juvenile admits to possessing contraband on their person.
 - (c) Officer after conducting a patdown search, feels something that could be contraband and in a place where only a strip search would reveal its nature.
- (c) Completes booking paperwork
- (d) Completes Medical Evaluation paperwork.
- (e) Seeks Watch Commander's approval for booking and signature on juvenile detention log.
- (f) Call Custody Officer to notify them of a juvenile detention and request Livescan.
- (g) Stay in constant visual contact with the juvenile until released to the legal guardian or to Eastlake.
- (h) Upon release to legal guardian, the officer will complete the "Release Information" on the back of the booking sheet
 - (a) Obtain legal guardian signature
 - (b) Release property and money to legal guardian
- (i) Complete Juvenile Detention log information indicating time released and appropriate code number.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

- (j) Return booking paperwork and citation to jail staff as soon as possible if it is a Eastlake cite. Regular citations go with officer's arrest packet.
- (k) Booking paperwork shall not leave the station.
- (l) See Policy 404.10 JUVENILE DETAINEES for further.

Watch Commander:

- (a) Witness and initial any inmate cash \$400 and over.
- (b) Initial, date, and time of pre-booking on the Arrest/Booking Form.
- (c) Approve arrest
- (d) Review and initial Medical Screening Form.
- (e) Sign Strip Search approval when applicable.
- (f) Verify Probable Cause Declaration is complete, thorough, and signed when applicable.

Jailer:

- (a) Performs a secondary search, property audit, and paperwork review with the officer present. Custody Staff will use the Metal Wand detector on all inmates being booked into the jail before being released to a housing cell for the safety of the inmates, staff, and general safety of the overall housing unit.
- (b) Will complete a records check of the inmate, and the results of the check will be placed in the area labeled "Record Check" on the Arrest/Booking Form.
 - 1. If the inmate is a juvenile, the booking process (Live Scan, fingerprinting, etc.) will be done immediately, and the juvenile will be returned to the officer for monitoring in the Secure or Non-Secure cells located just west of the Watch Commander's Office on the 1st floor.
 - 2. The officer shall ensure that all boxes of the juvenile detention form are filled out and signed by the watch commander.
 - 3. Unless with the watch commander's approval, all juveniles shall be continually monitored directly by the arresting officer until their release or transport to juvenile hall, and will document the monitoring of the juvenile on the detention for every 30 minutes.
- (c) The Custody Officer will provide the inmate with the Whittier Police Department Whittier City Jail Orientation form at the time of booking or upon the successful Live Scan of the inmate.
- (d) Completes their portion of the Arrest/Booking Form as required.
- (e) The inmate copy of the receipt for the property taken and Arrest/Booking form is placed with the inmate's property. The receipt shall indicate any property taken from the Incarcerated Persons in the jail that is being held as evidence or safekeeping.
- (f) Takes the Arrest/Booking form with Live Scan positive ID to the Watch Commander for approval.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

- (g) Keeps the original case file (White Copy) of the Arrest/Booking Form in the jail area until the inmate is released or transferred from the facility. The other copies (except the defendant's copy) shall be forwarded along with the other required paperwork to the Arrest Desk for further processing.
- 1. Arrest reports
- 2. Probable cause declarations
- 3. Warrants or court orders
- 4. Victim notification information
- 5. Special needs related to religious practices, such as diet, clothing, and appearance (see the Religious Programs Policy).
- 6. Accommodation requests related to disabilities (see the Incarcerated Persons with Disabilities Policy)
- 7. Information regarding suicidal statements or actions

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

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

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

404.3.1 IMMIGRATION DETAINERS

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

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

404.3.2 NOTICE TO INDIVIDUALS

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

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

404.3.3 ICE INTERVIEWS

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

404.3.4 IMMIGRATION INQUIRIES PROHIBITED

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

404.4 SEARCHES BEFORE ADMISSION

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

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

404.4.1 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

Unless exigent circumstances exist, when an individual is wearing religious clothing or headwear, a jailer shall offer to conduct searches of the individual using a jailer of the same gender and offer the search to be out of view of members of a different gender (Penal Code § 2607).

Following the search, any religious clothing or headwear purchased, accessed (as defined by Penal Code § 2607), or retained shall be returned unless there is a reason to confiscate the item due to a security risk. If the item is not returned, the reason shall be documented (Penal Code § 2607).

404.5 ADMISSION PROCESS

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

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

- Identifying information, including name and any known aliases or monikers
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting officer and transporting officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction
- Gender
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact, including name, address, telephone number, and relationship to incarcerated person
- Driver's license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the incarcerated person, such as scars, birthmarks, deformities, or tattoos
- Medical, dental, and mental health screening records, including suicide risk
- Inventory of all personal property including clothing, jewelry, and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

The incarcerated person shall be asked if they served in the U.S. military. The response shall be documented and made available to the incarcerated person, the person's counsel, and the District Attorney (Penal Code § 4001.2).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The incarcerated person's signature should be obtained on the booking record and on any forms used to record money and property.

404.5.1 ADMISSION OF SEX OFFENDER REGISTRANTS

The Records Bureau shall inform the California Department of Justice when incarcerated persons required to register address changes under Penal Code § 290.013 have been admitted into the jail within 15 days of the admission (Penal Code § 290.013).

404.5.2 RELIGIOUS ACCOMMODATIONS AT INTAKE

Jailers shall ask each individual during intake whether the individual practices a sincerely held religious belief that requires accommodation for grooming, religious clothing, or headwear. Accommodations shall be made as follows (Penal Code § 2607):

- (a) Allow the individual to purchase facility-issued religious clothing and headwear or provide access as defined by Penal Code § 2607.
 - 1. If religious clothing or headwear is unavailable, the individual shall be allowed to retain their religious clothing or headwear until facility-issued religious clothing and headwear can be accessed or purchased.
- (b) Not require an individual's hair or beard to be trimmed or cut during the booking, intake, or classification process.

For additional guidance, see the Religious Programs Policy.

404.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION

The watch commander is responsible to ensure only arrestees who qualify are placed into general population cells or housing. The Jailer is responsible to inform the watch commander when any of the below scenarios exist. Those who will not be placed into general population and will be housed alone include:

- (a) Arrestees who are eligible for release following citation.
- (b) Arrestees who are intoxicated or under the influence of any chemical substance.
- (c) Arrestees exhibiting abnormal or aggressive behavior.
- (d) Arrestees who are arranging bail. They shall be permitted a reasonable period of time, at the discretion of the Watch Commander, to make telephone calls before being placed in general population.
- (e) Transgender--A person whose gender identity (i.e. internal sense of feeling male or female) is different from the person's assigned sex at birth.
- (f) Intersex--A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

404.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

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

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that an incarcerated person may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

404.7 INCARCERATED PERSON PROPERTY CONTROL

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

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

404.7.1 VERIFICATION OF INCARCERATED PERSON'S MONEY

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

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

404.7.2 PROPERTY STORAGE

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

404.7.3 PROPERTY CONTROL

It is the policy of the Whittier Police Department to maintain individual arrest files on all persons in custody of the Department. At the time of booking, the Officer and/or Custody Officer are responsible for the listing of property on the booking arrest form, accurately and completely, all

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

personal property taken from the inmate. All personal property taken from the inmate shall be sealed in a plastic bag and placed in a safe, secure storage drawer in the in the jail facility. If the property is too large to store in the jail facility drawer, the property will be promptly tagged, property card completed and stored in the property and evidence area. The inmate will be notified as the policy of Whittier Police Department. All property taken from the inmate and stored in the jail shall be:

- Promptly returned to the inmate at the time of his/her release by the Department, or;
- Remanded to the custody of such other law enforcement agency as may be taking custody of the inmate, or;
- Turned over to the parent, legal guardian, spouse, conservator or any individual designated by the inmate, with the consent of the inmate and with the authorization of the Jail Manager/Watch Commander.

In the event, that a inmate's property is held following that inmate's release or transfer from the jail, the inmate's property will only be held for thirty (30) days. This information is listed in the Inmate's orientation form that they receive at the time of booking and notice of this shall be given by the arresting Officer or Custody Officer to any inmate whose property is held for safekeeping. All personal property mentioned in the above section specifically excludes any property seized by the arresting officer as evidence in the commission of any crime and placed in the Department's property system.

404.8 TELEPHONE CALLS

Every person detained in this facility shall be entitled to at least three completed telephone calls immediately upon being admitted and no later than three hours after arrest. Either the arresting or booking officer must ask the incarcerated person if they are a custodial parent with responsibility for a minor child as soon as practicable, but no later than three hours after the arrest, except when physically impossible. If the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make two additional telephone calls to arrange care for the minor child (Penal Code § 851.5).

The calls may be of a duration that reasonably allows the incarcerated person to make necessary arrangements for matters that they may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls.

There is no obligation for the custody staff to make a telephone call on an incarcerated person's behalf, for example in the case of a person who is so intoxicated that they cannot make a call. The custody staff is not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

404.8.1 TELEPHONE CALL PROCEDURES

The Department will pay the cost of local calls. Long distance calls will be paid by the incarcerated person, using calling cards or by calling collect.

Calls between the incarcerated person and their attorney shall be deemed confidential, and shall not be monitored, eavesdropped upon, or recorded.

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

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

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

404.8.2 ONGOING TELEPHONE ACCESS

Ongoing telephone access for incarcerated persons who are housed at this facility will be in accordance with the Telephone Access Policy.

404.8.3 DOCUMENTING INMATE'S ACCESS TO PHONE CALLS

The Custody Officer has the primary responsibility for making sure the inmate receives his/her authorized telephone calls. The Custody Officer shall complete the "Telephone Calls" section on the reverse of the Arrest Form--when juveniles are arrested these requirements will be documented by the Patrol Officer. The Custody Officer shall check that the Arrest Record accurately reflects the status of all legally authorized calls. The Custody Officer shall insure that incomplete, or additional calls legally required, are completed by the inmate. Penal Code section 851.5.

404.8.4 REASONABLE ACCESS BEYOND REQUIRED CALLS

Inmates shall be allowed reasonable access to a telephone beyond those calls which are required by Section 851.5 P.C. The granting of such calls shall be maximized as much as possible and shall be given for, but not limited to, the following requests:

- (a) Bail bondsman, for initial contact or change in bail status.
- (b) Attorney, for initial contact or change in status of case.
- (c) In an emergency situation, where a letter would not reach the party in time.
- (d) When a new charge is added to an inmate's arrest form.
- (e) Calls to relatives regarding bail or a change in bail status.
- (f) An emergency call due to death in an inmate's family.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reception

404.9 SHOWERING AND CLOTHING EXCHANGE

Incarcerated persons should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an incarcerated person is transferred from the temporary holding area to general population housing (see the Incarcerated Person Hygiene Policy).

404.10 JUVENILE DETAINEES

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

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object.
- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.
- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.

Handbook and Orientation

406.1 PURPOSE AND SCOPE

This policy provides for the orientation of incarcerated persons booked into the Whittier Police Department facility. The purpose of the orientation is to inform incarcerated persons of the jail routine, rules, incarcerated persons' rights, and services.

406.2 POLICY

The Jail Manager shall provide an effective method of orienting all incoming incarcerated persons that includes an incarcerated person handbook. The orientation should take place within 24 hours of an incarcerated person's admission and in any event prior to the incarcerated person being moved to general population housing and should be an ongoing process in the housing area so that the information is available to the incarcerated persons throughout their entire time in custody.

406.3 INITIAL ORIENTATION

To assist with the incarcerated person's transition into a custody environment, the orientation will be both written and verbal (including video orientation if available) and include the following topics, supplemented by a more detailed incarcerated person handbook that will be provided to each incarcerated person (15 CCR 1069):

- (a) Facility rules and disciplinary actions
- (b) Correspondence, visiting, and telephone rules
- (c) Incarcerated person grievance procedure
- (d) Co-pays, fees, and charges
- (e) Medical, dental, and mental health services
- (f) Possibilities for pretrial release
- (g) Programs and activities, including application procedures
- (h) Classification/housing assignments and appeal procedures
- (i) Court appearance, where scheduled, if known
- (j) Availability of personal care items and opportunities for personal hygiene
- (k) Emergency procedures (e.g., fires, evacuations)
- (l) Sexual abuse and sexual harassment information, including the following (28 CFR 115.33):
 - 1. Facility's zero-tolerance policy
 - 2. Prevention and intervention
 - 3. Instruction on how incarcerated persons can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
 - 4. Treatment and counseling for victims of sexual abuse or sexual harassment

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Handbook and Orientation

5. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
 6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations (28 CFR 115.53)
 7. Information regarding confidentiality, monitoring, and mandatory reporting
- (m) Contacting foreign consuls
 - (n) Requests for religious accommodations
 - (o) Voting, including registering to vote
 - (p) Direction for pregnant incarcerated persons, including the information required in Penal Code § 3407(e) and 15 CCR 1058.5
 - (q) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

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

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

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

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the incarcerated person's permanent file (28 CFR 115.33).

406.4 ORIENTATION FOR INCARCERATED PERSONS WHO ARE NON-READERS, VISUALLY IMPAIRED, OR HAVE A HEARING DISABILITY

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

Incarcerated persons who have hearing disabilities shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the incarcerated person in understanding the information.

Safety Checks

408.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting visual safety checks for all incarcerated persons, and for creating and maintaining a log to document all safety checks.

408.2 POLICY

It is the policy of the Whittier Police Department that all correctional staff shall conduct safety checks on all incarcerated persons, at a frequency determined by custody status, housing classification, and applicable state law.

408.3 SAFETY CHECKS

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

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

408.3.1 SAFETY CHECK DOCUMENTATION

All safety checks shall be documented. Documentation shall include (15 CCR 1027.5):

- (a) The actual time when each safety check occurred.
- (b) The location where each safety check occurred, such as a cell, module, or dormitory number.
- (c) Initials or member identification number of staff who completed the safety check.

Safety check documentation shall be reviewed at regular, defined intervals by the Jail Manager or supervisor. The review shall include any noted inconsistent documentation or any untimely completion of safety checks (15 CCR 1027.5).

Special Management Incarcerated Persons

410.1 PURPOSE AND SCOPE

Incarcerated persons who pose a heightened risk to themselves or others require special management, including frequent interaction and increased supervision by staff. Interaction with special management incarcerated persons is essential to maintaining a safe, secure, and humane environment. This policy establishes guidelines and procedures for interacting with special management incarcerated persons in the custody of the Whittier Police Department.

410.2 POLICY

This department shall provide for the secure and restrictive housing of any special management incarcerated person but shall not impose more deprivation of privileges than is necessary to obtain the objective of protecting the incarcerated person, staff, or the public (15 CCR 1053).

410.3 SPECIAL MANAGEMENT INCARCERATED PERSONS HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies incarcerated persons who pose a risk to themselves or to others. Incarcerated persons who pose such a risk must be promptly and appropriately separated from the general incarcerated persons population until such time that they no longer pose a risk. Staff must have the ability to promptly separate these incarcerated persons pending further review.

Individuals who may be classified as special management incarcerated persons include but are not limited to incarcerated persons who are:

- In protective custody or court-imposed separation.
- Exhibiting mental health concerns.
- An escape threat.
- A serious violence threat.
- Known to have gang affiliation.
- A known management problem.
- A suicide risk.
- Exhibiting medical issues.
- Physically impaired.

410.3.1 GENERAL HOUSING GUIDELINES

- (a) Males are to be separated from females at all times.
- (b) Adults are to be separated from juveniles at all times.
- (c) When reasonable male felons are to be separated from male misdemeanants at all times.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Special Management Incarcerated Persons

- (d) When practicable, female felons are to be separated from female misdemeanants.
- (e) When reasonable offenders of violent crime are to be separated from offenders of non-violent crime.
- (f) When reasonable inmates who have previously been confined to State Prison are to be separated from inmates not previously confined to State Prison.
- (g) No person on a traffic violation (traffic infractions, traffic custody, or failure to appear warrants) shall be placed with felons or misdemeanants.

410.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEPARATION

Incarcerated persons will generally be assigned to separation through the classification process. The Jail Manager or the Watch Commander has the authority to immediately place any incarcerated person into separation when it reasonably appears necessary to protect the incarcerated person or others (15 CCR 1081(d)).

Reasons that an incarcerated person may be placed into separation include the following:

- (a) The incarcerated person requests protection or is under court-ordered protection, or the staff has determined that the incarcerated person requires protection.
- (b) There is reason to believe the incarcerated person poses a danger to themselves or others.
- (c) The incarcerated person poses an escape risk.
- (d) The incarcerated person requires immediate mental health evaluation and medical housing is not reasonably available.
- (e) The incarcerated person is charged with a disciplinary infraction and is awaiting a disciplinary hearing and in the judgment of the staff, the incarcerated person may become disruptive or dangerous if left in general population.
- (f) The incarcerated person is in the process of being transferred to a higher security classification.
- (g) Other circumstances where, in the judgment of the staff, the incarcerated person may pose a threat to themselves, others, or the security of the facility.

410.5 PROTECTIVE CUSTODY

The officer responsible for assigning classifications to incoming incarcerated persons shall clearly document the reason an incarcerated person should be placed into protective custody. Incarcerated persons in need of protective custody may be placed in a separation unit when there is documentation that the protective custody is warranted and separation is the least restrictive alternative reasonably available.

Incarcerated persons who are in protective custody shall receive all services and programs that are available to incarcerated persons in general population and that are deemed a privilege. Any deviation from allowing usually authorized items or activities shall be documented on the incarcerated person's file.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Special Management Incarcerated Persons

410.6 MAINTENANCE OF PROGRAMS AND SERVICES

Administrative separation and protective custody shall consist of separate and secure housing but shall not involve any deprivation of privileges other than what is necessary to protect the incarcerated person or staff (15 CCR 1053).

Incarcerated persons who are classified for housing in administrative separation or protective custody shall, at a minimum, be allowed access to programs and services, including but not limited to:

- Incarcerated person telephones.
- Visitation.
- Educational programming appropriate to the incarcerated person's classification.
- Commissary services.
- Library and law library services.
- Social services.
- Faith-based guidance, counseling, and religious services.
- Out of cell time activities and exercise.
- Social and professional visits.

Nothing in this policy prohibits changing the delivery of programs or services to separated incarcerated persons in order to provide for the safety and security of other incarcerated persons and staff.

410.7 SAFETY CHECKS

A staff member shall conduct a face-to-face safety check of all special management incarcerated persons, including those housed in administrative separation or protective custody, at least every 30 minutes on an irregular schedule. Incarcerated persons who are violent, have mental health problems, or demonstrate behavior that is easily identified as out of the ordinary or bizarre in nature should be personally observed by the staff every 15 minutes on an irregular schedule.

Incarcerated persons who are at risk of suicide shall be under continuous observation until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional.

Special management incarcerated persons shall receive increased monitoring to include, at a minimum:

- (a) A daily visit by the Jail Manager or the authorized designee.
- (b) Visits by members of the program staff, upon request.

All management, program staff, and qualified health care professional visits shall be documented in the appropriate records and logs and retained in accordance with established records retention schedules.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Special Management Incarcerated Persons

410.8 LOG PROCEDURES

Handwritten logs should be completed in ink. Once an entry is made it should not be modified. If corrections or changes are needed, they should be done by way of a supplemental entry. Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Incarcerated person's name
- Incarcerated person's booking number
- Classification status
- Housing assignment
- Date and time initially housed
- Date and time of entry and exit from the cell
- Reason for the special housing
- Anticipated time of removal
- Medical, psychological, or behavioral considerations
- Counseling for behavior
- Removal date and time from special housing

Log entries should be legible, entered promptly, and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate. At a minimum, supervisors should enter the date and time of each review.

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check. All documentation will be gathered and provided to the Watch Commander or the Jail Manager at midnight each day.

410.8.1 LOG INSPECTION AND ARCHIVE OF LOGS

The Watch Commander shall review and evaluate the logs and pass any significant incidents via the chain of command to the Jail Manager for review.

The logs will be retained by the Department in accordance with established records retention schedules, but in no case for less than one year.

Juvenile Detention Policy

412.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Whittier Police Department (42 USC § 5633).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy in the Operations Manual.

412.1.1 POLICY

The Whittier Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Whittier Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

412.2 DEFINITIONS

- **General Housing Definition for Strip Search:** The first point of demarcation should be between those prisoners who are entering "general population" and those who are not being placed into "general population." Since juveniles are never housed in the Jail, the definition of general housing is important. If the prisoner is either not expected to stay or is being held isolated from other prisoner population, this prisoner is not a "general population" prisoner. Juvenile prisoners not entering "general population" are **not** subject to modified strip or strip searches without the Watch Commander's approval. For purposes of this analysis, since juvenile prisoner can only stay up to six hours in our facility, their detention is not considered "general housing" or "long term" since they are usually housed alone in Secure or Non-Secure detention rooms. Juvenile strip searches should not be conducted unless the officer can articulate reasonable suspicion, which will require an Upgrade Strip Search Form authorized and signed by the Watch Commander.
- **Detention Facility/Lockup:** For the purpose of juvenile confinement, the Whittier Police Department jail shall be defined as a lockup, serving only as a temporary detention facility (Type I Facility). The primary detention location for juveniles will be opposite the Watch Commander's Office on the first floor. Note: A Type I Facility is any jail or detention facility that houses no sentenced adult inmates other than inmate workers.
- **Secure Detention:** When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146). Examples of secure custody include:
 - A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

- A juvenile handcuffed to a rail.
- A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- A juvenile being processed in a secure booking area when an unsecure booking area is available.
- A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- **Non-secure Detention:** When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1(d); 15 CCR 1150).
- **Contact:** Any communication, whether visual, verbal, or immediate presence.
- **Six-hour Rule:** Section 207.1 WIC allows law enforcement agencies to detain minors for criminal offenses (602 WIC) in temporary custody in a detention facility/lockup for up to six (6) hours. This time is to enable the arresting agency to investigate the case, facilitate the release of the minor, or arrange transfer to an appropriate juvenile facility. This time limit may only be exceeded if an emergency condition or inclement weather makes timely transportation impossible. Note: Under 207.1 WIC, the six (6) hour rule only applies to juveniles held under 602 WIC, however our policy will be to make every effort to avoid holding WIC 601's and WIC 310's in excess of six (6) hours.
- **602 WIC Minor Or Juvenile offender** - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).
- **601 WIC Minor Or Status Offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

- **300 WIC Minor:** Children who are abused, neglected or abandoned and placed into the protective custody of the court.
- **Safety checks:** - Direct, visual observation personally by member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of inmates.
- **Sight and sound separation** - Located or arranged to prevent physical, visual or auditory contact.

412.2.1 JUVENILE SEARCHES

- (a) As a general rule juveniles will not be strip searched for felonies or misdemeanors involving weapons, violence or drugs unless the officer can articulate reasonable suspicion that contraband exists. Since juveniles will not enter "general population" (housed alone in Secure or Non-Secure rooms) triggering the rules for adult strip searches. Any strip search of a juvenile should be authorized and approved on an "Upgraded Strip Search" form by the Watch Commander. Those forms should be included in the booking paperwork.
- (b) Because they are juveniles, this should not preclude officers and staff from conducting thorough pat-down searches in the field and upon entry into any secure facility.
- (c) Staff and officers interacting with juveniles arrested for felony charges or for misdemeanors involving weapons, drugs or violence, should remain vigilant and maintain continual observation of juveniles for their safety, the safety of staff, and officers while in a custodial environment.
- (d) A thorough pat-down search of a juvenile should occur each time that juvenile is moved (ex. taken to restroom, taken to livescan, before and after transport, etc).
- (e) Any articles or contraband found during a booking search should be documented in the appropriate reports. Contraband found amounting to criminal possession should be collected as evidence and appropriate charges applied.

412.2.2 CUSTODY OF JUVENILE STATUS OFFENDERS (601)

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Status offenders shall not be held in secure custody (42 USC § 5633).

412.3 JUVENILE BOOKING PROCEDURES

- (a) At the time of arrest a juvenile must be read their Miranda Rights per 625 WIC. It is the responsibility of the arresting officer to advise juvenile arrestee of these rights.
- (b) At the time of arrest a juvenile shall be handcuffed with their hands behind their back. This restraint may continue at the lockup if the juvenile shows any indication of being

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

uncooperative. The arresting officer shall note this type of behavior and/or custody officer to fulfill part of the criteria for secure detention.

- (c) At no time during arrest, transportation, or booking shall physical discipline be applied to a juvenile. Juveniles can be restrained, and the use of force on a juvenile shall be in accordance with the same Departmental guidelines as that for adult inmates. At all times during the booking procedure the arresting officer and/or custody officer shall maintain side-by-side presence with the minor if adult inmates are present, and shall insure the minor has no communication with any of the adult inmates while in the booking area.
- (d) When an officer arrives at the station with a juvenile in custody, that officer must verbally advise the dispatcher to enter a detention time in the CAD system notes for the arrest incident. The arresting officer shall also complete a "Juvenile Detention Card" located in the Jail processing area, entering the juvenile's name birth-of-date, case number, date, charge and detention time (arrived in the jail facility).
- (e) If the detention of the arrested juvenile is going to be a secure detention, the arresting officer shall check "Secure Detention" on the "Juvenile Detention Card".
 - 1. The information will be transferred to the "Secure Juvenile Log" by the arresting officer. The Corrections Standards Authority (CSA) recommends that this form be used by law enforcement agencies to record the secure detention of juveniles with law enforcement facilities. Completed copies of these logs should be retained at the facility where the detention occurred and should be presented upon request, to the CSA during the biennial inspection. Law enforcement agencies are required to provide monthly and yearly statistics regarding the number of minors securely detained to the CSA. Accurate completion of these logs would significantly facilitate the completion of the monthly and yearly reports to the CSA.
 - 2. note the following on the form:
 - (a) Date
 - (b) Juvenile's name
 - (c) Transporting Officer's name
 - (d) Approving Watch Commander's signature
 - (e) Sex and age of juvenile
 - (f) Charge/Reason for secure detention
 - (g) Detention start date and time
 - (h) Arresting Officer's name & badge number
 - 3. The arresting officer must then initial the "Juvenile Detention Card."

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

- (f) The arresting officer must advise the juvenile of the following 207.1 advisal:
 - (a) Purpose of the detention
 - (b) Expected duration of detention
 - (c) Hour detention time limit
- (g) If the detention of the arrested juvenile is to be non-secured, the arresting officer shall check "Non-Secure" on the "Juvenile Detention Card." The information will be transferred to the "Non-Secure Detention Log" by the officer. The CSA recommends that this form be used by law enforcement agencies to record the non-secure detention of juveniles at law enforcement facilities. Completed copies of these logs should be retained at the facility where the detention occurred and should be presented up request, to the CSA during the biennial inspection.
 - (a) The juvenile's name
 - (b) Sex
 - (c) Age
 - (d) Transporting officer's name & Badge number
 - (e) Charge/Reason for secure detention
 - (f) Detention start date and time
 - (g) Approving Watch Commander's signature
 - (h) The arresting officer will document the observation times on the Secure or Non-Secure Detention Log, noting observation times where applicable and completing the form with release or transfer information.
- (h) Juveniles may be held in law enforcement facilities only long enough for officers to investigate the crime, facilitate release of the juvenile to a parent, guardian, responsible relative or adult designated by the parent, or transported to an approved county detention facility. Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to his/her parent or guardian; one to a responsible relative or his/her employer; and another call completed to an attorney. Regardless of the age of the juvenile, nature of the offense or status of the investigation, juveniles shall not be held in a law enforcement facility for more than six (6) hours. It is the responsibility of the Watch Commander to ensure that a juvenile in custody is either transported to a proper juvenile facility or released within the six (6) hour time period.
- (i) The "Juvenile Detention Card" will remain at the W/C desk during the duration of the Juvenile's detainment. At the time of release or transfer, the Watch Commander will

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

have the juvenile detention card noted again with the release time and the card shall be turned over to the Jail Staff to include with the other booking paperwork.

- (j) The Custody Manager will complete the juvenile register and check the Juvenile Detention Logs for accuracy and completion of the monthly CSA report.
- (k) Should the juvenile remain in custody at the Jail Facility past the six (6) hour limit the Arresting Officer/Watch Commander shall initiate a memo. The memo is to be attached to the Juvenile Detention Card outlining the reason for the detention past the six (6) hour limit and forwarded to the Administration Lieutenant. Juveniles may remain voluntarily on the premises after the release limit has expired.

412.3.1 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Whittier Police Department (15 CCR 1150).
- (c) Watch Commander notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all safety checks.
- (g) Any medical and other screening requested and completed (15 CCR 1142).
- (h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody.

412.4 JUVENILE CLASSIFICATION, GENERAL CARE, AND DOCUMENTATION

Criteria for Secure/non-Secure Detentions

- (a) **Secure Detention**
 - 1. The juvenile is 14 years of age or older.
 - 2. The juvenile is detained under 602 WIC.
 - 3. The arresting officer or custody officer believes the juvenile presents a security risk of harm to self or others.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

4. The age, maturity, and delinquent history.
5. Severity of offense committed.
6. Minor's behavior (aggression/violence).
7. Availability of staff to provide adequate supervision.
8. The age, type, and number of juveniles or other individuals detained (i.e. gang affiliations, etc.) in the facility.

(b) **Non-secured Detention**

1. Juvenile is detained under 601 WIC or 310 WIC.
2. Juvenile is 13 years of age and under.
3. Juveniles 14-17 years of age detained for 602 WIC who do not meet the criteria for secure detention.

(c) **Guidelines for Juvenile Contact, Supervision, and Care**

1. **Juvenile Contact and Communication**

- (a) No 602 WIC juvenile in secure detention shall come into contact with juveniles detained for 310 WIC or 601 WIC.
- (b) No juvenile in secure detention shall have contact or communication with any adult inmate after the booking process.
- (c) No juveniles in non-secured detention shall come into sight or sound contact with any adult inmate for any reason.
- (d) Situations in which a minor and an adult inmate may be in the same room or corridor are limited to:
 1. Booking
 2. Medical screening
 3. Inmate worker (Trusty) performing necessary duties (i.e. serving meals, cleanup)
 4. However, under these circumstances the arresting officer or custody officer shall maintain SIDE-BY-SIDE supervision of the minor and there shall be no communication between the trusty and the minor.

2. **Supervision of Secure Detention Juveniles**

- (a) Juveniles must be adequately supervised while awaiting transfer or release.
- (b) Juveniles in secure detention must have constant auditory access to officers and documented unscheduled visual observation by officers no

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

less than once every 30 minutes. Monitoring devices such as audio, video or other electronic devices shall not be used in place of personal supervision. Observation by television monitoring system is not sufficient replacement for visual observation.

- (c) Minors held in secure detention outside of a locked area may not be cuffed to a stationary object in excess of 30 minutes unless no locked enclosure is available. When a juvenile is handcuffed to a stationary object outside of a locked room or enclosure, a law enforcement employee shall be present at all times to ensure the juvenile's safety.
- (d) Minors may be secured to a stationary object for longer than 30 minutes upon approval of Watch Commander if he/she determines that a locked enclosure is not available. The juvenile shall be transferred to a locked room or enclosure at such time as one becomes available. The reasons for continue secure detention outside of a locked enclosure shall be documented and verified every 30 minutes thereafter by the officer.
- (e) Male and female juveniles will not be placed in the same locked enclosure in this jail facility.
- (f) The use of physical restraints on juveniles shall be limited to handcuffs and alternative restraints authorized by the individual law enforcement agency. Restraints shall be employed only as necessary to prevent injuries to juveniles and custodial personnel.
 - (a) NOTE: A juvenile who exhibits violent behavior necessitating the use of alternative restraints should be kept under continuous in-person observation for evidence of breathing difficulty or other symptoms of physical distress. A juvenile displaying any such symptoms should receive immediate medical treatment and should also be referred to the Watch Commander for a review of the circumstances surrounding the detention.

3. Supervision of Non-Secure Juveniles

- (a) Minors held in non-secure detention must receive constant visual supervision by staff or officers.
- (b) Monitoring devices such as audio, video, or other electronic devices, shall not be used in place of personal supervision. Observation by television monitoring system is not sufficient replacement for visual observation.
- (c) Juveniles in non-secure detention shall be placed in the juvenile non-secure room across from the Watch Commander's office in the officer's report writing room.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

- (d) Non-secure detention prohibits the placement of juveniles in locked rooms or enclosures and prohibits physically securing juveniles to chairs, benches, handcuffing rails, or other stationary objects. However, juveniles under non-secure detention, regardless of age, may be handcuffed.
 - (e) 602 WIC offenders must be held separate from 601 WIC and 310 WIC detainees, even in non-secured detention.
- 4. Care of Minors in Temporary Custody. **The following must be made available to all minors held in temporary custody:**
 - (a) Access to toilets and washing facilities.
 - (b) One snack upon request if the minor has not eaten in the previous four (4) hours or is in need of nourishment.
 - (c) Access to drinking water and/or beverages.
 - (d) Reasonable access to a telephone.
 - (e) Privacy during visits with family, guardian or attorney.
 - (f) Blankets and clothing as necessary to ensure comfort, and permitted to retain his/her personal clothing unless the clothing is inadequate, presents a health or safety problem or has been retained as evidence.
 - (g) Locked rooms and enclosures where juveniles are securely detained shall meet all applicable health, safety, and fire requirements
 - (h) Locked rooms and enclosures shall have adequate lighting and seats in the form of chairs or benches.
 - (i) Locked rooms and enclosures shall have temperature control and ventilation adequate to main a comfortable environment.
- (d) **Discipline of Juvenile Inmates**
 - (a) Discipline of any kind, including withholding any of the amenities is not permitted.
- (e) **Use of Force on Juvenile Inmates**
 - (a) The use of force on juvenile inmates shall follow the same departmental guidelines for the use of force on adult inmates.
 - (b) This use of force justification shall apply to use of handcuffs restraints for combative inmates and chemical agents.
 - (c) Minors in non-secured detention may be handcuffed provided they are not cuffed to a stationary object.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

412.5 WIC 300 DETENTIONS

All juveniles brought into the station in the company of an adult arrestee shall be detained as 300(g) WIC (protective custody). Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Whittier Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (42 USC § 5633; Welfare and Institutions Code § 206).

All juveniles brought into protective custody shall be documented by an arrest/booking form and receive a case number (BR) and a juvenile booking number (BKG). They will not be photographed or fingerprinted. Please know the difference between a juvenile "hold" and a "warrant." In order to adequately access what type it is the watch commander should look at the actual warrant abstract and not the WIZ. If there is an abstract it is a WIC 340 warrant. The officer will dictate a typical juvenile arrest warrant report and dispatch or the jail will "pull" the warrant. In those cases where the juvenile is brought to the station on a no bail protective custody warrant (WIC340), they shall be processed just as any other WIC300 and released to the issuing agency (i.e. DCSF, Group Home, etc).

412.6 JUVENILES 13 YEARS OF AGE AND UNDER

Juveniles under the age of 14 are presumed to be incapable of forming criminal intent. In order to prosecute a juvenile under the age of 14, the provisions of the "Gladys R." decision must be complied with. "Gladys R." shall be used in all cases involving suspects/inmates under the age of 14 to determine whether, at the time of the commission of the crime, the juvenile knows the wrongfulness of the act. Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

412.6.1 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Whittier Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).
- (e) Extremely violent or continuously violent

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

These juveniles should not be held at the Whittier Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed (15 CCR 1142).

412.6.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

412.7 JUVENILE MEDICAL TREATMENT

(a) Consent for Treatment

1. Before a doctor can provide routine medical treatment to a juvenile detainee, consent must be obtained from a parent, guardian, or responsible adult relative.

(b) Emergency Treatment (15 CCR 1142)

1. The minor shall be taken immediately to the nearest hospital for treatment.
2. Attempts should be made to contact the minor's parents or guardian to obtain consent.
3. If the arresting officer is unable to obtain consent they should contact the Probation Department to obtain emergency consent form the on-call Juvenile Court Judge.

412.8 RELEASE OF 602 MINORS

(a) Detained Minors

1. Minors arrested for violent or serious crimes, juvenile warrant or juveniles whose parents are refusing to take them home may be sent to Los Padrinos Juvenile Hall. The Custody Officer shall call Los Padrinos at (562) 940-8660 to receive a clearance to transport the juvenile. The following paperwork must accompany the transported juvenile:
 - (a) Juvenile entrance record
 - (b) Probable cause declaration
 - (c) Booking form (photocopy) w/live-scan identification

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

- (d) Warrant abstract (original copy)
- (e) JAI Printout (Records/Arrest Desk update/entry)
- (f) Arrest report (Can be faxed later)
- (b) **Non-Detained Minors**
 - (a) All 602 minors that are not detained will be released by citation to Delinquency Court (Los Padrinos).
 - (b) Note: Minors that are on probation shall be cited to Delinquency Court (Los Padrinos, regardless of whether their offense is enumerated under 256 WIC.)
 - (c) Citations of all non-detained minors sent to Delinquency Court will have an appearance date 60 calendar days after the citation is issued.
 - (a) If the 60th day is a non-court day, the citation shall be issued for first available court day after the 60th day.
 - (b) All co-defendants shall be cited for the same court date.
 - (c) In the event that co-defendants are cited on different days, the subsequent citation shall reference the preceding citation with the co-defendant's name and court.
 - (d) In those situations where a minor is arrested for an offense citable into Informal Court and an offense that is a citable into Delinquency Court (Los Padrinos), both charges shall be cited to Delinquency Court (Los Padrinos). This can be done on a single citation.
 - (e) Separate citation forms will be used for Delinquency Court and for Informal Court. The Notice to Appear-Juvenile Court form shall be used to cite to Delinquency Court. Informal Court citations shall be on the standard City of Whittier Notice to Appear form.

NOTE: Any misdemeanor or other citations that would normally be cited into Juvenile Traffic Court,(i.e. WMC sections, 318(b) PC, 11357(b) H&S, 12500(a) VC and 14601.1(a) VC etc) will not be given a court date and will be sent by records to the Probation Department for review and disposition. All citations for traffic infractions for youth under the age of 18 will be cited into Bellflower Superior Court in the same manner as in an adult traffic citation (parents are no longer required).

412.9 JUVENILE ARRESTS FOR PUBLIC INTOXICATION

Any minor who displays outward signs of intoxication, or who is known or suspected to have ingested any substance that could result in a medical emergency, shall be medically cleared prior to reception at a facility. Supervision of minors who have been cleared to enter the facility shall include safety checks no less than every 15 minutes until resolution of the intoxicated state. These safety checks shall be documented, with actual time of occurrence recorded.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Juvenile Detention Policy

Juveniles who are arrested for public intoxication, and are otherwise eligible, shall be cited to Delinquency Court (Los Padrinos) as other misdemeanor offenses without a court date and will be sent by records to the Probation Department for review and disposition..

Management of Weapons and Control Devices

415.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

415.2 POLICY

It is the policy of the Whittier Police Department that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use those weapons for which they have been trained in and are qualified to use.

415.3 FIREARMS

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

Firearms, ammunition, batons, and knives shall only be allowed in the secure perimeter of the facility when it is necessary to protect the safety and security of staff, incarcerated persons, contractors, volunteers, or the public.

Firearms, ammunition, batons, and knives shall only be allowed inside the secure perimeter with the approval of the Watch Commander/Jail Manager or authorized designee and under the direct supervision of a supervisor.

Use of Force

423.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286; 15 CCR 1029(a)(3)).

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

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

423.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when individuals allow themselves to be searched, escorted, handcuffed, or restrained.

Force team technique - The force team technique ordinarily involves trained members clothed in protective gear who enter the incarcerated person's area in tandem, each with a specific task, to achieve immediate control of the incarcerated person.

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

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

423.2 POLICY

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

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

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

423.2.1 FAIR AND UNBIASED USE OF FORCE

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

423.3 USE OF FORCE

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

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

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

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

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

Force shall never be used as punishment.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

423.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

423.3.2 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or member using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

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

423.3.3 ALTERNATIVE TACTICS - DE-ESCALATION

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

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

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

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

423.3.4 DUTY TO REPORT EXCESSIVE FORCE

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

As used in this section, “immediately” means as soon as it is safe and feasible to do so.

423.3.5 PAIN COMPLIANCE TECHNIQUES

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

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

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

423.3.6 RESTRICTIONS ON THE USE OF A CAROTID CONTROL HOLD

Jailers of this department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5; 15 CCR 1029).

423.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Jailers of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5; 15 CCR 1029).

423.3.8 USE OF FORCE TO SEIZE EVIDENCE

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

423.3.9 MEDICAL CONSIDERATION

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

423.3.10 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

423.3.11 NOTIFICATION TO SUPERVISORS REGARDING USE OF FORCE

Any use of force by a jailer shall be reported immediately to a supervisor (Penal Code § 832.13).

As used in this section, "immediately" means as soon as it is safe and feasible to do so.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

423.3.12 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or preexisting medical conditions. While it is impractical to restrict a jailer's use of reasonable control methods when attempting to restrain a combative individual, jailers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once the individual is safely secured, jailers should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

423.4 USE OF OTHER WEAPONS, TOOLS, AND CHEMICAL AGENTS ON INCARCERATED PERSONS

423.4.1 NOISE/FLASH DISTRACTION DEVICES

Noise/flash distraction devices, sting grenades, chemical grenades, and similar devices shall be used only at the direction of a supervisor and only by members who have been trained in and are qualified for the use of the devices.

423.4.2 ELECTRONIC CONTROL DEVICES

The use of the conducted energy device (CED) shall be in accordance with the department's Conducted Energy Device Policy.

The use of other electronic devices, such as stun cuffs, stun vests, and stun belts, shall be in accordance with the department's Electronic Restraints Policy.

423.4.3 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Manager or the authorized designee and in accordance with the department's Chemical Agents Training Policy. Oleoresin capsicum (OC) spray should not be used in the medical unit or other designated areas where incarcerated persons are assigned to respiratory isolation or on any incarcerated person who is under control with or without restraints.

Incarcerated persons who have been affected by the use of chemical agents shall be promptly provided with the proper solution to decontaminate the affected areas.

If the incarcerated person refuses to decontaminate, such a refusal shall be documented. If an incarcerated person has been exposed in a cell and not removed from the cell where the exposure occurred, in-cell decontamination shall be afforded to the incarcerated person, including:

- (a) Health-trained custody member advising the incarcerated person how to decontaminate in the cell.
- (b) Clean clothing if the incarcerated person's clothing was contaminated.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

- (c) Monitoring of the in-cell incarcerated person at least every 15 minutes on an irregular schedule, for a period of not less than 45 minutes, by a health-trained custody member.

423.4.4 KINETIC ENERGY PROJECTILES

Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used by a trained and qualified member in an attempt to de-escalate a potentially deadly situation.

423.4.5 CHEMICAL AGENTS AND PREGNANT INCARCERATED PERSONS

Pregnant incarcerated persons shall not be pepper sprayed or exposed to other chemical weapons (Penal Code § 4023.8).

423.5 IMMEDIATE AND CALCULATED USE OF FORCE

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

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

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

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

423.5.1 CONFRONTATION AVOIDANCE PROCEDURES

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

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

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

- (d) Department Records Bureau
- (e) Any other relevant resources

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

If force is determined to be necessary and other means of gaining control of an incarcerated person are deemed inappropriate or ineffective, then the force team technique should be used to control the person and to apply restraints, if required.

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

423.6 REPORTING THE USE OF FORCE

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

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

The report should include:

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

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

A video recording is required for all calculated use of force incidents and should include the introduction of all members participating in the process. The recording and documentation will be part of the investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Jail Manager within three working days.

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

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

423.6.1 NOTIFICATION TO SUPERVISORS

Notification to a supervisor/watch commander shall be made as soon as practicable following the application of physical force, under any of the following circumstances:

- (a) The application of force appears to have caused physical injury.
- (b) The individual has expressed a complaint of pain.
- (c) Any application of a control device.
- (d) The individual has been rendered unconscious.

423.6.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

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

423.6.3 REPORT RESTRICTIONS

Jailers shall not use the term "excited delirium" to describe an individual in an incident report. Jailers may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as excited delirium (Health and Safety Code § 24402).

423.7 SUPERVISOR RESPONSIBILITIES

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

- (a) Ensure a crime scene is established to preserve and protect evidence, if appropriate.
- (b) Ensure that the chain of command is notified and that all necessary health and safety and security measures are initiated.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

- (c) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (d) Ensure that the appropriate investigation authority is notified, if appropriate.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.
- (f) When possible, separately obtain a recorded interview with all individuals upon whom force was used. If this interview is conducted without the person having voluntarily waived the individual's *Miranda* rights, the following should apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (g) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (h) Identify any witnesses not already included in related reports.
- (i) Review and approve all related reports.
- (j) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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

423.8 USE OF DEADLY FORCE

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

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, jailers shall evaluate and use other reasonably available resources and

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

techniques when determining whether to use deadly force. To the extent that it is reasonably practical, jailers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

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

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

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

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

423.8.1 DEADLY FORCE REVIEW

- (a) **PURPOSE AND SCOPE** The purpose of this policy is to establish a process to review the use of deadly force by employees of this department and the OPERATOR and their agents.
- (b) **REVIEW OF DEADLY FORCE CASES** Internal Affairs will conduct an administrative investigation in all incidents when deadly force is used. The Los Angeles County Sheriff's Department will conduct criminal investigations. In addition, the District Attorney's "roll out" team will respond and conduct an independent investigation on all deadly force occurrences.
- (c) **FINDINGS OF THE INVESTIGATION** The Internal Affairs investigator shall make a finding and such finding will be limited to one of the following: (a) The member's actions were within Department policies and procedures. (b) The member's actions were in violation of Department policies and procedures. In the event the actions of the OPERATOR or its agents were in violation of policy, they can have their occupational duties revoked.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Force

423.9 USE OF FORCE REVIEW

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

423.10 USE OF FORCE COMPLAINTS

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

423.11 POLICY REVIEW

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

423.12 POLICY AVAILABILITY

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

423.13 PUBLIC RECORDS REQUESTS

Requests for public records involving a jailer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records and Data policies (Government Code § 7286(b)).

Use of Restraints

425.1 PURPOSE AND SCOPE

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

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

This policy does not apply to the use of electrical restraints (see the Electronic Restraints Policy).

425.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical restraints - Restraints applied when an incarcerated person's disruptive, assaultive, and/or self-injurious behavior is related to a medical or mental illness. Clinical restraints can include leather, rubber, or canvas hand and leg restraints with contact points on a specialized bed (four/five-point restraints) or a portable restraint chair.

Therapeutic seclusion - Separated confinement of an agitated, vulnerable, and/or severely anxious incarcerated person with a serious mental illness as part of treatment when clinically indicated for preventive therapeutic purposes.

425.2 POLICY

It is the policy of this department that restraints shall be used only to prevent self-injury, injury to others, or property damage. Restraints may also be applied according to an incarcerated person's classification, such as maximum security, to control the behavior of a high-risk incarcerated person while the person is being moved outside the cell or housing unit.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the incarcerated person. Restraints are to be applied only when less restrictive methods, including verbal de-escalation techniques, have been attempted and are deemed ineffective in controlling the dangerous behavior of an incarcerated person (15 CCR 1029(a)(4); 15 CCR 1058). Each incident where restraints are used shall be documented by the handling staff member and placed in the appropriate file prior to the end of the staff member's shift.

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

425.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any incarcerated person. Whenever feasible, the use of restraints, other than routine use during transfer, shall require the approval of

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Restraints

the Watch Commander prior to application. In instances where prior approval is not feasible, the Watch Commander shall be apprised of the use of restraints as soon as practicable.

Restraint devices, such as restraint chairs, shall only be used on an incarcerated person when it reasonably appears necessary to overcome resistance, prevent escape, or bring an incident under control, thereby preventing injury to the incarcerated person or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals.

Excluding short-term use to gain immediate control, placing an incarcerated person in a restraint chair or other restraints for extended periods requires approval from the Jail Manager or the authorized designee prior to taking action. The medical staff shall be called to observe the application of the restraints, when feasible, prior to the application or as soon as practicable after the application, and to check the incarcerated person for adequate circulation.

The use of restraints for purposes other than for the controlled movement or transportation of an incarcerated person shall be documented on appropriate logs and shall be video recorded unless exigent circumstances prevent staff from doing so. The documentation shall include, at a minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed, the name of the person authorizing placement, names of staff involved in the placement, any injuries sustained, when the restraints were removed and the duration of placement (15 CCR 1058).

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

- (a) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained incarcerated persons shall not be placed facedown or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle except for items installed for passenger safety, such as seat belts.
- (d) Incarcerated persons in restraints shall be housed either alone or in an area designated for restrained persons.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the incarcerated person or others from harm.
- (f) Staff members shall conduct continuous direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the incarcerated person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the incarcerated person's behavior. Any actions taken should also be noted in the log.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Restraints

- (g) The specific reasons for the continued need for restraints shall be reviewed, documented, and approved by the Jail Manager or the Watch Commander at least every hour.
- (h) Continuous direct visual observation shall be maintained until a medical opinion can be obtained.
- (i) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.
- (j) As soon as practicable, but within four hours of placement in restraints, the incarcerated person shall be medically assessed to determine whether the person has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional.
- (k) As soon as practicable, but within eight hours of placement in restraints, the incarcerated person must be evaluated by a mental health professional to assess whether the incarcerated person needs immediate and/or long-term mental health treatment. If the Jail Manager, or the authorized designee, in consultation with responsible health care staff determines that the incarcerated person cannot be safely removed from restraints after eight hours, the person shall be taken to a medical facility for further evaluation.
- (l) Where applicable, the Jail Manager shall use the restraint device manufacturer's recommended maximum time limits for placement.

425.4 USE OF RESTRAINTS - CLINICAL

An Incarcerated person may be considered for clinically ordered restraints or seclusion when exhibiting dangerous behavior that is believed to be a product of a medical or mental illness and that puts the person or others at risk of physical harm, or when medical care is urgently required and the person is not considered competent to give or withhold consent.

Clinical restraints and/or therapeutic seclusion shall only be used when an incarcerated person's safety or the safety of others cannot be protected by less restrictive means, and only upon the direct order of a qualified health care professional and notification of the Jail Manager or the authorized designee prior to taking action. Restraints shall be used no longer than is reasonably necessary to provide for the legitimate safety concerns of the incarcerated person, staff, or others.

The following provisions shall be used any time clinical restraints or therapeutic seclusion is authorized:

- (a) Excluding short-term use to gain immediate control of an incarcerated person exhibiting dangerous or destructive behavior, an incarcerated person may be placed in clinical restraints or therapeutic seclusion only on the orders of a qualified health care professional and only after making a determination that less restrictive interventions are ineffective to prevent the person from causing property damage or serious self-injury or injury to others.
- (b) Clinical restraints or therapeutic seclusion shall never be ordered or otherwise applied as a means of coercion, discipline, punishment, convenience, or retaliation.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Restraints

- (c) The qualified health care professional's order may only be in effect for up to 12 hours for adult incarcerated persons and up to two hours for incarcerated persons age 17 or younger.
- (d) Within one hour of the application of restraints or therapeutic seclusion, a face-to-face observation of the incarcerated person to evaluate the need for continued restraint or therapeutic seclusion shall be conducted by a qualified health care professional.
- (e) If deemed clinically necessary, the qualified health care professional who gave the initial order for restraints or therapeutic seclusion may renew the original order for an additional four hours for an adult or up to two hours for a person who is age 17 or younger.
- (f) Incarcerated persons placed in clinical restraints shall be placed in designated cells within the medical unit. The restraints shall be applied in the least restrictive manner possible, based on the qualified health care professional's evaluation and order.
- (g) Incarcerated persons placed in restraints shall only be placed in a face-up position.
- (h) Following the first face-to-face observation, a qualified health care professional shall conduct face-to-face checks every 15 minutes on an irregular schedule to assess the incarcerated person's condition and behavior. The restraints shall be checked for proper application and to ensure that circulation is not compromised. Checks shall be documented in the incarcerated person's medical file.
- (i) Except in the event of a medical emergency for the incarcerated person, only a qualified health care professional shall determine when an incarcerated person shall be released from clinical restraints or therapeutic seclusion.

425.5 RANGE OF MOTION

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

425.6 FOOD, HYDRATION, AND SANITATION

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

Offering food and hydration to incarcerated persons will be documented to include the time, the name of the person offering the food or water/juices, and the incarcerated person's response (receptive, rejected). Incarcerated persons shall be provided the opportunity to clean themselves or their clothing while they are in restraints.

425.7 AVAILABILITY OF CPR EQUIPMENT

CPR equipment, such as barrier masks, shall be provided by the facility and located in proximity to the location where incarcerated persons in restraints are held.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Restraints

425.8 RESTRAINED INCARCERATED PERSON HOLDING

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

425.9 PREGNANT INCARCERATED PERSONS

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

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

Once pregnancy has been confirmed, a pregnant incarcerated person should be advised of the policies and procedures regarding the restraint of pregnant persons (Penal Code § 3407; 15 CCR 1058.5).

425.9.1 INCARCERATED PERSONS IN LABOR

No incarcerated person who is in labor, delivery, or recovery from a birth shall be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body (Penal Code § 3407; 15 CCR 1058.5).

No incarcerated person who is in labor, delivering, or recovering from a birth shall be otherwise restrained except when all of the following exist (Penal Code § 3407; 15 CCR 1058.5):

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

Restraints shall be removed when medical staff responsible for the medical care of the pregnant incarcerated person determines that the removal of restraints is medically necessary (Penal Code § 3407).

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Use of Restraints

425.9.2 INCARCERATED PERSONS IN RECOVERY AFTER TERMINATED PREGNANCY

Incarcerated persons recovering from a termination of pregnancy shall not be restrained using leg restraints/irons, waist restraints/chains, or handcuffs behind the body unless an exception identified in the Incarcerated Persons in Labor subsection of this policy applies (15 CCR 1058.5).

Restraints shall be removed when medical staff responsible for the medical care of the incarcerated person determines that the removal of restraints is medically necessary (15 CCR 1058.5).

Searches

429.1 PURPOSE AND SCOPE

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

The introduction of contraband, intoxicants or weapons into the Whittier Police Department facility poses a serious risk to the safety and security of staff, incarcerated persons, volunteers, contractors, and the public. When a search is conducted, it shall be done for any one, or more of these objectives:

- Control the intake of contraband into the facility,
- Recover missing or stolen property,
- Preserve internal order and the security and safety of both incarcerated persons and all personnel,
- Conduct searches in a way that minimizes the likelihood that incarcerated persons' legitimately owned or obtained property will be destroyed

Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of incarcerated persons and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from a incarcerated person.

429.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

Pat-down search - The normal type of search used by jailers within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the incarcerated person, or other incarcerated persons.

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

Strip search - A search that requires a person to remove or rearrange some or all of their clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus, or outer genitalia. This

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia, or breasts are visible to the monitoring employee.

Visual body cavity search -This search is the visual inspection of a person's body cavities (i.e. skin folds, rectal and vaginal cavities).

429.2 POLICY

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

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

429.3 PAT-DOWN SEARCHES

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

- (a) When incarcerated persons leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.
- (b) During physical plant searches of entire housing units.
- (c) When incarcerated persons come into contact with other incarcerated persons housed outside of their housing units, such as work details.
- (d) Any time the staff believes the incarcerated persons may have contraband on their persons.

Except in emergencies, staff members may not conduct a pat-down search on an incarcerated person of the opposite gender. Absent the availability of a same gender staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite gender. All cross-gender pat-down searches shall be documented (28 CFR 115.15).

429.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES, AND PHYSICAL BODY CAVITY SEARCHES

Jailers will generally consider the reason for the search, the scope, intrusion, manner, and location of the search, and will utilize the least invasive search method to meet the need for the search.

429.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches prior to placement in a housing unit shall be conducted as follows:

- (a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include but are not limited to:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
 2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
 3. Custody history (e.g., past possession of contraband while in custody, assaults on staff, escape attempts).
 4. The person's actions or demeanor, such as refusal to submit to a pat-down search.
 5. Criminal history (e.g., level of experience in a custody setting, including convictions for escape, possession of drugs or weapons, crimes of violence, or being a fugitive or detainee for any of those offenses).
 6. An alert by a metal detector or drug detection device.
 7. Other reliable information that the person possesses drugs, weapons, or contraband.
- (b) Except in the case of a medical emergency, no modified strip search or strip search of an incarcerated person shall be conducted prior to admittance to a housing unit without prior written authorization from the Watch Commander.
- (c) The staff member conducting the modified strip search or strip search shall:
1. Document the name and gender of the person subjected to the strip search.
 2. Document the facts that led to the decision to perform a strip search.
 3. Document the reasons less intrusive methods of searching were not used or were insufficient.
 4. Document the supervisor's approval.
 5. Document the time, date, and location of the search.
 6. Document the names, gender, and roles of any staff present.
 7. Itemize in writing all contraband and weapons discovered by the search.
 8. Process all contraband and weapons in accordance with the department's current evidence procedures.
 9. If appropriate, complete a crime report and/or disciplinary report.
 10. Ensure the documentation is placed in the incarcerated person's file. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.

429.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Strip searches will be conducted on all incarcerated person upon admission into a housing unit.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed incarcerated persons.

Arrestees who are arranging bail shall be permitted a reasonable amount of time, not less than 12 hours, before being placed in a housing unit.

429.4.3 UPGRADE STRIP SEARCH OR MODIFIED STRIP SEARCH FORM

In accordance with state law, Penal Code §4030, "Strip or Body Cavity Search" and federal appellate court decisions, *Ackerman v. Giles*, 746 F.2d 614, and *Kennedy v. City of Los Angeles*, 901 F.2d 702, once a prisoner has been arraigned, he may be subject to a strip search or visual body cavity search for jail security or safety. Pursuant to the federal appellate court decision in *Way v. County of Ventura*, 445 F.3d 1157, all pre-arraigned prisoners charged with an infraction, misdemeanor or felony, shall not be subjected to a strip search or visual body cavity search before arraignment unless there is an individualized suspicion and articulable facts that the prisoner is concealing any weapon, drugs or contraband and that a search will reveal said items.

Generally, prisoners will not be subjected to a strip search or visual body cavity search in our pre-arraignment jail facility. However, any adult prisoner in custody may be subjected to a strip search, modified strip search or visual body cavity search prior to entering general housing or upon entering general housing, if the arresting officer, jailer or other Department employee submits a written request for any of those types of searches to the Watch Commander utilizing the Department's "Upgrade Strip Search" form (Penal Code §4030(f)). This "Upgrade Strip Search" form will be used only when reasonable suspicion exists to search beyond a cursory patdown search. Otherwise, all felony and misdemeanor arrests for either weapons, drugs or violence, and all inmates arrested for parole or probation violations with search conditions, who will not be immediately released, will be strip searched and will not need an "Upgraded Strip Search" form.

The request for a more invasive search must give specific and articulated facts and/or circumstances from which a reasonable inference can be drawn that would justify that type of search. Prior to commencing the search, the Watch Commander shall sign the upgrade strip search request form authorizing the upgraded strip search for the exceptions listed on the form. The signed upgrade strip search form becomes part of the person's inmate record.

Since no juvenile should be strip searched, an "Upgrade Strip Search" form may be submitted to the Watch Commander when the officer, department employee or jailer can articulate reasonable suspicion the juvenile is concealing something that is in violation of the facility's policy. If the Watch Commander approves the upgraded strip search, this form will be signed and included in the booking paperwork.

429.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same gender as the person being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

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

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

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

429.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

- (a) No person shall be subjected to a physical body cavity search without the approval of the Jail Manager or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the incarcerated person or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the incarcerated person may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same gender as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the incarcerated person.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Jail Manager's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date, and location of the search.
 - 6. The medical personnel present.
 - 7. The names, gender, and roles of any staff present.
 - 8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the incarcerated person's file. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the department's current evidence procedures.
- (h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

429.5 CONTRABAND SEARCHES

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

429.6 HOUSING UNIT SEARCHES

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

- (a) All incarcerated persons shall vacate their living areas and be searched by staff.
- (b) Incarcerated persons should be escorted to a separate holding area, such as the recreation yard.
- (c) Staff shall search the living areas of the incarcerated persons, including bedding, personal storage areas, bunks, and other areas with incarcerated person access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Searches

- (e) The staff shall attempt to identify the incarcerated person who possessed the contraband and file appropriate person discipline and/or crime reports.
- (f) Any alcoholic beverage possessed by incarcerated persons shall be seized and the appropriate person disciplined and/or criminal charges filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

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

429.7 PHYSICAL PLANT SEARCHES

The following areas of this facility shall be periodically searched for contraband:

- (a) Holding cells shall be searched prior to and after each prisoner occupies the cell.
- (b) Prisoner visiting and public areas shall be frequently inspected for contraband.

429.8 CRIMINAL EVIDENCE SEARCHES

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

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

429.9 TRAINING

The Administrative Lt. shall provide training for staff in how to conduct pat-down searches, modified strip searches, and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex incarcerated persons (28 CFR 115.15).

Reporting In-Custody Deaths

433.1 PURPOSE AND SCOPE

This policy provides direction for notifications, reporting, and review of in-custody deaths (15 CCR 1046).

433.1.1 DEFINITIONS

Definitions related to this policy include:

In-custody death - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated or under supervision at any facility of this department (Penal Code § 832.10).

433.2 POLICY

It is the policy of this department to follow state and local guidelines regarding notifications and reporting in-custody deaths.

433.3 MANDATORY REPORTING

All in-custody deaths shall be reported within 10 days of the death to the state Attorney General's office, in accordance with reporting guidelines and statutory requirements (Government Code § 12525).

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

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

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

433.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this department, the Watch Commander is responsible for ensuring that the Chief and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed. The death investigation will follow the department policy regarding use of the LA County Sheriff's Department for those deaths which may have occurred due to officer actions. Any other deaths occurring in custody will follow the "non-hit" protocol outlined in the department policy (i.e. natural, suicide, accidental, etc).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reporting In-Custody Deaths

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

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

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

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

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

433.5 IN-CUSTODY DEATH REVIEW

The Chief is responsible for establishing a team of qualified staff to conduct an administrative review by an outside entity, appointed by the Chief, of every in-custody death. At a minimum, the review team should include the following (15 CCR 1046(a); 15 CCR 1030)

The in-custody death review should be initiated as soon as practicable but no later than 30 days after the incident. The team should review the appropriateness of clinical care, determine whether changes to policies, procedures, or practices are warranted, and identify issues that require further study (15 CCR 1046(a))

433.5.1 BOARD OF STATE AND COMMUNITY CORRECTIONS IN-CUSTODY DEATH REVIEW RECOMMENDATIONS

The Chief or the authorized designee shall review the BSCC recommendations within 90 days of receipt, following the BSCC review of an in-custody death. In a written response to the BSCC, the Chief or the authorized designee shall (Penal Code § 6034):

- (a) Identify the recommendations that the Department will implement and the anticipated cost and timeline of implementation.
- (b) Identify the recommendations that the Department cannot or will not implement and provide an explanation.

The Department shall make the recommendations and responses available to the public with appropriate redactions as permitted by law (Penal Code § 6034).

433.6 RECORD RELEASE REQUIREMENTS

Records defined in Penal Code § 832.10 that are related to an in-custody death investigation shall be made available for public inspection at the earliest time possible or no later than 45 days from the date of a request, unless the record is subject to delayed release, redaction, or other release restrictions as provided by law (Penal Code § 832.10).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reporting In-Custody Deaths

The Records Supervisor should work with the Chief or the authorized designee in determining what records exist and whether the records are subject to delay from disclosure, redaction, or other release restrictions.

433.6.1 DELAY OF RELEASE

Disclosure of in-custody death records during active criminal or administrative investigations may be delayed as follows (Penal Code § 832.10):

- (a) Disclosure may be delayed up to 60 days from the date the death occurred or until the Department is informed of the district attorney's charging decision, whichever is first.
- (b) The Department may continue to delay the disclosure of records after 60 days from the in-custody death if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against any person.
- (c) If criminal charges are filed related to the death, disclosure may be delayed until the court case reaches final disposition.
- (d) During an administrative investigation, disclosure may be delayed until the Department determines whether a policy or law was violated related to the death.

The Department shall provide the records when the investigation or proceedings are no longer active or no later than 18 months after the death, whichever is first.

433.6.2 NOTICE OF DELAY OF RELEASE

The Records Supervisor shall provide written notice to the requester as follows when delaying the disclosure of records (Penal Code § 832.10):

- (a) During the initial 60 days, the Records Supervisor shall provide the requester with the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure and include the estimated date for the disclosure.
- (b) When delay is continued after 60 days, the Records Supervisor shall provide the requester, at 180-day intervals as necessary, with the specific basis for the determination that the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and include the estimated date for the disclosure.

433.6.3 REDACTION

The Department is authorized to redact records for the following reasons (Penal Code § 832.10):

- (a) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than people's names and work-related information.
- (b) To preserve the anonymity of whistleblowers, complainants, victims, and witnesses.
- (c) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Reporting In-Custody Deaths

- (d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of any person.

Additionally, the Department may redact a record, including personal identifying information, where, on the facts of the particular case, the public's interest in the nondisclosure of information is clearly outweighed by the disclosure of information (Penal Code § 832.10).

433.7 IN-CUSTODY DEATH PUBLICATION

The Chief or the authorized designee should ensure that all specified information relating to the in-custody death is posted on the department's website as prescribed and within the time frames provided in Penal Code § 10008.

Staff and Incarcerated Person Contact

435.1 PURPOSE AND SCOPE

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

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

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

435.2 POLICY

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

435.3 GENERAL CONTACT GUIDELINES

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

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

Written communication (e.g., request forms, incarcerated person communication, grievances, rules infraction forms, disciplinary reports) shall be answered in a timely manner. Such communication shall be filed with the person's records.

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

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

435.4 ANTI-FRATERNIZATION

Personal or other interaction not pursuant to official duties between facility staff with current incarcerated persons, persons who have been discharged within the previous year, their family

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Staff and Incarcerated Person Contact

members or known associates have the potential to create conflicts of interest and security risks in the work environment.

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

Prohibited interactions include but are not limited to:

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

435.4.1 EXCEPTIONS

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

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

435.5 REPORTING

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

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

Members shall promptly notify their immediate supervisor in writing if:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Staff and Incarcerated Person Contact

- A family member or close associate has been incarcerated or committed to the custody of the facility.
- The member is involved in a personal or family relationship with a current incarcerated person or with a person who has been discharged within the previous year.

Transportation of Incarcerated Persons Outside the Secure Facility

437.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of incarcerated persons outside this facility and to ensure that the staff assigned to transportation duties is qualified and adequately trained.

437.2 POLICY

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

This department shall transfer all incarcerated persons from the jail to the place of imprisonment pursuant to the sentence of the court as soon as practicable after the sentence, in accordance with all laws relating to the transfer of incarcerated persons and costs related to transfers to facilities and jurisdictions.

437.3 PROCEDURES

Only staff members who have completed **agency-approved** training on incarcerated person transportation should be assigned incarcerated person transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

Any member who transports an incarcerated person outside the secure confines of this facility is responsible for:

- (a) Obtaining all necessary paperwork for the incarcerated person being transported (e.g., medical/dental records, commitment documents).
- (b) Submitting a completed transportation plan to the transportation supervisor. Items that should be addressed in the plan include:
 - 1. Types of restraints to be used on the incarcerated persons being transported.
 - 2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security for the community in mind.
 - 3. Emergency response procedures in the event of a collision, the breakdown of a transportation vehicle, or some other unforeseen event.
 - 4. Site verification, unloading and reloading instructions, and parking rules at the destination.
- (c) Ensuring that all incarcerated persons are thoroughly searched and appropriate restraints are properly applied.
 - 1. Incarcerated persons who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (see the Use of Restraints Policy).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Transportation of Incarcerated Persons Outside the Secure Facility

2. Incarcerated persons who are transported to a hospital for the purpose of childbirth shall be transported in the least restrictive way possible and in accordance with Penal Code § 3407. The incarcerated person shall not be shackled to anyone else during transport (see the Use of Restraints Policy) (Penal Code § 4023.8(l)).
- (d) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (e) Thoroughly searching the transporting vehicle for contraband before any incarcerated person is placed inside, and again after removing the person from the transporting vehicle.
- (f) Jail contract employees will be the main entity in charge of transportation. Any inmate transportation done by the jail contract employee will be accompanied by a sworn officer in a marked police vehicle and in uniform. As soon as the jail transports are inside the secure destination, the officer will be released to return to their original duty post. Jailers will not transport medical "okay to books."
- (g) Each day there are court transfers, an officer will be pre-assigned to escort the jail transportation. This primary responsibility will fall on the traffic bureau.

437.3.1 TRANSPORTATION LOGS

Incarcerated person transportation logs shall be developed by the Jail Manager or the authorized designee and used to log all incarcerated person transportation. The logs shall include:

- Name and identification number of the incarcerated person.
- Date and start/stop time of the transport.
- Location where the incarcerated person was transported.
- Name and identification number of the transporting officer.
- Circumstances of any unusual events associated with the transportation.

The logs shall be retained by the facility in accordance with established records retention schedules.

Safety and Sobering Cells

439.1 PURPOSE AND SCOPE

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

439.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

439.2 POLICY

This facility will employ the use of safety and sobering cells to protect incarcerated persons from injury or to prevent the destruction of property by an incarcerated person in accordance with applicable law.

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

439.3 SAFETY CELL PROCEDURES

The following guidelines apply when placing any incarcerated person in a safety cell (15 CCR 1055):

- (a) Placement of an incarcerated person into a safety cell requires approval of the Watch Commander or the Responsible Physician.
- (b) A safety cell log shall be initiated every time an incarcerated person is placed into the safety cell and should be maintained for the entire time the incarcerated person is housed in the cell. Cell logs will be retained in accordance with established department retention schedules.
- (c) A safety check consisting of direct visual observation that is sufficient to assess the incarcerated person's well-being and behavior shall occur twice every 30 minutes with no more than a 15-minute lapse between safety checks. Each safety check of the incarcerated person shall be documented. Supervisors shall inspect the logs for completeness every two hours and document this action on the safety cell log.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Safety and Sobering Cells

- (d) Incarcerated persons should be permitted to remain normally clothed or should be provided a safety suit, except in cases where the incarcerated person has demonstrated that clothing articles may pose a risk to the incarcerated person's safety or the facility. In these cases, the reasons for not providing clothing shall be documented on the safety cell log.
- (e) Incarcerated persons in safety cells shall be given the opportunity to have fluids (water, juices) at least hourly. Jailers shall provide the fluids in paper cups. The incarcerated persons shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an incarcerated person is provided the opportunity to drink fluids will be documented on the safety cell log.
- (f) Incarcerated persons will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers, and the incarcerated persons will be monitored while eating the meals. Incarcerated persons shall be given ample time to complete their meals prior to the plate or container being removed. All meals provided to incarcerated persons in safety cells will be documented on the safety cell log.
- (g) The Watch Commander shall review the appropriateness for continued retention in the safety cell at least every four hours. The reason for continued retention or removal from the safety cell shall be documented on the safety cell log.
- (h) A medical assessment of the incarcerated person in the safety cell shall occur as soon as possible, but not more than 12 hours from the time of placement. The person shall be medically cleared for continued assessment, referral to advanced treatment, or removed from the safety cell a minimum of 24 hours thereafter. Medical assessments shall be documented.
- (i) A mental health assessment shall be conducted as soon as possible, but not more than 12 hours from an incarcerated person's placement. The mental health professional's recommendations shall be documented.

439.4 SOBERING CELL PROCEDURES

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

- (a) A sobering cell log shall be initiated every time an incarcerated person is placed into a sobering cell. The log shall be maintained for the entire time the incarcerated person is housed in the cell. Cell logs will be retained in accordance with established department retention schedules.
- (b) A safety check consisting of direct visual observation that is sufficient to assess the incarcerated person's well-being and behavior shall occur at least once every 30 minutes on an irregular schedule. Each visual observation of the incarcerated person by staff shall be documented. Supervisors shall check the logs for completeness every two hours and document this action on the sobering cell log.
- (c) Qualified health care professionals shall assess the medical condition of the incarcerated person in the sobering cell at least every six hours. Only incarcerated persons who continue to need the protective housing of a sobering cell will continue to be detained in such housing.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Safety and Sobering Cells

- (d) Incarcerated persons will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.
- (e) Incarcerated persons will be detained in separate sobering cells based on the individuals' actual or perceived gender identity or gender expression.

439.5 SPECIAL CONSIDERATIONS FOR THOSE BEING HOUSED IN SAFETY AND SOBERING CELLS

This is not a complete or all-inclusive list of observations or conditions, which may require prompt referral to a medical facility prior to booking a detainee, for long-term "detoxification." In most cases, the booking staff is able to make an assessment in the area of need, for this medical referral, or for retention as a short-term "sobering up" period. This checklist is to be used as a guide only (See Also Section 734 and 748)

MEDICAL OBSERVATION CHECKLIST:

- (a) Appears to be unconsciousness, in a coma, stupor, or in shock.
- (b) Appears to be disoriented or unable to cooperate may be severely abusive or uncooperative.
- (c) Appears to have a higher, or lower pulse, or respiratory rate from normal observations.
- (d) Appears to be pale and/or clammy.
- (e) Observed or reported severe or acute pain, possibly with sudden or unexplained onset.
- (f) Any injuries requiring immediate care beyond the routine band-aid.
- (g) Any bleeding from the mouth, nose, rectum, etc.
- (h) Coughing up blood.
- (i) Any seizures or other motor or sensory observations.
- (j) Sudden, unexplainable onset of weakness and/or numbness.
- (k) Sudden and extensive onset of hives.
- (l) Stated by the detainee or reported by arresting officer, drug overdoses or consumption of unknowns. Most addicts will inform you they will experience withdrawal.
- (m) Not appropriate for booking if more than minimal assistance is required to walk.
- (n) NOTE: It is obvious that this checklist will reflect symptoms or behavior requiring long-term "detoxification" when only the short-term "sobering up" period is necessary. Use all available means to properly determine the assessment. With your training and experience, the observation initially, and every fifteen (15) minutes, your attention to the needs of this person in DETOX status is mandatory to upgrade your assessment and to provide the appropriate level of medical assistance.

MENTAL HEALTH CHECKLIST:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Safety and Sobering Cells

- (a) History of suicide attempts.
- (b) Verbalizing desire, or intention to commit suicide, or to harm or kill someone else.
- (c) Severe withdrawal from contact (reality) or communication.
- (d) Extreme agitation in conjunction with active hallucinations. (Rule out drug/alcohol intoxication/withdrawal).
- (e) Severe panic reaction or irrational behavior, which suggests danger to self or others.
- (f) History of major mental health diagnosis and/or medications on admission queries.
- (g) Depression, i.e.: sleep disturbance, chronic fatigue, change of appetite, or feelings of hopelessness or helplessness.
- (h) Marital or family conflict with secondary psychological symptoms.
- (i) Bizarre thinking, behavior or appearance.
- (j) If the detainee states he/she feels it is important or urgent that medical staff check him/her.

If DETOX detainee has significant change in their attitude, appearance, or behavior since booking, Jail staff will take action appropriate to observation, either by obtaining medical assistance, or to the extent of suggesting Cite/Release status to appropriate agency.

It is possible that family members will arrive to transport the DETOX detainee upon release. Actions of the detainee are to be closely monitored, and if it appears that the escorting family member may be subjected to hostility (verbal abuse or injury) the Watch Commander will be notified.

Under normal circumstance, any adult arrested by the Whittier Police Department for alcohol intoxication, who does not appear on the Watch Commander's Habitual Drunk List, and who does not have additional charges or warrants, shall be released per section 849(b) (2) P.C. after a minimum of five (5) hours or when sober. The Watch Commander shall have discretion on intoxicated person's release that may go beyond the Habitual Drunk List.

If both Sobering Cells are occupied by male inebriates the female will be booked and then transported in accordance with the La Habra Jail agreement upon approval of La Habra City Jail Watch Commander or transported to a Los Angeles County Jail Facility as soon as possible. If both Sobering Cells are occupied by female inebriates the male will be booked and housed in a regular cell until one of the Sobering Cells becomes available.

Biological Samples

441.1 PURPOSE AND SCOPE

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

441.2 POLICY

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

441.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

Incarcerated persons must submit a biological sample (Penal Code § 296: Penal Code § 296.1):

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

441.4 PROCEDURE

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

441.4.1 COLLECTION

The following steps should be taken to collect a sample:

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

441.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Biological Samples

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

- (a) The incarcerated person's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the incarcerated person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the incarcerated person's next court appearance.
- (d) The incarcerated person's attorney.
- (e) A chaplain.
- (f) A supervisor who may be able to authorize disciplinary actions to compel compliance, if any such actions are available.

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

441.5.1 VIDEO RECORDING

A video recording should be made when reasonable any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's established records retention schedule (15 CCR 1059).

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

441.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

441.6.1 DOCUMENTATION RELATED TO FORCE

The Watch Commander or the authorized designee on-duty shall prepare prior written authorization for the use of any force (15 CCR 1059).

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

441.6.2 BLOOD SAMPLES

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

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Biological Samples

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

441.6.3 LITIGATION

The Chief or the authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank.

441.6.4 STATE MANDATES

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

Chapter 5 - Inmate Due Process

Discipline

500.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of incarcerated person rules and disciplinary actions for those who fail to comply (15 CCR 1081).

500.1.1 INMATE DISCIPLINE DEFINED

Discipline is the outcome of a process of orientation, training, guidance, and punitive sanction (restricted to transfer to another facility) intended to bring about order and personal responsibility. A custody facility cannot be operated efficiently and safely unless its occupants conform to standards of orderly behavior. These standards serve to protect all concerned parties: staff, inmates, and visitors. Discipline results in an orderly and organized way of life that will encourage and develop self-reliance, self-control and self-respect. Nature of Discipline:

- (a) Discipline should include realistic, acceptable, and understandable routines that will develop orderliness in behavior. Counseling and advising an inmate of expected conduct is encouraged for a first violation of a minor nature.
- (b) Prevention discipline is preferable to correction after the fact, but when a rule is violated, discipline should be prompt and fair. The disciplinary process must conform to Constitutional standards of due process and equal protection, and there must be no cruel or unusual punishment.

500.1.2 RIGHTS OF CUSTODY OFFICER, WATCH COMMANDER, JAIL MANAGER

No limitations in this section shall be construed to prohibit the right of the Custody Officer or the Jail Manager/Watch Commander to take such action with any inmate or group of inmates as may be necessary to provide for the security of the facility or the safety of all persons therein.

500.2 POLICY

It is the policy of this department to maintain written general categories of prohibited incarcerated person behavior that are clear, consistent, and uniformly applied. Written rules and guidelines will be made available to all incarcerated persons. They will include a process for resolving minor infractions and a hearing process for a more serious breach of incarcerated person rules. Criminal acts may be referred to the appropriate criminal agency.

500.2.1 NO LONG TERM DISCIPLINE

Due to the short-term nature of confinement in the Jail, there is no long-term discipline program required in the facility. The following notice is posted conspicuously throughout the facility:

"Defacing or damaging jail property is a misdemeanor, 4600 Penal Code."

In addition, the Custody Officer is required to admonish each prisoner booked into the facility of the provisions of 4600 P.C. and signs a declaration of that admonishment.

In the event an inmate presents significant jail disruption that inmate's actions will be reported to the Watch Commander for consideration to be transported to LA County Jail or cite release. When

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Discipline

inmates are transported for jail disruption, they should not be transported solely by a custody officer, but when reasonable should be assisted by a sworn officer.

500.2.2 REPORTING PROCEDURE OF DISCIPLINE MATTERS

A Custody Officer is required to report all disciplinary matters immediately to the Watch Commander or the Jail Manager, who is designated the Disciplinary Officer for the facility. The Jail Supervisor/Lead is required to review immediately, all violations of inmate discipline as well as all inmate complaints and to prepare a written memorandum of the facts and his/her conclusions for submission to the appropriate level of command.

500.2.3 REPORTING 4600 PENAL CODE VIOLATIONS

In the event of 4600 Penal Code violations, the Custody Officer is required to notify the Station Commander so that an appropriate crime report can be generated and filed with the court for prosecution.

500.3 LIMITATIONS ON DISCIPLINARY ACTIONS

The U.S. and state constitutions expressly prohibit all cruel or unusual punishment; disciplinary actions shall not include corporal punishment, group punishment when feasible, or physical or psychological degradation (15 CCR 1083). Additionally, there shall be the following limitations:

- Disciplinary separation shall be considered an option of last resort and as a response to the most serious and threatening behavior, for the shortest time possible, and with the least restrictive conditions possible (15 CCR 1083).
- In no case shall any incarcerated person or group of incarcerated persons be delegated the authority to punish any other incarcerated person or group of incarcerated persons (Penal Code § 4019.5; 15 CCR 1083).
- In no case shall a safety cell, as specified in the Safety and Sobering Cells Policy, be used for disciplinary purposes (15 CCR 1083).
- In no case shall any restraint device be used for disciplinary purposes (15 CCR 1083).
- Food shall not be withheld as a disciplinary measure (15 CCR 1083).
- Correspondence privileges shall not be withheld except in cases where the incarcerated person has violated correspondence regulations, in which case correspondence other than legal mail may be suspended for no longer than 72 hours without the review and approval of the Jail Manager (15 CCR 1083).
- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure (15 CCR 1083).
- No incarcerated person may be deprived of the implements necessary to maintain an acceptable level of personal hygiene (15 CCR 1083; 15 CCR 1265).
- Discipline may be imposed for sexual activity between incarcerated persons. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Discipline

- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No incarcerated person may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).

Incarcerated Persons with Disabilities

504.1 PURPOSE AND SCOPE

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

504.1.1 DEFINITIONS

Definitions related to this policy include:

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

504.2 POLICY

This department will take all reasonable steps to accommodate incarcerated persons with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. In the event an incarcerated person's needs cannot be reasonably accommodated in the Jail, they shall be transferred as soon as reasonably possible to a facility that can accommodate such needs. When an incarcerated person displays or seeks assistance due to physical or mental impairments, Jailers and Custody Staff are to notify the Watch Commander as soon as reasonably practical so arrangements can be made for accommodations.

504.3 ACCOMMODATION REQUESTS

Incarcerated persons shall be asked to reveal any accommodation requests during the intake classification process. Any such request will be addressed according to the classification process.

Requests for accommodation after initial entry into the facility should be made through the standard facility request process and should be reviewed by a supervisor within 24 hours of the request being made. The reviewing supervisor should evaluate the request and, if approved, notify the Jail Manager, ADA Coordinator (see the Accessibility - Facility and Equipment Policy) and any other staff as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the incarcerated person's file.

A supervisor who does not grant the accommodation, either in part or in full, should forward the request to the Jail Manager and the ADA Coordinator within 48 hours of the request being made. The Jail Manager, with the assistance of the ADA Coordinator and/or legal counsel, should make a determination regarding the request within five days of the request being made.

Access to Courts and Counsel

506.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of incarcerated persons to access the courts and legal counsel, while holding incarcerated persons accountable to the rules and regulations that govern conduct in this facility. The staff at every level is reminded the fundamental constitutional right of access to courts does not end when a person is incarcerated.

506.2 POLICY

It is the policy of this department that all incarcerated persons will have access to the courts and the ability to consult with legal counsel (15 CCR 1068).

506.3 INCARCERATED PERSON ACCESS

Staff should not unreasonably interfere with incarcerated persons' attempts to seek counsel and where appropriate should assist persons with making confidential contact with attorneys and authorized representatives.

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

- Confidential attorney visiting areas that include the means by which the attorney and the incarcerated person can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate incarcerated persons and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes, and postage for indigent incarcerated persons for legal communications and correspondence.

The Jail Manager shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the incarcerated persons handbook, which is provided during orientation.

506.4 CONFIDENTIALITY

All communication between incarcerated persons and their attorneys is confidential, including telephone conversations, written communication, and video conferencing. The content of written attorney-client communication will not be reviewed or censored, but the documents may be inspected for contraband.

Outgoing and incoming legal correspondence shall be routed through the staff, who have received special training in inspecting confidential documents and who are accountable for maintaining

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Access to Courts and Counsel

confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient incarcerated person.

Incarcerated persons may seek the assistance of other incarcerated persons in writing writs and other legal correspondence to the courts, when needed subject to the security and safety needs of the incarcerated persons, staff, and the facility.

506.5 VISITATION RELATED TO LEGAL DEFENSE

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

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

506.6 MAIL

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

506.6.1 PROCEDURE FOR PROCESSING LEGAL/CONFIDENTIAL MAIL

Legal correspondence is defined as any petition or writ addressed to a court of law asking for some type of relief (e.g., stay of execution, notice of appeal, writ of habeas corpus, petition for court order, etc.).

- (a) Personnel shall not read legal correspondence that is addressed to or from an inmate.
- (b) There shall be no limit to the number of pieces of legal correspondence sent by an inmate. Inmates without funds shall be allowed an unlimited amount of legal correspondence without postage.
- (c) After processing, all legal correspondence shall be deposited with the U.S. Postal Service without delay.

Confidential correspondence is defined as any inmate correspondence with State and Federal Courts, an active member of any State Bar, holder of public office, the State Board of Corrections, the Chief of Police or any official of the Police Department. Inmates may correspond, confidentially, with any of the foregoing agencies/persons, subject to the following guidelines:

- (a) Personnel shall not read confidential correspondence but will have the inmate display the contents or the envelope to ensure that no money or contraband is enclosed.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Access to Courts and Counsel

- (b) After this inspection, the inmate will be instructed to seal the envelope and give it to the Custody Officer.
- (c) There shall be no limit to the number of pieces of confidential correspondence sent by an inmate. Inmates without funds shall be allowed to send an unlimited amount of confidential correspondence without postage charges.

Foreign Nationals and Diplomats

508.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

508.2 POLICY

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

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

508.3 DIPLOMATIC AND CONSULAR IMMUNITY

508.3.1 AVAILABILITY OF RESOURCES

The Watch Commander will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for department members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

508.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Whittier Police Department Jail the receiving officer shall first inform the Watch Commander and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting officer. The person should not be brought inside the Whittier Police Department Jail unless doing so would facilitate the investigation of their claim of immunity.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that they will be detained until their identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.
- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Foreign Nationals and Diplomats

It will be the responsibility of the Watch Commander to communicate the claim of immunity to the on-duty supervisor of the arresting department (if not the Whittier Police Department). The Watch Commander may assist another agency in determining the person's immunity status.

The Watch Commander is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

508.3.3 REPORTING

If the person's immunity status has been verified, the Watch Commander should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C., or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

508.4 CONSULAR NOTIFICATIONS

508.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Manager will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing incarcerated persons of rights related to consular notification should also be posted.

508.4.2 CONSULAR NOTIFICATION ON BOOKING

Department members assigned to book incarcerated persons shall:

- (a) Inform the foreign national, without delay, that they may have their consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
- (c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that their consular officers be notified, then:
 1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
 2. Forward any communication from the foreign national to their consular officers without delay.
- (d) If the foreign national's country is on the list for mandatory notification, then:
 1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Foreign Nationals and Diplomats

form. If no fax confirmation is received, a telephonic notification should be made and documented.

2. Tell the foreign national that this notification has been made and inform them without delay that they may communicate with their consular officers.
3. Forward any communication from the foreign national to their consular officers without delay.
4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the incarcerated person's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the incarcerated person is requesting asylum. Requests for asylum should be forwarded to the Watch Commander.

Incarcerated Person Rights - Protection from Abuse

510.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that incarcerated persons are afforded a safe, healthful environment free from abuse, physical punishment, harassment, intimidation, and theft or loss of other property.

510.2 POLICY

It is the policy of this department to make every reasonable effort to protect incarcerated persons from abuse, physical punishment, injury, harassment, intimidation, or loss or damage to personal property by other incarcerated persons or staff. Staff shall take reasonable actions to safeguard vulnerable persons from others and shall use the classification policies and procedures to make housing decisions that will provide for incarcerated person safety. Abuse of incarcerated persons by staff or other incarcerated persons will not be tolerated.

510.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures, and practices to protect incarcerated persons. These procedures include but are not limited to:

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

Prison Rape Elimination Act

511.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.11; 15 CCR 1029).

511.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

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

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

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the incarcerated person, detainee, or resident:

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

- Any display by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of an incarcerated person, detainee, or resident
- Voyeurism by a staff member, contractor, or volunteer

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

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

511.2 POLICY

This department has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This department will take appropriate affirmative measures to protect all incarcerated persons from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

511.3 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Any employee, agency representative, volunteer, or contractor who becomes aware of an incident of sexual abuse, sexual harassment, or retaliation against incarcerated persons or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Staff may also privately report sexual abuse and sexual harassment of incarcerated persons (e.g., report to the Jail Manager) (28 CFR 115.51; 15 CCR 1029).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident of sexual abuse, or sexual harassment to a staff member (28 CFR 115.54; 15 CCR 1029).

Incarcerated persons may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all incarcerated person requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports (28 CFR 115.51; 15 CCR 1029).

Threats or allegations of sexual abuse and sexual harassment, or retaliation, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

511.3.1 REPORTING TO OTHER FACILITIES

If there is an allegation that an incarcerated person was sexually abused while the person was confined at another facility, the Jail Manager shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Manager shall ensure that the notification has been documented (28 CFR 115.63).

511.4 RETALIATION

All inmates and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation, shall be utilized (28 CFR 115.67; 15 CCR 1029).

The Jail Manager or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes, negative staff performance reviews, or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. The Jail Manager should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

511.4.1 REPORTS BY INMATES

Inmates may report sexual assault or abuse incidents anonymously or to any staff member they choose and shall not be required to use their normal point of contact. Staff shall accommodate all inmate requests to report allegations of sexual abuse and assaults.

Retaliation against an inmate by any staff member for filing a sexual abuse, assault or harassment incident will not be tolerated.

511.5 FIRST RESPONDERS

If an allegation of incarcerated person sexual abuse is made, the first officer to respond shall (28 CFR 115.64):

- (a) Separate the parties.
- (b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).

- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).
- (e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.
- (f) Determine whether the alleged perpetrator should be administratively separated or administratively transferred during the investigation.

If the first responder is not a jailer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a jailer.

Should an investigation involve incarcerated persons who have disabilities or who have limited English proficiency, the first responder shall not rely on incarcerated person interpreters, incarcerated person readers, or other types of incarcerated person assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise incarcerated person safety, the performance of first responder duties, or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.16).

511.6 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed department-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practicable, an investigator of the same gender as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an incarcerated person's sexual orientation, physical gender, or gender identity. Investigators should not assume that any sexual activity among incarcerated persons is consensual.

The departure of the alleged abuser or victim from the employment or control of the jail or Department shall not provide a basis for terminating an investigation (28 CFR 115.71).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

If the investigation is referred to another agency for investigation, the Department shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Department shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71) If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

511.6.1 INVESTIGATIVE FINDINGS

All completed investigations shall be forwarded to the Jail Manager or if the allegations may reasonably involve the Jail Manager, to the Chief of Police, HR Director or City Manager. The Jail Manager, HR Director or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.72).

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

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.76).

511.6.2 REPORTING TO INCARCERATED PERSONS

The Jail Manager or the authorized designee shall inform a victim incarcerated person in writing whether an allegation has been substantiated, unsubstantiated, or unfounded. If the Department did not conduct the investigation, the Department shall request relevant information from the investigative agency in order to inform the incarcerated person.

If a staff member is the accused (unless the Department has determined that the allegation is unfounded), the incarcerated person shall also be informed whenever:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

- (a) The staff member is no longer assigned to the incarcerated person's unit or employed at the facility.
- (b) The Department learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another incarcerated person is the accused, the alleged victim shall be notified whenever the Department learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

511.7 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND INCARCERATED PERSONS

Sexual abuse and sexual harassment between staff, volunteers or contract personnel and incarcerated persons is strictly prohibited. The fact that an incarcerated person may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

Any incident involving allegations of staff-on-incarcerated person sexual abuse or sexual harassment shall be referred to the Professional Standards Bureau for investigation.

511.7.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER

Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with incarcerated persons. The contractor or volunteer shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

511.8 SEXUAL ABUSE VICTIMS

Incarcerated persons who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR 115.82). Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the incarcerated person, and the public, and to prevent escape.

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Department shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Department, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in (34 USC § 12511), to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

511.9 EXAMINATION, TESTING, AND TREATMENT

Examination, testing, and treatment shall include the following (15 CCR 1206):

- (a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Department shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).
- (b) If requested by the victim, a victim advocate, a qualified department staff member, or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information, and referrals (28 CFR 115.21).
- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).
- (d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.
- (e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.
- (f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.
- (g) Victims shall be provided with follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody (28 CFR 115.83).
- (h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.82; 28 CFR 115.83).
- (i) The health authority or mental health staff shall obtain informed consent from incarcerated persons before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting unless the incarcerated person is under the age of 18 (28 CFR 115.81).
- (j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

511.10 PROTECTIVE CUSTODY

Inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there is no reasonably available alternative means of separation. Inmates may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the Jail Manager shall clearly document the basis for the concern for the inmate's safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these inmates to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged.

Inmates placed in temporary protective custody shall continue to have reasonable access to visitation and other privileges. If restrictions are put in place, the Jail Manager shall document the following:

- (a) The opportunities that have been limited
- (b) The duration of the limitation
- (c) The reasons for such limitations

511.11 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators, and qualified health care and/or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect, or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team's findings, including but not limited to determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Chief and the PREA coordinator.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Prison Rape Elimination Act

The Jail Manager or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

511.12 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

511.13 PRESERVATION OF ABILITY TO PROTECT INCARCERATED PERSONS

The Department shall not enter into or renew any collective bargaining agreement or other agreement that limits the department's ability to remove alleged staff sexual abusers from contact with any incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

Grooming

516.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure incarcerated person grooming standards are based upon legitimate government interests.

516.2 POLICY

It is the policy of this facility to allow incarcerated persons choice in personal grooming, except when a valid government interest justifies that grooming standards be established. The Jail Manager or the authorized designee shall establish incarcerated person grooming standards specific to classification, work status, facility safety and security, or health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the incarcerated person handbook.

516.3 SHAVING

Incarcerated persons may shave daily. Facial hair shall be clean and well groomed. Long beards may allow persons to conceal weapons or contraband. Incarcerated persons may be required to trim facial hair if it poses a security or safety risk. Incarcerated persons may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Incarcerated persons with facial hair who work around food shall wear appropriate facial coverings.

An incarcerated person may be denied access to razors if they appear to be a danger to themselves or others, or if such access may jeopardize the safety and security of the facility.

Incarcerated persons may be restricted from significantly altering their appearance for reasons of identification in court (15 CCR 1267(b)).

516.4 SHOWERING

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable (15 CCR 1266).

516.5 PERSONAL CARE ITEMS

Incarcerated persons are expected to maintain their hygiene using approved personal care items.

No incarcerated person will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (15 CCR 1265 et seq.).

Grievances

520.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which incarcerated persons may file grievances and receive a formal review regarding the conditions of their confinement.

520.2 POLICY

It is the policy of this department that any incarcerated person may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, out of cell time opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures, and allegations of sexual abuse (15 CCR 1073).

Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions, or probation/parole actions.

Retaliation for use of the grievance system is prohibited.

520.3 ACCESS TO THE GRIEVANCE SYSTEM

All incarcerated persons shall be provided with a grievance process for resolving complaints arising from facility matters with at least one level of appeal.

Incarcerated persons will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the incarcerated persons handbook. Information regarding the grievance process will be provided to incarcerated persons in the language they understand.

The information will include (15 CCR 1073):

- (a) A grievance form or instructions for registering and appealing a grievance, including relevant dates.
- (b) A process for submission and handling of anonymous grievances.
- (c) Instructions for the resolution of the grievance at the lowest appropriate staff level.
- (d) The appeal process to the next level of review.
- (e) Written reasons for denial of a grievance at each level of review.
- (f) A provision for a non-automated initial response within a reasonable time limit which shall not exceed a period of 15 calendar days.
- (g) A provision for resolving questions of jurisdiction within the facility.
- (h) Provisions for providing a copy of the grievance, appeal, response, and related documents to the incarcerated person.
- (i) Consequences for abusing the grievance system.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Grievances

520.4 GRIEVANCE PROCEDURES

Staff shall attempt to informally resolve all grievances at the lowest level. All attempts to resolve a grievance shall be documented in the incarcerated person's file. If there is no resolution at this level, the incarcerated person may request a grievance form.

The incarcerated person should be advised to complete the form and return it to any staff member. A grievance should be filed by an incarcerated person within 14 days of the complaint or issue.

Incarcerated persons cannot file a grievance on behalf of another incarcerated person but an incarcerated person may assist another incarcerated person in the preparation of a grievance. Custody staff may take reasonable steps to assist the incarcerated person in the preparation of a grievance if requested.

Upon receiving a completed grievance form, the staff member shall acknowledge receipt of the grievance by signing the form and giving a copy to the incarcerated person. The staff member receiving the form shall gather all associated paperwork and reports and immediately forward it to a supervisor.

520.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Incarcerated persons may request to submit the grievance directly to a supervisor or mail it directly to the Jail Manager if they reasonably believe the issues to be grieved are sensitive or that their safety would be in jeopardy if the contents of the grievance were to become known to other incarcerated persons.

Incarcerated persons with limited access to mail privileges, who are in restrictive housing or are indigent may deposit their grievances in the locked grievance box within their housing unit or place their grievance in a sealed envelope labeled "Grievance" and deposit it in the regular mailboxes. These envelopes will be delivered directly to the Jail Manager and not forwarded to the United States Postal Service.

520.4.2 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a completed incarcerated person grievance form, the supervisor shall ensure that the grievance is investigated and resolved or denied in a timely manner, as established by the Jail Manager. The supervisor shall assign the investigation of the grievance to the manager in charge of the department the incarcerated person is grieving.

Grievances related to medical care should be investigated by the medical staff or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the supervisor. Any appeals of the findings of the medical staff shall be forward to the Jail Manager as the final level of appeal.

Grievances about food-related matters should be investigated by the food services manager. The findings of that investigation, along with any recommendations, shall be forwarded to the supervisor. Any appeals shall be forwarded to the Jail Manager as the final level of appeal.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Grievances

Other grievances relating to programs or other services provided by the Department shall be investigated by the custody staff with the assistance of the supervising employee in charge of those services. Findings relating to the investigation will be forwarded to the supervisor. Any appeals shall be forwarded to the Jail Manager as the final level of appeal.

520.4.3 APPEALS TO GRIEVANCE FINDINGS

Incarcerated persons may appeal the finding of a grievance to the Jail Manager as the final level of appeal within five days of receiving the findings of the original grievance. The Jail Manager will review the grievance and either confirm or deny it. If the Jail Manager confirms the grievance, corrective actions will be initiated. In either case, the incarcerated person shall receive a written response to the appeal.

Appeals related to sexual abuse allegations shall be confirmed or denied by the Jail Manager within 10 calendar days.

520.4.4 FRIVOLOUS GRIEVANCES

Incarcerated persons shall use the grievance process only for legitimate problems or complaints. If there is concern that an incarcerated person is abusing the grievance process, the person shall be informed that continued behavior may result in disciplinary action.

520.4.5 REVIEW OF GRIEVANCES

The Jail Manager or the authorized designee shall conduct a quarterly review of grievances, responses, and appeals (15 CCR 1073).

Voting

522.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible incarcerated persons the opportunity to vote during elections, pursuant to election statutes (15 CCR 1071).

522.2 POLICY

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right. Because inmates are unable to access public voting polls, the Jail Manager or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

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

522.3 VOTING REQUIREMENTS

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

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

522.4 PROCEDURES

Prior to each election, the Jail Manager will designate a jailer to be a liaison between the Department and the county elections office. The designated officer will be responsible for assisting incarcerated persons who have requested to vote.

Incarcerated persons should be advised of voting methods during the incarcerated person orientation.

522.4.1 REGISTERING TO VOTE

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

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Voting

522.4.2 REQUESTING AN ABSENTEE BALLOT

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

522.4.3 VOTING

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

522.4.4 REGISTERING BY MAIL

Any inmate who is qualified by age, citizenship, resident, etc., to register to vote through a Deputy Registrar may also register to by mail, while in custody. This registration by mail shall be accomplished by making available to the inmate an "Affidavit of Registration" form. This document may be obtained in quantity by the Jail Manager/Custody Manager from:

Registrar-Recorder County of Los Angeles 5557 Ferguson Drive Los Angeles, CA 90022 (City of Commerce) Telephone 213-724-5930

522.4.5 ABSENTEE VOTING

- Any inmate who is registered to vote may vote, by mail with an absentee ballot.
- This voting shall be accomplished by making available to the inmates, at their request, an "Application for Absent Voter Ballot." This application, which is available in Spanish and English may be completed by the inmate and mailed, at the inmate's expense, to the Registrar-Recorder.
- The Registrar-Recorder will mail Absent Voter Ballots to qualified inmates. These ballots shall be completed, addressed and sealed by the voting inmate and shall not be reviewed by department personnel.

522.5 CAMPAIGN LITERATURE

Campaign literature and/or sample ballots addressed to inmates shall be delivered without delay.

Chapter 6 - Medical-Mental Health

General Medical Care Considerations

600.1 PURPOSE AND SCOPE

The Jail Manager/Watch Commander shall have the responsibility to ensure the provision of emergency and basic health care services to all inmates in accordance with minimum jail standards. These services are set forth in writing as follows for all personnel and include routine procedures for:

- (a) Summoning of appropriate medical assistance
- (b) Application of emergency first aid.
- (c) Regular emergency medical care for all inmates.

600.1.1 DEFINITIONS

Definitions related to this entire chapter include:

Access to care- An incarcerated person should be seen in a timely manner by a qualified health care professional. The incarcerated person should be given a professional clinical diagnosis and receive treatment that is ordered.

Clinical practice guidelines- A systematically developed science-based statement designed to assist practitioners and incarcerated persons with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources, and reduce the risk of legal liability for negligent care.

Clinical setting - An examination or treatment room, either on- or off-site, which is appropriately supplied and equipped to address a patient's health care needs.

Daily - Seven days a week, including holidays.

Direct order - A written order issued by a qualified health care professional specifically for the treatment of an incarcerated person's particular condition.

Health appraisal - A comprehensive health evaluation completed within 14 days of an incarcerated person's arrival at the facility.

Health authority- The Responsible Physician, health services administrator or health agency responsible for providing all health care services or coordinating the delivery of all health care services.

Health care - The sum of all actions, preventive and therapeutic, taken for the physical and mental well-being of the incarcerated person population. The term health care includes medical, both physical and psychological, dental, nutrition, and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

General Medical Care Considerations

Health-trained custody staff- An officer or other facility employee who has received training from the Responsible Physician or the authorized licensed designee in limited aspects of health care coordination.

HIPAA - Health Insurance Portability and Accountability Act

Mental health staff- Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

Physical examination - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation, and percussion of a body to determine the presence or absence of physical signs of disease.

Qualified health care professional - Physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals or other persons who, by virtue of their education, credentials, and experience are permitted by law to evaluate and care for patients within the parameters of their license or certification.

Responsible Physician- An individual licensed to practice medicine and provide health services to the incarcerated person population of the facility, or the physician at an institution with final responsibility for decisions related to medical judgment.

Sick call- The evaluation and treatment of an ambulatory patient, either on- or off-site, by a qualified health care professional.

Special needs - Health conditions that require regular care.

Standing order- Written orders issued by a physician that specify the same course of treatment for each patient suspected of having a given condition and the specific use and amount of prescription drugs (e.g., immunizations, insulin, seizure medications).

Suicidal ideation - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

Treatment plan - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

Triage - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered.

600.2 POLICY

It is the policy of this Type I facility that we do not house inmates **long term** with the following conditions:

- (a) Inmates who are currently under a doctor's care and require daily medical treatment consisting of regular and currently prescribed medications, will not be housed in the Jail.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

General Medical Care Considerations

1. Should it become necessary to detain any of the above in our jail due to an emergency, when medication is necessary, the inmate shall be transferred to the nearest available medical facility where qualified medical personnel will administer the required dosage.
- (b) In addition to inmates covered by the above, under normal circumstances, inmates with the following other medical problems will not be housed in the Jail.
 1. Female, five (5) months pregnant or more. If she is under 5 months please refer to the "Pregnant Inmates" section in this manual .
 2. Lactating females please refer to the "Pregnant Inmates" section in this manual.

600.3 INMATE SICK CALL

Each morning between the hours of 0700-0800 or during the serving of the breakfast meals, the custody officer shall conduct a daily sick call of all inmates in the Jail. The Watch Commander shall be notified of all medical issues. This sick call shall consist of contacting each inmate, male and female, in an attempt to determine their present welfare. Any inmate found visibly injured or who makes a complain of pain shall be afforded the proper medical treatment. It shall be the policy of the Whittier Police Department to make proper medical treatment available for all inmates of the Jail who are visibly injured or complaint of pain. As the Jail maintains no infirmary, inmates needing medical attention shall be transported to the custody of a Los Angeles County Facility or such authorized facility as may be required.

600.4 MEDICAL PRE-SCREENING

All inmates booked into a Type I facility should be questioned to determine the following: Initial Medical Screening/Assessment

- (a) Jail staff will screen all inmates immediately upon arrival at the facility utilizing the LA County approved medical questionnaire. This initial screening will be completed to the best available information at the time of arrival, discreetly, apart from other inmates. It will be upgraded at any time information becomes known and maintained in the booking package for subsequent transfer to appropriate facilities.
- (b) All confidential screening inquires will include the questions of communicable diseases, and the inmates' response will be noted on the medical screening form. If, during the screening process, it is determined that a communicable disease may be evident, immediately take the following actions:
 1. Segregate the inmate from all others.
 2. Arresting agency to obtain medical clearance to book into the facility.

600.5 RECORDS KEEPING

The Custody Officer is responsible for maintaining complete records on the booking form, or such supplemental notations as required of all complaints of illness or injury; transportation to

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

General Medical Care Considerations

medical facilities; and all information regarding treatment and other pertinent medical data as may be deemed necessary. When treatment is at a hospital or other medical facility, a copy of the treatment form shall be obtained. All medical information, data or notes are to be included in the inmate's booking package, and copies shall accompany the inmate to the next booking facility.

600.6 NON-PRESCRIPTION MEDICATION

Non-prescription medication such as aspirin, non-aspirin (Acetaminophen), Ibuprofen and anti-acid may be furnished to inmates at their request for minor complaints of pain. The disbursement of non-prescription medication will be documented on their booking paperwork indicating the date, time and amount.

600.7 CONSULTATION WITH PRIVATE PHYSICIANS

In addition to the proper medical care guaranteed to all inmates by state law and departmental policies, any inmate upon request, shall be afforded the opportunity to contact and consult with their private physicians regarding medical concerns such inmate may have. The inmate shall be responsible for all charges from their physicians resulting from such consultations.

600.8 PRISONER MEDICAL SERVICE

In an effort to reduce medical expenditures and still provide proper medical treatment, the costs associated with the inmate's expenses for treatment are referred to his personal insurance company when the conditions were preexisting.

Access to Health Care

602.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all incarcerated persons. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked incarcerated persons of the procedure to access health care services and how to use the grievance system, if necessary.

602.2 POLICY

It is the policy of this department that all incarcerated persons, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Whittier Police Department facility will provide medical, dental, and mental health services as necessary to maintain the health and well-being of incarcerated persons to a reasonable and socially acceptable standard (15 CCR 1200 et seq.; 15 CCR 1208).

602.3 ACCESS TO CARE

Incarcerated person medical requests will be evaluated by qualified health care professionals or health-trained custody staff. Health care services will be made available to incarcerated persons from the time of admission until they are released. Timely access to services will be provided within seven days of request. Information regarding how to contact the medical staff will be posted in all incarcerated person housing areas (15 CCR 1200 et seq.; 15 CCR 1208). Medications and community health resources and referrals may be provided upon request when the incarcerated person is released.

Unreasonable barriers shall not be placed on an incarcerated person's ability to access health services. Health care that is necessary during the period of confinement shall be provided regardless of an incarcerated person's ability to pay, the size of the facility, or the duration of the person's incarceration. Such unreasonable barriers include:

- Punishing incarcerated persons for seeking care for their health needs.
- Deterring incarcerated persons from seeking care for their health needs by scheduling sick call at unreasonable times.

All routine requests for medical attention shall be promptly routed to a qualified health care professional.

Any incident of an incarcerated person refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in an incident report. The original incident report shall be forwarded to the Responsible Physician and a copy sent to the Jail Manager.

602.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of incarcerated person complaints and requests on an informal basis whenever possible. To the extent practicable, custody personnel

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Access to Health Care

should provide incarcerated persons with opportunities to make suggestions to improve programs and conditions.

Incarcerated persons will be informed of the grievance process during incarcerated person orientation. The grievance process is also explained in the incarcerated person handbook, which all incarcerated persons receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Grievances Policy (15 CCR 1073(a)).

Custody personnel should minimize technical requirements for grievances and allow incarcerated persons to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, incarcerated persons may meet with a qualified health care professional or may submit a written correspondence.

Incarcerated person grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The incarcerated person should be provided with a written response in accordance with the schedule set forth in the Grievances Policy. Responses to incarcerated person grievances should be based on the community standard of health care.

Copies of grievances and the facility's response shall be sent to the Jail Manager, who, in consultation with the Responsible Physician, shall serve as the final authority in response to all incarcerated person grievances.

If an incarcerated person is not satisfied with the response, the incarcerated person may appeal the grievance as outlined in the Grievances Policy.

Emergency Health Care Services

608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceeds the licensure or certification of staff who are on-duty, and to define staff training requirements.

608.2 POLICY

It is the policy of this department that emergency medical, mental health, and dental services are available 24 hours a day. These services may include off-site health care services.

608.3 PROCEDURES

Should a prisoner become ill or require on-going medical treatment, not amounting to an emergency, arrangements shall be made for the prisoner to be transported to either LA County Jail or a Medical Center.

Medical Aid/Addicts " Continuation Methadone Program:

Where there is reasonable cause to believe that a person in custody is addicted to a controlled substance, the staff or other person having such knowledge shall immediately call it to the attention of the Custody Manager/Watch Commander. Pursuant to the Health and Safety Code 11222 it is the duty of the Watch Commander to provide the person so confined with medical aid as necessary to ease any symptoms of withdrawal from the use of the controlled substance. Persons participating in any methadone maintenance program shall be allowed to continue in the program at the discretion of the director of the program. The Watch Commander has the responsibility for determining that an individual is in an authorized methadone program, by verifying that the inmate has a valid methadone program identification card and by contacting the methadone center to determine the inmate's eligibility in the program. Any required medical attention under the foregoing would require transport of the individual to the LA County Jail Medical Ward to continue the program.

Address in the comment section of the medical screening form all positive responses by the incoming inmate. A verbal response that indicates "yes" to any of the medical or mental questions should be queried in detail. Any response signifying that the inmate has hepatitis, venereal disease or tuberculosis shall require the following procedure:

- a. The inmate shall be immediately segregated from the other prisoners.
- b. A minimum of physical contact should occur between officers, custody officers and other inmates.
- c. The inmate shall be transported expeditiously, after the completion of booking, to an LA County Facility.
- d. The facility shall be advised, upon arrival, that the inmate is a possible contagion.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Emergency Health Care Services

608.4 EMERGENCY PROCEDURES

The Jail Manager or the authorized designee is responsible for ensuring the following information, equipment, and personnel are available in the event an incarcerated person requires emergency treatment (15 CCR 1206(c)):

- (a) A current list of names, addresses, and telephone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care and custody staff at all times and should be updated quarterly.
- (b) Emergency drugs, equipment, and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.
- (c) A physician, dentist, and mental health professional should be available on-call 24 hours a day, seven days a week (this can include off-site health care services), and there should be a backup health care services plan.
- (d) Ambulances should be accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in place for the transportation of incarcerated persons.
- (e) The Watch Commander will be contacted and informed of any emergency as soon as practicable.
- (f) All decisions regarding medical treatment and the need for emergency transportation are to be made by qualified healthcare professionals or health-trained custody staff.
- (g) Whenever reasonably possible, the on-call health care service should be notified prior to transporting the incarcerated person to the hospital or other emergency care. However, in the event of a life- or limb-threatening emergency, the incarcerated person shall be sent to the hospital in the most expedient way possible, which may require notifying the specific health care service after the person has been transported.

In the event of a medical emergency for those requiring immediate action either by observation or request, obtain immediate assistance from Communications for the paramedics or transport to a medical facility. The appropriate medical attention provided is based on what appears to be a need from positive responses to the medical intake screening queries, or from your observation of the individual. Booking cannot delay transportation or treatment. CPR and first aid, if appropriate, will be immediately administered by the custody officer when first observing the need and will continue until medical providers arrive and take charge over the medical care of the inmate.

Should an inmate become ill or require on-going medical treatment, not amounting to an emergency, arrangements shall be made for the prisoner to be transported to either LA County Jail or a Medical Center.

The Jail Manager is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment (Title 15 CCR § 1206(c)):

- (a) Emergency equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Emergency Health Care Services

- (b) The Watch Commander will be contacted and informed of any emergency as soon as practicable.

All custody personnel are required to be familiar with the following first aid procedures.

Summary of visible and/or behavioral symptoms of medical and mental disorder requiring immediate emergency referral.

SYMPTOMS:

Persistent chest pain under breastbone radiating to shoulders, arms or neck, gasping shortness of breath; extreme pallor and bluish discoloration of lips, skin and fingernails; prostration; shock, swelling of ankles, indigestion and nausea.

Likely cause: **HEART ATTACK**

First Aid:

- Place victim in comfortable position
- Provide adequate ventilation
- Begin CPR if victim is not breathing
- Check for medical identification and medication
- Call for paramedic assistance as soon as possible

SYMPTOMS:

Unconsciousness; paralysis in extremity or one side of body; difficulty breathing or swallowing; loss of bladder or bowel control; pupils unequal in size; loss of or slurring of speech

Likely cause: **STROKE**

- First Aid: Provide moderate covering
- Maintain open airway
- Resuscitation as required
- Place victim on side as to avoid choking on secretions
- Call for paramedic assistance as soon as possible
- Do not give fluids to victim

SYMPTOMS:

Paleness; sweating; coldness of skin; dizziness; numbness; nausea; and blurred vision

Likely cause: **NUMEROUS**: Symptoms generally accompany fainting spell or precede loss of consciousness.

First Aid:

- Leave victim lying down

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Emergency Health Care Services

- Loosen tight clothing
- Adequate ventilation
- Keep airways clear
- Do not give liquid or pour water on face
- Check for injuries sustained in falling
- Call for paramedic assistance as soon as possible

SYMPTOMS:

Rigidity of body muscle; twitching or jerking; loss of breathing; loss of bladder or bowel control; and foaming at the mouth

Likely cause: **CONVULSIONS**

First Aid:

- Prevent victim from injuring him/herself
- Resuscitation as required
- Avoid restraints
- Do not give liquids
- Call for paramedic assistance as soon as possible

SYMPTOMS:

Twitching; loss of contact with surroundings; staring at a fixed point; and possible repeated convulsions

Likely cause: **EPILEPTIC SEIZURE**, of either grand or petit mal form.

First Aid:

- Knowledge of the existence of the disease may be available to the custody officer at the time of booking. If so, the condition should be immediately reported to the Watch Commander.
- Mouth-to-nose ventilation may be necessary due to obstruction by the soft palate and the possibility of the jaw being clenched during the seizure. Generally, first aid and procedures are similar to those of convulsions.
- Keep victim from injuring him/herself
- Keep victim lying down Keep airway open. (Do not place objects in mouth or between teeth)
- Prevent vomit from choking victim by turning head or body position.
- Call for paramedic assistance as soon as possible

SYMPTOMS:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Emergency Health Care Services

Withdrawn and extremely detached behavior; excessive nervousness; wringing of hands; pacing; excessive, repetitive speech and behavior

Likely cause: **MAY INDICATE MENTAL OR EMOTIONAL DEPRESSION**

First Aid:

- Immediately advise the Watch Commander
- Keep under frequent surveillance

DRUG ABUSE GENERAL -

Due to the incidence of narcotic or controlled substance offenders in Whittier, all custody personnel are to be observant for the following symptoms or conditions. Any one or combination of these may indicative of **narcotic addiction**:

- Poor balance and staggering gait
- "Tracks" or scabs or veins indicating injections
- Constriction of the pupils, particularly at low light levels
- Slowing of physical movements and reflexes
- Slurring or slow and thick speech
- Dryness of mouth
- Droopy eyelids
- Reduced comprehension
- Reduced breathing rate
- Blue discoloration of the skin
- Brittle, dry nails
- Excessive itching, particularly in facial area
- Cold skin
- Deepening of voice
- Alternating constriction and dilations of pupils

The presence of any of the above symptoms should be noted on the booking/arrest sheet and brought to the attention of the Watch Commander.

Withdrawal " All custody personnel are to be particularly watchful for the following symptoms and conditions, which may be indicative of withdrawal distress:

- Extreme nervousness
- Restless behavior
- Sweating

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Emergency Health Care Services

- Running eyes and nose
- Yawning
- Sneezing
- Itching
- Chills
- Cramps in back of legs and abdomen
- Vomiting and diarrhea

Any of the above symptoms should be immediately brought to the attention of the Watch Commander and noted in the remarks section on the booking/arrest slip. Depending on the severity of the symptoms, the Watch Commander may arrange for paramedic assistance and transportation of the individual to an appropriate medical facility.

608.5 TRAINING

The Jail Manager shall ensure that all qualified health care professionals are trained in the delivery of emergency medical services in the custody environment during new employee orientation.

The Jail Manager or the authorized designee shall ensure that all facility staff members who have contact with incarcerated persons receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility and qualified health care professionals. Training should include but not be limited to:

- (a) The location of all emergency medical equipment and medications and the proper use of the equipment, such as AEDs.
- (b) How to properly summon internal and external emergency services.
- (c) Recognition of basic life support signs and symptoms and the actions required in emergency situations.
- (d) Administration of basic first aid.
- (e) Certification in CPR in accordance with the recommendations of the certifying health organization.
- (f) Recognition of the signs and symptoms of mental illness, violent behavior and acute chemical intoxication and withdrawal.
- (g) Procedures for incarcerated person transfers to appropriate medical facilities or health care service.
- (h) Suicide recognition, prevention, and intervention techniques.

All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in each qualified health care professional's training file in accordance with established records retention schedules. The Responsible Physician should be bound by similar requirements in the contractual language between the Department and the vendor.

Health Care for Pregnant Incarcerated Persons

610.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for incarcerated persons who are pregnant. Services may include assistance recovering from the effects of potentially unhealthy lifestyles, which could include tobacco use, alcohol and drug abuse or addiction, and a lack of previous adequate medical care. Because of unhealthy lifestyle choices prior to incarceration, many incarcerated person pregnancies are classified as high-risk. This policy is intended to protect the health of the pregnant person and the fetus.

610.2 POLICY

It is the policy of this department that a qualified health care professional should provide comprehensive prenatal and postpartum care for all pregnant persons during their incarceration.

All pregnant and postpartum incarcerated persons shall receive appropriate timely, culturally responsive, and medically accurate and comprehensive care, evaluation, and treatment of existing or newly diagnosed chronic conditions, including mental health disorders and infectious diseases (Penal Code § 4023.8).

610.2.1 ADVISEMENT AND COUNSELING

Inmates who are pregnant shall be advised of the provisions of this policy manual, the Penal Code, and standards established by Board of State and Community Corrections related to pregnant inmates (Penal Code § 3407(e); 15 CCR 1058.5).

610.3 BOOKING - PREGNANCY SCREENING

When booking an incarcerated person who is identified as possibly pregnant or capable of becoming pregnant, the following steps shall be taken:

- (a) All incarcerated persons shall be asked if they are pregnant. They shall be offered a voluntary pregnancy test upon intake or by request, within 72 hours of arrival at the jail and administered by medical or nursing personnel (Penal Code § 4023.8(a)).
 1. If a test is declined, the incarcerated person shall be asked to sign an Informed Refusal of Pregnancy Test form, and the form shall be filed in the incarcerated person's medical file.
- (b) Incarcerated persons confirmed to be pregnant shall, within seven days of arriving at the jail, be scheduled for a pregnancy examination with a physician, nurse practitioner, certified nurse midwife, or physician assistant and examined as provided by Penal Code § 4023.8(d).
- (c) Pregnant incarcerated persons who appear to be under the influence of or withdrawing from alcohol or other substances shall be referred to a qualified health care professional.
- (d) The Responsible Physician, in collaboration with facility staff, shall ensure the proper clinic visits are scheduled in accordance with appropriate medical standards as provided in Penal Code § 4023.8(e).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Health Care for Pregnant Incarcerated Persons

- (e) A medical record should be opened with a notation indicating pregnancy.
- (f) The incarcerated person should be interviewed by a qualified health care professional for the following information, which should be written in the medical record:
 - 1. Last menstrual period (LMP)
 - 2. Estimated date of conception (EDC)
 - 3. Estimated due date (40 weeks from EDC)
 - 4. Number of pregnancies (gravidity)
 - 5. Number of live births (parity)
 - 6. Therapeutic abortions (TAB)
 - 7. Spontaneous abortions (SAB), aka miscarriages
 - 8. Prenatal care history
 - 9. Current medications
 - 10. Any current adverse symptoms: vaginal bleeding or discharge, abdominal cramping or pain (if yes, notify on-site or on-call physician)
 - 11. High-risk factors, if known: drug or alcohol use/abuse, smoking, previous pregnancy problems, other medical problems (cardiac issues, seizures, diabetes/DM, hypertension/HTN)
 - 12. If use of an opioid or methadone is identified, notify the on-site or on-call physician for orders. The incarcerated person shall be offered medication-assisted treatment and shall be provided information on the risks of withdrawal (Penal Code § 4023.8(i)).
- (g) Each pregnant incarcerated person should have:
 - 1. A completed special diet form ordering a pregnant diet.
 - 2. An appointment at the next available obstetric clinic if the person is 10 or more weeks gestation.
- (h) Each pregnant incarcerated person shall (Penal Code § 4023.8):
 - 1. Have access to daily prenatal vitamins in accordance with medical standards of care.
 - 2. Be assigned to the lower bunk and lower-tier housing for those housed in a multitier housing unit.

610.4 HOUSING EXCEPTIONS

Incarcerated persons who are known to be pregnant may be housed in any unit appropriate for their classification, with the following exceptions:

- (a) All pregnant incarcerated persons identified at intake or the obstetric clinic to be high-risk or who are in their last trimester of pregnancy shall be housed in the medical unit.
- (b) Housing in the medical unit shall be by order of the obstetric specialist or the Responsible Physician.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Health Care for Pregnant Incarcerated Persons

610.5 RESTRAINTS

Incarcerated persons who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy and other policies related to medical treatment and transportation outside the secure facility.

610.5.1 REQUIRED PROCEDURES

The health authority shall, in cooperation with the Jail Manager, develop procedures in conformance with Penal Code § 3407 for the application and removal of restraints on pregnant incarcerated persons. The procedures shall be reviewed and updated at least every two years (15 CCR 1206).

610.6 SPECIAL CONSIDERATIONS

(a) Birth Control Measures

1. The Custody Officer is required at the time of booking to inquire of all female inmates whether they require medication or have other special requirements for birth control purposes. When such requirements are stated to exist and the female requests that she be allowed to continue the medication, the female inmate will be transferred to a Los Angeles County Facility.

(b) Lactating Females

1. The Custody Officer is required at the time of booking to inquire of all female inmates whether they are currently lactating. When such a condition is stated to exist, the inmate shall be informed that a breast pump will be made available to her upon request.
2. Lactating females are also to receive a fourth meal service in a 24-hour period with additional milk.

(c) Mental Health Screening

1. When a female, who has given birth within the past year, is charged with murder or attempted murder of her infant, mental health authorities shall be notified as soon as practical.

610.7 ADVISEMENT AND COUNSELING

Incarcerated persons who are pregnant shall be advised of the provisions of this policy manual, the Penal Code, and the standards established by the Board of State and Community Corrections related to pregnant incarcerated persons (Penal Code § 3407(e); 15 CCR 1058.5).

A qualified health care professional or counselor shall provide comprehensive and unbiased counseling and information to pregnant incarcerated persons regarding their options, including but not limited to prenatal health care, adoption, and abortion. Staff shall not urge, force, or otherwise influence a pregnant incarcerated person's decision (15 CCR 1206(f); Penal Code § 4023.5; Penal Code § 4023.8(b)).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Health Care for Pregnant Incarcerated Persons

Pregnant incarcerated persons shall also be referred to a social worker regarding options for feeding, placement, and care of the child after birth, including the benefits of lactation (Penal Code § 4023.8(k)).

610.8 INCARCERATED PERSONS IN LABOR AND POSTPARTUM CARE

Pregnant incarcerated persons who are in labor or are presumed to be in labor shall be treated as an emergency and shall be transported in the least restrictive way possible to a hospital outside the jail (Penal Code § 4023.8(l)).

Pregnant incarcerated persons may have an approved support person present during labor, childbirth, and postpartum recovery while hospitalized (Penal Code § 4023.8(m)).

Incarcerated persons shall be given the maximum level of privacy possible during the labor and delivery process as provided in Penal Code § 4023.8(o).

Upon an incarcerated person's return to the jail, a physician, nurse practitioner, certified nurse midwife, or physician assistant shall provide a postpartum examination within one week from childbirth and as needed for up to 12 weeks postpartum, and shall determine whether the incarcerated person may be cleared for full duty or if medical restrictions are warranted. Postpartum incarcerated persons shall be given at least 12 weeks of recovery after childbirth before they are required to resume normal activity (Penal Code § 4023.8).

610.8.1 INCARCERATED PERSON ACCESS TO NEWBORN CARE

The Responsible Physician should ensure that an incarcerated person is provided access to newborn care that includes access to appropriate assessment, diagnosis, care, and treatment for infectious diseases that may be transmitted from the incarcerated person to the infant (Penal Code § 4023.8(f)).

610.8.2 NOTICE OF SERVICES AFTER INCARCERATION

The Responsible Physician should ensure that eligible incarcerated persons who give birth after incarceration are provided notice of, access to, and written application for community-based programs serving pregnant, birthing, or lactating incarcerated persons (Penal Code § 4023.8(j)).

Medical Screening

622.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked incarcerated persons so that medical, mental health, and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

622.2 POLICY

It is the policy of this department that a medical screening be performed on all incarcerated persons upon arrival at the intake area to ensure that existing, emergent, and urgent health care, dental, or mental health needs are identified, risks are assessed, and incarcerated persons with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (15 CCR 1051; 15 CCR 1206.5(a); 15 CCR 1207).

622.3 ELEMENTS OF MEDICAL SCREENING

The medical screening shall be performed by the Custody Staff and Booking Officer. All completed medical screenings should be forwarded to the Watch Commander for review.

Regardless of training, no inmate should be allowed to conduct health care evaluations or provide treatment to any other inmate.

All inmates shall answer the questions on a LA County Jail medical screening form as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the officer will write refused on the LA County medical screening form inmate signature line and initial with their name and badge number. LASD will not accept inmates who refuse to sign the medical form without the officers initials and badge number on the medical forms.

622.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the incarcerated person's prior jail medical record, if any, and document the following:

- History of infectious or communicable diseases that are considered serious in nature; current treatment, symptoms, medications, chronic illness, or health issues, including communicable diseases, or special health requirements, and/or dietary needs (15 CCR 1051)
- Acute dental problems
- Past and recent serious communicable disease symptoms (e.g., chronic cough, coughing up bloody sputum, lethargy, weakness, weight loss, loss of appetite, fever, night sweats) (15 CCR 1051)
- Mental illness, including psychiatric hospitalizations within the last three months
- Gender issues
- History of or current suicidal ideation
- Acute allergies

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Medical Screening

- History of or current prescription or illegal drug use, including the time of last use
- History or current symptoms of substance abuse withdrawal
- Current, recent, or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disabilities, body deformities, or other physical abnormalities
- Incarcerated persons who have given birth in the past year and are charged with murder or attempted murder of their infants shall be referred to mental health services at the time of booking (15 CCR 1207.5)
- Any other health issues as identified by the Responsible Physician

Qualified health care professionals should assist in developing specific mental health medical screening questions and should provide training in analyzing incarcerated person responses. The Responsible Physician should establish the role of the qualified health care professional in the medical screening process.

Should the medical screening identify a need for a more comprehensive medical assessment of the incarcerated person, a qualified health care professional should initiate appropriate follow-up action, which may include transporting the incarcerated person to an off-site medical facility.

622.4 MEDICAL SCREENING DISPOSITIONS

Persons who are brought to the facility and are obviously in need of immediate medical attention shall be referred to an emergency medical facility for clearance. Conditions that require a medical clearance prior to booking include but are not limited to the following:

- Unconsciousness
- Uncontrolled bleeding
- Significant injuries from a motor vehicle accident
- Significant injuries from an altercation
- Significant injuries from handcuffs or other restraint devices
- Knife wounds, gunshot wounds, or lacerations
- Exposure to pepper spray, TASER® device deployment, or blunt force trauma during arrest
- Intoxication to a degree that the individual cannot speak coherently or stand or walk unaided
- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Suspected or known complications of diabetes

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Medical Screening

- Exhibits behavior indicating a potential danger to themselves or others
- Active tuberculosis or other serious contagious diseases
- Actively suicidal
- Any other medical condition which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel

Incarcerated persons with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This department requires medical clearance from an outside entity when such incarcerated persons are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements, and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

The Jail Manager is responsible for notifying local police agencies and medical facilities of the jail admission refusal policy and the required clearance documentation.

Based upon the information obtained during the screening process, the medical classification disposition of the incarcerated person shall be one of the following:

- General population or other appropriate cell assignment
- General population or other appropriate cell assignment and timely referral to appropriate health care services
- Immediate referral to health care services prior to housing

Mental Health Services

624.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all incarcerated persons have access to mental health services and that incarcerated persons identified as needing these services are referred appropriately.

624.1.1 DEFINITION

Definitions related to this policy include:

Mental health services - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

Developmentally Disabled or Mentally Disordered- Inmates will be considered developmentally disabled or mentally disordered if they appear to be disabled due to mental retardation, cerebral palsy, epilepsy, autism, or any combination of these handicaps.

624.2 POLICY

It is the policy of this department that a range of mental health services shall be available for any incarcerated person who requires them (15 CCR 1206(g); 15 CCR 1207; 15 CCR 1209).

624.3 MENTAL HEALTH SERVICES

All mentally disordered inmates or inmates of known diminished mental capacity are to be provided segregated facilities when appropriate. The custody officer is responsible for determining, from the inmate and arresting officer, whether special treatment conditions exist. In all cases involving mentally disordered or diminished capacity inmates, the custody staff shall immediately notify the Watch Commander.

- (a) It is the responsibility of the Watch Commander to determine whether to transport to a 72 hours treatment center. Statutory authorization for such a transfer is contained in Penal Code Section 4011.6.
- (b) The method of transport may be a radio car by a sworn officer or ambulance at the discretion of the Watch Commander. The transporting officer shall arrange for adequate security and the welfare of the inmate during such transport.
- (c) It is the responsibility of the custody officer to maintain adequate visual contact of all inmates in custody during the shift. Any abnormal behavior or changes in behavior shall immediately be reported to the Watch Commander. Custody officers are especially cautioned to maintain awareness for symptoms of withdrawal, hallucination and depression.

The Jail Manager/Watch Commander should collaborate with the local public and private organizations that offer mental health services, treatment, and care to those incarcerated persons in need of such services.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mental Health Services

In coordination with the health authority, the Responsible Physician, and the Jail Manager, such services shall include but are not limited to (15 CCR 1209):

- Identification and referral of incarcerated persons with mental health needs.
- Mental health treatment programs provided by qualified staff, including the use of telehealth.
- Crisis intervention.
- Basic mental health service provided to incarcerated persons as clinically indicated.
- Medication support services.
- Suicide prevention.
- Referral, transportation, and admission to licensed mental health facilities for incarcerated persons whose psychiatric needs exceed the treatment or housing capability of the facility (Penal Code § 4011.6; Penal Code § 4011.8).
- Provision of health services sufficiently coordinated such that care is appropriately integrated, medical and mental health needs are met, and the impact of any of these conditions on each other is adequately addressed.
- Obtaining and documenting informed consent.
- Release planning services.

624.4 BASIC MENTAL HEALTH SERVICES

Incarcerated persons may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process, and self-referral or staff referral. Qualified health care professionals should respond to all referrals in a timely manner and initiate the appropriate treatment services.

- (a) If the incarcerated person has received previous mental health treatment, the incarcerated person should be asked to complete a release of information form so that treatment records can be obtained.
- (b) Incarcerated persons who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources. Arrangements for more comprehensive mental health care may be made, if appropriate.
- (c) Incarcerated persons who are identified as having developmental disabilities should be evaluated for special housing needs. The qualified health care professional should work in cooperation with classification personnel to establish the best, reasonably available housing option.
- (d) Incarcerated persons who are suspected or known to have a developmental disability should receive a mental health appraisal by the qualified health care professional or health-trained custody staff as soon as reasonably practicable but no later than 24 hours after booking. Contact will be made with the regional center within 24 hours, excluding holidays and weekends, when an incarcerated person is suspected or confirmed to have a developmental disability. Incarcerated persons who have

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mental Health Services

a developmental disability should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing a person with a developmental disability (15 CCR 1057).

- (e) Incarcerated persons enrolled in mental health treatment, including psychiatric medication management, should be provided information regarding the risks and benefits to treatment. Informed consent documents should be signed by the incarcerated person to establish the incarcerated person's consent to treatment. The signed forms should be placed in the incarcerated person's health record and retained in accordance with established records retention schedules.
- (f) A treatment plan should be established for all incarcerated persons enrolled in mental health services.
 - 1. Psychiatric and special needs treatment plans shall be reviewed every 180 days, at a minimum. Incarcerated persons taking psychotropic medication should be seen by a psychiatrist at least every 90 days. Incarcerated persons classified as requiring mental health special needs should be seen at least monthly by a qualified health care professional.
 - 2. Incarcerated persons enrolled in other ongoing forms of mental health treatment should have treatment plan updates completed every six months, at a minimum.
 - 3. Incarcerated persons who present to the qualified health care professional as having notable difficulty adjusting to the correctional environment, but who are not diagnosed with a serious mental illness, should be evaluated for the appropriateness of mental health treatment. Consideration should be given to the qualified health care professional and the facility staff working together to address the issues that may be affecting the incarcerated person's ability to adjust to incarceration.
- (g) The qualified health care professional should utilize a site-specific suicide prevention program to ensure the safety of incarcerated persons who present with a risk of self-harm.
 - 1. Qualified health care professionals should be assigned to daily rounds in the separation unit to determine the mental health status of incarcerated persons housed there.
 - 2. Separated incarcerated persons may be referred by the jail staff to qualified health care professionals for follow-up if concerns arise regarding their ability to function in disciplinary detention.
- (h) If the qualified health care professional has concerns about the level of mental health services that are required to manage an incarcerated person housed in the facility, the health authority shall be notified and the Responsible Physician shall be the decision-maker regarding the health care needs of the incarcerated person.
 - 1. The Responsible Physician may consult with a psychiatrist, specialist, or other health care service in determining whether the incarcerated person should be transferred to a facility that is better equipped to handle the incarcerated person's psychiatric needs.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mental Health Services

2. The Responsible Physician should notify the Jail Manager of the request to transfer the incarcerated person for medical treatment.
3. The case review and disposition of the patient should be documented in the incarcerated person's health record and retained in accordance with established records retention schedules.

Incarcerated persons determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

Communicable Diseases

630.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for facility staff to assist in minimizing the risk of contracting and/or spreading communicable diseases. The policy offers direction in achieving the following goals:

- (a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD), and other potentially infectious substances.
- (b) Providing appropriate treatment for ill incarcerated persons while minimizing the risk of the spread of disease.
- (c) Making decisions concerning the selection, use, maintenance, limitations, storage, and disposal of personal protective equipment (PPE).
- (d) Ensuring proper reporting to local, state, and federal agencies.
- (e) Establishing procedures for the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, and follow-up care for new incarcerated persons, and for incarcerated persons or employees who have contracted a communicable disease from an ill person.
- (f) Providing appropriate treatment, counseling, and confidentiality should an employee become exposed to a communicable disease.
- (g) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

630.1.1 DEFINITIONS

Definitions related to this policy include:

Aerosol transmissible disease (ATD) - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

Aerosol transmissible disease (ATD) exposure - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

Airborne precautions - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

infectious agents such as measles, chickenpox, or tuberculosis in addition to medical personnel wearing masks or respirators.

Bloodborne pathogens (BBP) - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

Bloodborne pathogen exposure - Includes but is not limited to the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions, or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

Ectoparasitic infections - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

HBV - Hepatitis B

HIV - Human Immunodeficiency Virus

Medical isolation - Housing in a separate room with a separate toilet, hand-washing facility, soap and single-service towels, and with appropriate accommodations for showering.

NIOSH - National Institute for Occupational Safety and Health

Nosocomial - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

OSHA - Occupational Safety and Health Administration

Personal protective equipment (PPE) - Respiratory equipment, garments, gloves, and other barrier materials designed to reduce employee exposure to hazards.

Source control measures - The use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

Standard precautions - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes), and mucous membranes. Applies to all incarcerated persons receiving care, regardless of diagnosis or presumed infection status.

Universal precautions - A set of precautions designed to prevent transmission of HIV, HBV, and other bloodborne pathogens when providing first aid or health care.

630.2 POLICY

It is the policy of this department to maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, follow-up and proper reporting to local, state and federal agencies of communicable

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

diseases. The program is designed to ensure that a safe and healthy environment is created and maintained for all occupants of the facility (15 CCR 1051; 15 CCR 1206.5; 15 CCR 1206(i)).

630.3 COMMUNICABLE DISEASE PROGRAM COMPONENTS

630.3.1 SURVEILLANCE

Surveillance takes place throughout the period of the incarcerated person's confinement and is done in a variety of encounters and inspections. These include but are not limited to the following:

- (a) **Medical screening** - Each newly booked incarcerated person shall be evaluated for health care needs and signs and symptoms of infectious disease. The receiving screening includes questions regarding known symptoms of TB, HIV, sexually transmitted diseases (STDs), and HBV. The individual completing the medical screening should observe the incarcerated person for obvious signs of infection (15 CCR 1206.5(a)).
- (b) **Health assessment** - Incarcerated persons shall have a health assessment within the first 14 days of incarceration. The health assessment process includes screening for symptoms of communicable disease. Incarcerated persons will have a Purified Protein Derivative (PPD) test or a chest X-ray for TB and a blood test for STDs. Voluntary HIV testing is provided based on identified risk.
- (c) **Periodic health assessments** - Annual testing for TB is performed on all incarcerated persons who are in the facility for one year or more.
- (d) **Sick call and referrals** - At any time during incarceration, an incarcerated person may request to be evaluated for an infectious disease through the sick call process. Health and correctional staff can request that an incarcerated person be evaluated if they notice any signs of potentially infectious disease.
- (e) **Contact investigation** - When an incarcerated person housed in the general population develops symptoms of an infectious disease, the Responsible Physician should work cooperatively with the Jail Manager or the authorized designee and the public health department to provide appropriate screening and testing of potentially exposed persons.
- (f) **Environmental health and safety inspections** - The health and safety of the facility environment shall be inspected by the local public health entity and reported to the Jail Manager at least quarterly in a written report. Conditions identified as adversely affecting the health and safety of the incarcerated persons and/or employees or visitors shall be promptly addressed and corrected.

630.3.2 IDENTIFICATION

Any incarcerated person suspected of having a communicable disease will be evaluated by a qualified health care professional as soon as reasonably practicable. Incarcerated persons suspected of having communicable diseases will be appropriately isolated until disease confirmation and the period of communicability is determined. Long-term housing consideration will be based upon the classification status as well as the behavior, medical needs, and safety of incarcerated persons and staff. These incarcerated persons shall be examined by a qualified

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

health care professional within 24 hours. The instructions of the qualified health care professional regarding care of the patient and sanitizing of eating utensils, clothing, and bedding shall be carefully followed (15 CCR 1206.5(a); 15 CCR 1206.5(b)(6)).

630.3.3 TREATMENT

Qualified healthcare professionals shall provide care as directed by the Responsible Physician and consistent with scientific evidence-based medicine (15 CCR 1206.5(a)).

- (a) The Responsible Physician and the on-duty Watch Commander shall collaborate on treatment planning with the public health department, as appropriate.
- (b) Complete documentation of the signs, symptoms, diagnostic results, treatment, and outcome of care provided to incarcerated persons who are suspected or confirmed as having a communicable disease will be entered into the incarcerated person's health record.
- (c) If it is determined that the Whittier Police Department jail cannot adequately house the inmate with the medical needs expressed by the treating physician, arrangements will be made to release the inmate on a citation or transport to the nearest county lock-up facility.

630.3.4 STANDARD PRECAUTIONS

Standard precautions shall be used by health care practitioners to minimize the risk of exposure to blood and bodily fluids of infected patients. The health authority shall be responsible for establishing basic guidelines including but not limited to (15 CCR 1206.5(b)(4)):

- Washing hands or using hand sanitizer before and after all patient or specimen contact.
- Handling all blood and bodily fluids such as saliva, urine, semen, and vaginal secretions as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed infectious.
- Wearing gloves for potential contact with blood and other bodily fluids.
- Placing used syringes immediately in a nearby, impermeable container. Do not recap or manipulate any needle in any way.
- Wearing protective eyewear and a mask if splatter with blood or other body fluids is possible.
- Handling all linen soiled with blood and/or bodily secretions as infectious.
- Processing all laboratory specimens as infectious.
- As appropriate, wearing a mask for TB and other ATDs.

630.3.5 TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

- (a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles, and chicken pox.
1. An incarcerated person requiring airborne precautions should be assigned to a designated respiratory isolation room with special ventilation requirements. The door to this room must be closed at all possible times. If an incarcerated person must move from the isolation room to another area of the facility, the incarcerated person should wear a mask during transport. Anyone entering the isolation room to provide care to the incarcerated person must wear a respirator. The incarcerated person should be transferred to a facility designed to assess and care for medically such individuals as soon as possible.
- (b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air and usually do not travel beyond a few feet of the incarcerated person. These particles are produced when an incarcerated person coughs, talks, or sneezes. Examples of diseases requiring droplet precautions are meningococcal meningitis, influenza, mumps, and German measles (rubella).
1. All staff should wear masks within 3 feet of the incarcerated person. Incarcerated person movement should be restricted to the minimum necessary for effective facility operations. The incarcerated person should wear a mask during transport.
- (c) Contact precautions are designed to prevent the spread of organisms from an infected incarcerated person through direct (touching the incarcerated person) or indirect (touching surfaces or objects the incarcerated person touched) contact. Examples of incarcerated persons who might be placed in contact precautions are those infected with the following:
1. Antibiotic-resistant bacteria
 2. Hepatitis A
 3. Scabies
 4. Impetigo
 5. Lice

The following guide shall be used to determine the appropriate precautions that are necessary to reduce the risk of infection transmission while incarcerated persons are being transported. Incarcerated persons shall receive training on the disease transmission process and will be provided with appropriate barrier devices.

Precautions for Incarcerated Person Contact and Transportation

	GLOVES	SURGICAL MASKS	N95 MASKS	ISOLATION GOWNS
Contact				

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

Incarcerated Person	No	No	No	No
Personnel	Yes	No	No	Yes
Droplet				
Incarcerated Person	No	Yes	No	No
Personnel	No	Yes	No	Yes
Airborne				
Incarcerated Person	No	Yes	No	No
Personnel	No	No	Yes	No

630.3.6 REGULATED WASTE

The Department in coordination with the health authority, will provide for the management of biohazardous materials and waste and the establishment of a protocol for the decontamination of equipment used in medical and dental treatment. Medical and dental equipment decontamination shall comply with all applicable local, state and federal regulations. Precautions may include, but are not limited to:

- Discarding biohazardous waste in red plastic bags marked with the word BIOHAZARD and displaying the international symbol for biohazardous material. Contaminated disposable PPE shall be discarded in these receptacles.
- Whenever a large amount of fluid blood is present, an absorbent powder should be used to gelatinize the fluid, which should assist in clean up. Standard precautions shall be used when removing the product, that should then be placed in a red biohazard bag.
- Used biohazard bags shall be stored in covered, rigid waste receptacles in designated locations pending weekly removal by a biohazard waste removal contractor.
- Records documenting biohazardous waste removal, spore count logs and cleaning logs shall be retained in accordance with established records retention schedules.

630.4 ECTOPARASITE CONTROL

Ectoparasite control will be initiated, where clinically indicated, immediately following the medical screening or when the incarcerated person manifests signs and symptoms of lice or scabies (15 CCR 1212).

- Any incarcerated person who indicates parasitical infection upon entering the facility shall be treated by a qualified health care professional.
- Any incarcerated person suspected of having lice/scabies may be referred to sick call by a jailer.
- An incarcerated person may access sick call if the person believes there is a problem with lice/scabies.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

- (d) A qualified health care professional shall evaluate any incarcerated person with a lice/scabies complaint. If there are positive findings, the incarcerated person shall be treated for the infestation accordingly.
 - 1. The lice and scabies treatment guidelines will be followed by the qualified health care professional, if a physician's order for the medication administration is obtained.
 - (a) The prescribing physician shall be notified if the incarcerated person is pregnant, as certain medications are contraindicated for pregnant persons. An alternative topical application must be prescribed in these situations.
 - (b) Documentation in the medical record should include the patient's symptoms, observations regarding the condition, patient education, and prescribed treatment.
 - 2. The incarcerated person's clothing and linen shall be removed from the person's cell placed in a plastic bag and sent to the laundry. These items are considered contaminated and must be disinfected by:
 - (a) Machine washing (hot cycle), machine drying (hot cycle), dry cleaning or ironing, or
 - (b) Storage in a plastic bag for non-washable items for 10-14 days (head lice), seven days (pubic lice). This method is not recommended for body lice.
 - (c) Isolation is not necessary as long as clothing and bedding are properly disinfected and incarcerated persons do not share items.
 - 1. An incarcerated person having poor hygiene should be housed in a single cell until 24 hours after beginning treatment.
 - 2. Gloves are to be used for direct contact until the incarcerated person has been treated and the clothing/bedding have been removed for disinfecting.
 - 3. Cell mates, sexual partners, and any personnel having direct hands-on contact with an infected incarcerated person should be evaluated for prophylactic treatment because of the long incubation period of the scabies parasite.

630.5 EMPLOYEE EXPOSURE CONTROL

All facility staff who may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any incarcerated person and when handling the personal belongings of an incarcerated person.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens,

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

books, personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm, and handling contact lenses shall be prohibited in areas where the potential for exposure exists.

630.5.1 IMMUNIZATIONS

All facility staff members who may be exposed to, or have contact with, a communicable disease shall be offered appropriate treatment immunization. The ability of staff to provide health care services is predicated on a safe and secure working environment where employees feel safe to do their work, and that assures public safety.

Staff shall also receive a TB test prior to job assignment and voluntary annual testing thereafter, at no cost to the employee.

The HBV immunization shall be available to all employees who have direct incarcerated person contact and who test negative for HBV antibodies. The immunization is voluntary and provided at no cost to the employee. Employees who decline the offer of immunization and/or test shall be required to sign a waiver. Employees receiving immunization and testing shall be required to sign a consent form. Employees may reverse their decision to decline at any time by signing a consent form.

630.5.2 PERSONAL PROTECTIVE EQUIPMENT (PPE)

The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided to all personnel to assist in the protection against such exposures:

- Disposable latex gloves
- Safety glasses or goggles
- Disposable breathing masks

The PPE should be inspected at the start of each shift and replaced immediately after each use and when it becomes damaged.

630.5.3 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is not reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container.

Any PPE that becomes punctured, torn, or loses its integrity shall be removed as soon as reasonably feasible. The employee shall wash up and replace the PPE if the job has not been terminated. If the situation resulted in a contaminated non-intact skin event, the affected area shall be decontaminated as described below.

A contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container. The gloves shall be included with the waste.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

630.5.4 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or body fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of the employee's body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required. All hand, skin, and mucous membrane washing that takes place shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms, or other locations not designated as a cleaning or decontamination area.

630.5.5 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as reasonably feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as reasonably possible.

If the clothing must be dry-cleaned, place it into a biohazard waste bag and give it to the ECO. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing, and shall inform the dry cleaner of the potential contamination. The cost of dry cleaning shall be paid according to labor contract agreements.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of replacement shall be paid according to labor contract agreements.

630.5.6 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as reasonably feasible.

630.5.7 DECONTAMINATION OF THE CLEANING AREA

The ECO shall designate a location in the facility that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking of cigarettes and consumption of food and drink are prohibited in this area at all times.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

630.6 SHARPS AND ITEMS THAT CUT OR PUNCTURE

The health risks posed to officer and custody personnel in handling hypodermic needles/syringes cannot be overemphasized. Extreme care must be taken in handling such evidence.

- (a) All hypodermic needles/syringes seized by this department and held as evidence, or for safekeeping, shall be placed in an approved syringe container. The only containers approved by the Department for syringe storage are the "Sirchie" ECT1 Evidence Collection Tubes located in the jail processing area or property/evidence booking room (downstairs).
- (b) Officers or Custody personnel booking syringes/needles shall follow the instructions in the General Orders and Jail Procedure documents.
- (c) Upon final adjudication of the case, the storage of syringes/needles by this Department, shall be disposed of by Los Angeles County Sheriff's Central Property Unit per our current agreement.

All personnel shall avoid using or holding sharps (needles) unless they are assisting medical personnel or collecting them for evidence. Unless required for reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when possible, shall be into a "Sirchie" ECT1 Collection Tube.

All sharps and items that cut or puncture (e.g., broken glass, razors, knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other body fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be touched, protective gloves shall be worn.

630.7 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected employee exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employees.

630.7.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE

To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee's immediate supervisor. Employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases (15 CCR 1206.5(b)(8)).

630.7.2 SUPERVISOR REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

- (a) Name and employee identification number of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) What potentially infectious materials were involved
- (e) Source of material or person
- (f) Current location of material or person
- (g) Work being done during exposure
- (h) How the incident occurred or was caused
- (i) PPE in use at the time of the incident
- (j) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the employee of the laws and regulations concerning disclosure of the identity and infectious status of a source, and of information contained in this policy regarding source testing.

If the ECO is unavailable to seek testing of the person who was the source of the exposure, it is the responsibility of the exposed employee's supervisor to ensure testing is sought according to the guidelines in this policy.

630.7.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Any employee who was exposed or who suspects the employee was exposed to HIV or to hepatitis B or C should be seen by a physician or qualified health care professional as soon as reasonably possible.

The doctor or qualified health care professional should be given the supervisor's report and the employee's medical records relevant to the visit and examination. The blood of the exposed employee shall be tested.

The qualified health care professional will provide the ECO and/or the Department's risk manager with a written opinion/evaluation of the exposed employee's medical condition. This opinion should only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition that could result from the exposure incident and whether further treatment or evaluation will be required.
- Whether communicable disease testing from the source is warranted, and if so, which diseases the testing should include.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

630.7.4 CONFIDENTIALITY OF REPORTS

Most of the information involved in this process must remain confidential. The ECO shall ensure that all records and reports are kept in the strictest confidence. The ECO shall be responsible for maintaining records containing the employee's treatment status and the results of examinations, medical testing and follow-up procedures.

The Department's risk manager shall be responsible for keeping the name and Social Security number of the employee and copies of any information provided to the consulting health care professional on file.

This information is confidential and shall not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (15 CCR 1206.5(b)(5)).

630.7.5 SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed employee or when it is otherwise appropriate.

There are five methods to obtain such testing. It is the responsibility of the ECO to ensure the proper testing and reporting occurs. These methods are:

- (a) Obtaining voluntary consent from any person who may be the source of an exposure to test for any communicable disease.
- (b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C.
- (c) Seeking consent for testing or applying for a court order for HIV, hepatitis B, and hepatitis C testing.
- (d) Seeking a court order when the person who may be the source of an exposure will not consent to testing and the exposure does not fall under a statutory scheme for testing. This covers testing for any communicable disease as deemed appropriate by a qualified health care professional and documented in the request for the court order.
- (e) Under certain circumstances, a court may issue a search warrant for testing an adult when an employee of the Whittier Police Department qualifies as a crime victim.

630.7.6 EXPOSURE FROM A NON-INCARCERATED PERSON

Upon notification of an employee's exposure to a non-incarcerated person (e.g., visitor, attorney, volunteer, vendor) the ECO should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is provided, the following steps should be taken:

- (a) A qualified health care professional should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Communicable Diseases

the person or the person's authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C, and other communicable diseases the qualified health care professional deems appropriate.

- (b) The voluntary informed consent obtained by the qualified health care professional must be in writing and include consent for three specimens of blood. The ECO should document the consent as a supplement to the Exposure Control Report.
- (c) The results of the tests should be made available to the source and the exposed employee.

If consent is not obtained, the ECO should promptly consult with the City Attorney and consider requesting that a court order be sought for appropriate testing.

630.7.7 EXPOSURE FROM AN INCARCERATED PERSON

If the ECO receives notification from an employee of a potential exposure from an incarcerated person, the ECO should take the following steps:

- (a) Seek consent from the person who was the source of the exposure and seek a court order, if consent is refused.
- (b) Take reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer will order testing.
- (c) Remain in contact with the county health officer to determine whether testing of the incarcerated person will occur and whether the testing satisfies the medical needs of the employee.
- (d) The results of the tests should be made available to the incarcerated person and the exposed employee.

Since there is potential for overlap between the two statutory schemes, the ECO is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

If the exposed employee is not covered by either statutory scheme, the ECO should seek consent or a court order in the same manner as for a non-incarcerated person.

Aids to Impairment

632.1 PURPOSE AND SCOPE

This policy acknowledges the high priority of incarcerated person health and recognizes that some incarcerated persons will require adaptive devices to assist them with daily living activities on a temporary or permanent basis.

The Whittier Police Department has established this policy for physicians and dentists to review and evaluate the need for adaptive devices, while considering facility security concerns regarding the use of such items.

When a physician or dentist determines that the medical condition of an incarcerated person indicates that an adaptive device is clinically appropriate, the parameters of this policy will determine if authorization for the use of such items during incarceration should be granted, and if any equipment modifications are indicated for safety or security purposes.

632.1.1 DEFINITIONS

Definitions related to this policy include:

Adaptive device - Any orthotic, prosthetic, or aid to impairment that is designed to assist an incarcerated person with the activities of daily living or that is clinically appropriate for health, as determined by the Responsible Physician or dentist.

Aids to impairment - Includes but is not limited to eyeglasses, hearing aids, pacemakers, canes, crutches, walkers, and wheelchairs.

Orthoses - Specialized mechanical devices such as braces, shoe inserts, or hand splints that are used to support or supplement weakened or abnormal joints, limbs, and/or soft tissue.

Prostheses - Artificial devices designed and used to replace missing body parts, such as limbs, teeth, or eyes.

632.2 POLICY

It is the policy of the Department that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices should be permitted or supplied in a timely manner when the health of the incarcerated person would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability recognized under the American with Disabilities Act (ADA) (42 USC § 12101 et seq.), as determined by the Responsible Physician or dentist (15 CCR 1206(d); 15 CCR 1207).

632.3 MEDICAL OR DENTAL ORTHOSES, PROSTHESES, OR ADAPTIVE DEVICES

The following applies to incarcerated persons with any orthopedic or prosthetic devices (Penal Code § 2656):

- (a) An incarcerated person shall not be deprived of the possession or use of any orthopedic, orthodontic, or prosthetic device that has been prescribed or recommended and fitted by a physician or dentist (see the following exception).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Aids to Impairment

- (b) Any such device that may constitute an immediate risk of bodily harm to any person in the facility or that threatens the security of the facility should be brought to the attention of the Jail Manager. If the Jail Manager has probable cause to believe such a device constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the Jail Manager may remove the device and place it in the person's property.
- (c) The Watch Commander or Jail Manager shall return the device to the incarcerated person if circumstances change and the cause for removal no longer exists.
- (d) The Watch Commander or Jail Manager shall have the incarcerated person examined by a physician within 24 hours after a device is removed.
- (e) The Watch Commander or Jail Manager should review the facts with the ADA Coordinator and shall address the issue in conjunction with the Incarcerated Persons with Disabilities Policy.
- (f) The physician shall inform the incarcerated person and the Jail Manager if the removal is or will be injurious to the person's health or safety. When the Jail Manager is so informed but still does not return the device, the Jail Manager shall inform the physician and the person of the reasons and promptly provide the person with a form, as specified in Penal Code § 2656, by which the person may petition the Superior Court for return of the appliance. The Jail Manager shall promptly file the form with the Superior Court after it is signed by the incarcerated person. The Jail Manager should consider the following alternatives to the removal of the device:
 - 1. Reclassifying the incarcerated person to another housing unit or administratively separating the person from the general population.
 - 2. With physician or dentist approval, modify the adaptive device to meet the medical needs of the incarcerated person and the safety and security needs of the facility.

Once an adaptive device has been approved for use, the qualified health care professional shall enter the authorization into the incarcerated person's health file. If the person requires special housing, the qualified healthcare professional shall document this in writing and notify custody or classification personnel appropriately. The qualified health care professional shall document the general condition of the prosthesis and have the person sign in the medical record that they received the prosthesis.

Any prostheses that are brought to the facility by family members or others after the person has been incarcerated shall be subject to a security check. The facility shall accept no responsibility for loss or damage to any adaptive device.

Detoxification and Withdrawal

634.1 PURPOSE AND SCOPE

Significant percentages of incarcerated persons have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those persons who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

This policy also identifies protocols to be used by qualified health care professionals. These protocols are appropriate for incarcerated persons who are under the influence of alcohol or drugs or who are experiencing withdrawal from any type of substance abuse.

634.1.1 DEFINITIONS

Definitions related to this policy include:

Alcohol withdrawal - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

Detoxification - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

634.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this department to provide proper medical care to incarcerated persons who suffer from drug or alcohol overdose or withdrawal.

To lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility, staff shall respond promptly to medical symptoms presented by incarcerated persons.

The Watch Commander will consider whether the incarcerated person should be kept. The Watch Commander should consider transporting the incarcerated persons to either a medical facility or Los Angeles County Jail (15 CCR 1213).

Incarcerated persons who are booked into the facility and are participating in a narcotic treatment program shall, with the approval of the director of the program, be entitled to continue in the program until conviction (Health and Safety Code § 11222).

634.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Detoxification and Withdrawal

that an incarcerated person may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the Watch Commander, who shall ensure that a qualified health care professional is promptly notified.

634.4 PROCEDURE

Inmates who are observed experiencing severe, life-threatening intoxication (overdose) or withdrawal symptoms will be promptly seen by a physician. Depending on the severity of the symptoms, the Watch Commander may arrange for paramedic assistance and transportation of the individual to an appropriate medical facility.

If detoxification is eminent the Watch Commander should consider cite and release, transfer to a medical facility or transporting the inmate to LA County Jail.

Any of the above symptoms should be immediately brought to the attention of the Watch Commander and noted in the remarks section on the booking/arrest slip.

634.5 ALCOHOL WITHDRAWAL SYMPTOMS CHART

The following chart describes typical symptoms of mild, moderate, and severe withdrawal. It is to be used as a guide for determining when to refer incarcerated persons to a qualified health care professional. Not all symptoms are always present.

	MILD	MODERATE	SEVERE (Delirium Tremens)
ANXIETY	Mild restlessness and anxiety	Obvious motor restlessness	Extreme restlessness and agitation with appearance of intense fear is common
APPETITE	Impaired appetite	Marked anorexia	Often rejects all food and fluid except alcohol
BLOOD PRESSURE	Normal or slightly elevated systolic	Usually elevated systolic	Elevated systolic and diastolic
CONFUSION	Oriented, no confusion	Variable confusion	Marked confusion and disorientation
CONVULSIONS	No	May occur	Severe convulsions are common
HALLUCINATIONS	No hallucinations	Often vague, transient visual and auditory hallucinations and delusions, often with insight, often occurring only at night	Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences
MOTOR CONTROL	Inner "shaky"	Visible tremulousness	Gross uncontrollable shaking
NAUSEA	Nausea	Nausea and vomiting	Dry heaves and vomiting

Whittier Police Department

Whittier PD Custody Manual
Whittier PD Custody Manual

Detoxification and Withdrawal

PULSE	Tachycardia	Pulse 100-120	Pulse 120-140
SLEEP		Marked insomnia and nightmares	Total wakefulness
SWEATING	Restless sleep or insomnia	Obvious	Extreme

Suicide Prevention and Intervention

648.1 PURPOSE AND SCOPE

This policy establishes the suicide prevention and intervention program to identify, monitor and, when necessary, provide for emergency response and treatment of incarcerated persons who present a suicide risk while incarcerated at the department detention facilities.

This policy is intended to reduce the risk of self-inflicted injury or death by providing tools to the staff that will allow a timely and organized emergency response to suicide, suicide attempts, or an incarcerated person's unspoken indications that suicide is being considered. The three key components of this plan are evaluation, training, and screening with intervention.

648.2 POLICY

It is the policy of this department to minimize the incidence of suicide by establishing and maintaining a comprehensive suicide prevention and intervention program designed to identify incarcerated persons who are at risk of suicide and to intervene appropriately whenever possible. The program shall be developed by the Jail Manager or the authorized designee and the Watch Commander, approved by the local public health entity, and reviewed annually by the Jail Manager. A copy of this policy shall be maintained in each unit of the facility where it can be easily accessed by all staff members (15 CCR 1029(a)(8); 15 CCR 1030).

648.3 STAFF TRAINING

All facility staff members who are responsible for supervising incarcerated persons shall receive initial and annual training on suicide risk identification, prevention, and intervention, to include, at minimum (15 CCR 1030):

- The provisions of this policy.
- Identification of the warning signs and indicators of potential suicide, including training on suicide risk factors.
- Identification of the demographic and cultural parameters of suicidal behavior, including incidence and variations in precipitating factors.
- Responding to suicidal and depressed incarcerated persons.
- Communication between corrections staff, court staff, and health care personnel.
- Using referral procedures.
- Housing observation and suicide watch-level procedures.
- Follow-up monitoring of incarcerated persons who attempt suicide.
- Communication between members and arresting/transporting jailers.
- A plan for mental health consultation following return from court as needed.

Recommendations for modification to suicide training should be directed to the Jail Manager, who shall review the recommendations and approve, if appropriate.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Suicide Prevention and Intervention

648.4 SCREENING AND INTERVENTION

All incarcerated persons shall undergo medical and mental health screening during the intake process (15 CCR 1030). A portion of the intake medical screening is devoted to assessing incarcerated persons at risk for suicide. Upon an incarcerated person entering the facility, the person should be assessed by custody staff for the ability to answer medical and mental health screening questions.

Any incarcerated person who appears to be unable to answer the initial medical screening questions shall be examined by a qualified health care professional at a designated hospital and receive medical clearance before acceptance into the jail. Incarcerated persons who refuse to answer these questions shall be placed under observation until the screening can be completed, or until sufficient information is obtained to allow the staff to make appropriate decisions concerning housing and care.

Staff members shall promptly refer any incarcerated person who is at risk for suicide to classification, health services, and mental health services. The incarcerated person shall remain under direct and constant observation in a safe setting until designated staff makes appropriate health care and housing decisions (15 CCR 1030).

Special situations may arise where a screening and intervention is appropriate for an incarcerated person when the person is placed in restrictive housing, following a hearing, and after a transfer or change in classification (15 CCR 1030).

648.4.1 ISOLATION

The use of isolation enhances the chances of a suicide and it should, therefore, be avoided. Inmates exhibiting suicidal behavior should be placed in the general population of the jail and checked every 15 minutes by personal contact.

648.5 SUICIDE WATCH

Incarcerated persons should only be housed on suicide watch with the approval of a qualified health care professional and the Watch Commander. If a qualified health care professional is not present in the jail, the Watch Commander may make the decision to place an incarcerated person on suicide watch but should notify a qualified health care professional as soon as practicable. Incarcerated persons placed on suicide watch shall be closely monitored and housed in a cell that has been designed to be suicide resistant. Prior to housing the incarcerated person, the staff should carefully inspect the cell for objects that may pose a threat to the person's safety.

Qualified health care professionals are primarily responsible for the treatment of incarcerated persons on suicide watch. Jailers and general employees are responsible for the physical safety of incarcerated persons. All staff members should coordinate their efforts to ensure that incarcerated persons do not have the means or the opportunity to injure themselves.

An observation log shall be maintained for each incarcerated person on suicide watch. A staff member shall be designated to make a direct visual observation of the incarcerated person twice every 30 minutes at approximately 15-minute intervals. A Watch Commander and a qualified

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Suicide Prevention and Intervention

health care professional, if available, must observe the incarcerated person at least once every five hours. Each staff member who is required to observe the incarcerated person shall make notations in the observation log documenting the time of observation and a brief description of the person's behavior.

An incarcerated person classified as actively suicidal must be continuously monitored by direct visual observation of a jailer. While monitoring may be supplemented by video monitoring, it may never be a substitute for direct visual monitoring.

The status of suicidal incarcerated persons should be readily identifiable in a manner discernible by staff. When standard-issue clothing presents a security or medical risk to the incarcerated person or others, the incarcerated person shall be supplied with a security garment that is designed to promote the person's safety and not cause unnecessary humiliation and degradation. Use of the security garment shall be documented in the incarcerated person's health record. Suicidal persons shall not be permitted to retain undergarments or any other item that can be fashioned into an implement for hanging (e.g., plastic bags, shoelaces, sheets). Incarcerated persons shall not be permitted to keep personal property while housed on suicide watch and shall not be permitted to possess razors or other sharp objects, such as pencils, items with staples, or any other item that may be used to cause a self-inflicted injury. Physical restraints should only be used as a last resort measure. The decision to use or discontinue use of restraints should be made in consultation with qualified health care professionals.

Incarcerated persons who are not actively suicidal but who have expressed suicidal thoughts or have a recent history of self-injurious behavior should be observed by staff at irregular intervals, not to exceed every 15 minutes.

648.5.1 INTERVENTION

Any suicide attempt is a medical emergency. Staff should take action to facilitate emergency medical care and preserve and collect evidence as necessary. A qualified health care professional should be summoned immediately any time the staff suspects a suicide attempt is imminent. Staff should take reasonable and appropriate precautions to mitigate the ability of the incarcerated persons to injure themselves, and should consider establishing and maintaining a non-threatening conversation with the person while awaiting assistance. If a qualified health care professional is not immediately available, the incarcerated person should be placed in an appropriate and safe location until such time as qualified health care professionals or the Responsible Physician is available.

Following a suicide attempt, staff should initiate a medical emergency response and initiate and continue appropriate life-saving measures until relieved by qualified health care professionals. The arriving medical staff should perform the appropriate medical evaluation and intervention. The Responsible Physician or the authorized designee should be notified in situations when referral and transportation to the emergency room of a local hospital is required (15 CCR 1030).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Suicide Prevention and Intervention

648.5.2 NOTIFICATION

In the event of an attempted or completed suicide, the Jail Manager should be promptly notified. The Jail Manager should notify the Chief.

The location where a suicide or attempted suicide has occurred should be treated as a crime scene after the incarcerated person has been removed from the cell or after emergency medical care is rendered. The area should be secured and access-controlled to preserve evidence until the appropriate investigation can be completed.

All suicides or attempted suicides shall be documented in an incident report. Any injury must be documented in an incarcerated person injury report (15 CCR 1030).

All in-custody deaths, including those resulting from suicide, should be investigated and documented in accordance with the Reporting In-Custody Deaths Policy (15 CCR 1030).

648.6 TRANSPORTATION

Incarcerated persons at risk for suicide pose additional challenges during transport and while being held in court holding facilities. The transportation staff should take reasonable steps to closely monitor at-risk incarcerated persons whenever they are transported or held in any cell that is not designated as a suicide-watch cell. All additional security and monitoring measures implemented by the staff should be documented in the incarcerated person's record. The transporting officer should ensure that the suicide threat or other danger is communicated to personnel at the receiving facility.

Pharmaceutical Procedures

698.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

698.1.1 DEFINITIONS

Definitions related to this policy include:

Administration - The act of giving a single dose of a prescribed drug or biological substance to an inmate. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

Controlled substances - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

Delivery - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose and instructions for taking the medication, the name of the prescribing physician and expiration dates). Under these circumstances, a single dose at a time can be delivered to the inmate, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

Dispensing - Those acts of processing a drug for delivery or administration to an inmate pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

Distributing - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

Dose - The amount of a drug to be administered at one time.

Drug - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States or any supplement that is intended for

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Pharmaceutical Procedures

use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

Pharmaceutical operations - The functions and activities encompassing the procurement, dispensing, distribution, storage and control of all pharmaceuticals used within the jail, the monitoring of inmate drug therapy, and the provision of inmate/patient drug information.

698.2 POLICY

It is the policy of this department that pharmaceutical operations meet all federal, state and local legal requirements and be sufficient to meet the needs of the facility population (15 CCR 1216).

698.5 PER DOSE MEDICATION ADMINISTRATION

- (a) The custody staff member will confirm the inmate's identity prior to administering any non-prescription medication by comparing the name/booking number and picture from booking paperwork with the inmate's identification badge/armband.
 - 1. Inmates should have a fluid container and adequate fluid to take the medication being administered.
 - 2. The custody staff member should observe the inmate taking the medication to prevent "cheeking" or "palming".
 - 3. The staff member should inspect the inmate's mouth after the inmate swallows the medication to ensure it was completely ingested. If the inmate appears to be "cheeking" the medication, an entry will be made on their booking paperwork and no further medication will be prescribed. If the inmate necessitates continued non-prescription medication the Watch Commander should be notified and consider transferring the inmate to the Los Angeles County Jail.
 - 4. The custody staff member shall record each medication administered by initialing the appropriate date and time on the booking paperwork.
- (b) No inmate should be deprived of prescribed medication as a means of punishment
- (c) Any inmate under active care of a doctor in which prescribed medications are required for the inmate's continued health should be seen by a health care professional as soon as reasonably possible. It is the policy of the Whittier Police Department that we do not dispense prescription medication unless it is done by a health care professional. If a temporary transfer to a local health facility to administer a prescribed medication, under the supervision of a health care professional, best meets the needs of the inmate and the police department this can be considered. Otherwise, any inmate requiring more than a single dosage during the duration of their stay in the Whittier Police Department Jail should be transferred to the Los Angeles County Jail for long term care and custody.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Pharmaceutical Procedures

698.3 NON-PRESCRIPTION MEDICATION

Limited over-the-counter non-prescription medication is available to inmates in the facility upon request by the inmate. All over-the-counter non-prescription medication shall be approved by the Jail Manager and shall be reviewed annually (15 CCR 1216(c)).

Inmates may not possess any non-prescription medication in their cell. All non-prescription medication will be given to the inmate by jail staff and consumed in their presence. Staff will ensure all non-prescription medication is given according to directions on the product and shall log on the inmate booking form what was given, when it was administered, and why.

Chapter 7 - Environmental Health

Sanitation Inspections

700.1 PURPOSE AND SCOPE

The Whittier Police Department has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

700.2 RESPONSIBILITIES

The Jail Manager will ensure that the safety and sanitation plan addresses, at a minimum, the following (15 CCR 1280):

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control, safety surveys)
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the facility.
- (c) Procedures, schedules, and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals, and related materials used in the facility, and instructions on how to operate, dilute, or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms, and actions taken to correct deficiencies.
- (f) Training requirements for custody staff and incarcerated workers on accident prevention and avoidance of hazards with regard to facility maintenance.

Consideration should be given to general job descriptions and/or limitations relating to personnel or incarcerated persons assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Department or by contract with private firms.

Incarcerated persons engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When incarcerated work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and to equipment by submitting a work order to a supervisor. Watch Commanders will conduct cleaning inspections on a daily basis. The Jail Manager or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

700.3 SAFETY DATA SHEETS

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Sanitation Inspections

vital information on individual hazardous materials and substances, including instructions on safe handling, storage, disposal, prohibited interactions and other details relative to the specific material.

The Jail Manager shall be responsible for ensuring that a written hazard communication plan is developed, implemented and maintained at each workplace. Each area of the facility in which any hazardous material is stored or used shall maintain an SDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

- (a) A list of all areas where hazardous materials are stored.
- (b) A physical plant diagram and legend identifying the storage areas of the hazardous materials.
- (c) A log for identification of new or revised SDS materials.
- (d) A log for documentation of training by users of the hazardous materials.

700.3.1 SDS USE, SAFETY, AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and incarcerated persons shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)):

- (a) Supervisors shall conduct training for all staff and incarcerated persons on using the SDS for the safe use, handling, and disposal of hazardous material in areas they supervise.
- (b) Upon completion of the training, staff and incarcerated persons shall sign the acknowledgement form kept with each SDS in their work area.
- (c) Staff and incarcerated persons using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling, and disposal of any hazardous material.

700.3.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition or replacement of any hazardous material shall review the accompanying SDS. If additions or changes have occurred, the revised SDS shall be incorporated into the file and a notation shall be made in the SDS revision log.

Supervisors shall review SDS information in their work areas semiannually to determine if the information is current and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the Maintenance Supervisor or the authorized designee.

700.3.3 SDS RECORDS MASTER INDEX

The Maintenance Supervisor or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of SDS information. They will maintain this information in the safety office (or equivalent), with a copy to the local fire

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Sanitation Inspections

department. Documentation of the semiannual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, current list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

700.3.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and incarcerated persons shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

700.4 POLICY

It is the policy of the Department to maintain a safe and sanitary facility. To accomplish this goal, the Department will maintain a written plan that contains schedules and procedures for conducting weekly and monthly sanitation inspections of the facility.

Hazardous Waste and Sewage Disposal

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Department recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures, and precautions, but on adequate supervision and the responsible behavior of the staff and incarcerated persons. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

702.1.1 DEFINITION

Definitions related to this policy include:

Hazardous waste - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

Infectious waste - Material that poses a threat or risk to public health or safety by living organisms (e.g. blood, mucus, saliva, bodily secretions, etc)

702.2 RESPONSIBILITIES

The Jail Manager or the authorized designee shall be responsible for:

- (a) Contracting with a hazardous waste disposal service.
- (b) Developing and implementing a storage and disposal plan that has been reviewed and approved by a regulatory agency.
- (c) Including hazardous waste issues on internal health and sanitation inspection checklists.
- (d) Including hazardous waste issues in the incarcerated person handbook and ensuring that incarcerated persons receive instruction on proper handling and disposal during incarcerated person orientation.
- (e) Developing and implementing procedures for the safe handling and storage of hazardous materials until such time as the contractor removes the items from the facility.
- (f) Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage, and disposal of such items.

702.3 SAFETY EQUIPMENT

The Jail Manager and the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Hazardous Waste and Sewage Disposal

702.4 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Manager in the event of an exposure to staff, incarcerated persons, or visitors.

702.5 POLICY

It is the policy of this department that any sewage and hazardous waste generated at the facility shall be handled, stored, and disposed of safely and in accordance with all applicable federal and state regulations and in consultation with the local public health entity.

702.6 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

The institution's use of the private system must be discontinued, and the private system must be properly abandoned when public sewerage becomes available.

702.7 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. At a minimum, staff shall use universal standard precautions when in contact with hazardous materials.

Housekeeping and Maintenance

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

704.2 RESPONSIBILITIES

The Jail Manager shall establish a plan for housekeeping and maintenance of the facility. The plan should include but is not limited to (15 CCR 1280):

- (a) Schedules that determine the frequency of cleaning activities on a daily, weekly, or monthly timetable, by area of the facility.
- (b) Supervision of the staff and incarcerated persons to ensure proper implementation of the procedures and to ensure that no incarcerated person supervises or assigns work to another incarcerated person.
- (c) Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, incarcerated person supervision).
- (d) Development of inspection forms.
- (e) All incarcerated person responsibilities, which should be included in the incarcerated person handbook.
- (f) A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- (g) Detailed processes for the procurement, storage, and inventory of cleaning supplies and equipment.
- (h) A process for the preventive maintenance of equipment and systems throughout the facility.
- (i) Staff supervision of the provision and use of cleaning tools and supplies.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic, or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

704.3 SANITATION SCHEDULE

A daily, weekly and monthly cleaning schedule will be established by the jail supervisor. The facility staff should implement a site specific plan for cleaning and maintenance of each area of the jail (housing, food preparation, trash storage, warehouse, common areas). The following is a recommended breakdown of what should be addressed during each of the scheduled cleanings:

- (a) Daily cleaning:
 - 1. Sweep and then wet mop the entire jail floor
 - 2. Clean all cell block areas

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Housekeeping and Maintenance

3. Empty all trash receptacles
 4. Clean all toilets and sinks
 5. Floor drains are to be flushed daily to prevent sewer gases from entering the cells
 6. Clean all showers
- (b) Weekly cleaning:
1. Dust window ledges
 2. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new inmate)
 3. Pour water down floor drains to test for flow
 4. Microwaves, refrigerator and freezer shall be cleaned weekly and more often as required (spills, leaks etc).
 5. Clean air conditioning/heating grates
- (c) Monthly cleaning:
1. Walls
 2. Ceilings
 3. Bunk pans

704.4 INSPECTION CHECKLIST

The Jail Manager or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly and monthly basis throughout the facility.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Jail Manager or the authorized designee for annual review, filing and retention as required by the established records retention schedule.

704.5 STORAGE OF HOUSEKEEPING EQUIPMENT AND SUPPLIES

Housekeeping equipment and supplies shall be stored in a secure area located on the basement floor outside the north doors of the jail. Supplies will not be stored inside the secure perimeter while not in use. Cleaning agents, which are potentially dangerous, shall be kept secured and shall be used only under supervision of the custody personnel.

704.6 HANDCUFF CLEANING

After each use handcuffs will be disinfected in the following manner:

- (a) Put on disposable gloves.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Housekeeping and Maintenance

- (b) Clean gross debris, if any, from handcuffs.
- (c) Spray Barbicide on handcuffs until wet.
- (d) Let handcuffs sit wet for five minutes.
- (e) After five minutes dry any residual moisture, rinsing is not necessary.
- (f) Handcuffs are ready for use.
- (g) Place all disposable material used in the process into the red biohazard containers.

704.7 POLICY

It is the policy of this department to maintain a sanitation and preventive maintenance schedule to keep the facility clean and in good repair.

Physical Plant Compliance with Codes

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the timeline, process and responsibilities for facility maintenance, inspections and equipment testing in compliance with all applicable federal, state and local building codes.

706.2 POLICY

It is the policy of this department that all construction of the physical plant (renovations, additions, new construction) will be reviewed and inspected in compliance with all applicable federal, state and local building codes. All equipment and mechanical systems will be routinely inspected, tested and maintained in accordance with applicable laws and regulations.

706.3 COMPLIANCE WITH CODES AND STATUTES

Plumbing, sewage disposal, solid waste disposal and plant maintenance conditions will comply with rules and regulations imposed by state regulatory entities governing such practices.

706.4 PLUMBING - FLOOR DRAINS

Floor drains must be flushed weekly and all traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

Vermin and Pest Control

710.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

710.2 POLICY

It is the policy of this department that vermin and pests be controlled within the facility. The Jail Manager or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Responsible Physician and the local public health entity, for the sanitation and control of vermin and pests, and to establish medical protocols for treating incarcerated person clothing, personal effects, and living areas, with specific guidelines for treating an infested incarcerated person (15 CCR 1212; 15 CCR 1264).

710.3 PEST CONTROL SERVICES

The Jail Manager or the authorized designee shall be responsible for procuring the services of a licensed pest control professional to perform inspections of the facility at least monthly and to treat areas as required to ensure that vermin and pests are controlled.

710.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted incarcerated person who is vermin-infested or whose property is vermin-infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Incarcerated persons with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for incarcerated persons undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding, and other property that is suspected of being infested shall either be removed from the facility or cleaned and treated by the following methods, as appropriate or as directed by the pest control provider or the Responsible Physician (15 CCR 1264):

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Vermin and Pest Control

Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore, some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the incarcerated person and proper application of the appropriate product. The area used to delouse incarcerated persons needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated, and the treatment used.

Incarcerated Person Hygiene

714.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every incarcerated person in the Whittier Police Department jail is maintained. The Whittier Police Department recognizes the importance of each incarcerated person maintaining acceptable personal hygiene practices by providing adequate bathing facilities and hair care services, and the issuance and exchange of clothing, bedding, linens, towels, and other necessary personal hygiene items.

714.2 POLICY

It is the policy of the Whittier Police Department facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations (15 CCR 1069). Compliance with laws and regulations relating to good incarcerated person hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all incarcerated persons, but for the safety of the correctional staff, volunteers, contractors, and visitors.

714.3 STORAGE SPACE

There should be adequate and appropriate storage space for incarcerated person bedding, linen, or clean clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum incarcerated person population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Manager should be notified if additional storage space is needed.

714.3.1 BEDDING ISSUE

Upon entering a living area of the Whittier Police Department jail, every incarcerated person who is expected to remain overnight shall be issued bedding and linens including but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, nontoxic, fire-retardant mattress (16 CFR 1633.1 et seq.).
 - 1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an incarcerated person is released or upon reissue.
 - 2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Hygiene

3. Mattresses shall be free of holes and tears. Mattresses with holes, tears, or that lack sufficient padding shall be replaced upon request with mattresses that meet the requirements of 15 CCR 1270 (15 CCR 1271).
- (c) Two sheets or one sheet and a clean mattress cover.
 1. Two blankets or a sleeping bag may be issued in place of one mattress cover or one sheet at the request of the incarcerated person.
- (d) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Watch Commander shall review the daily activity log at least once per shift.

The Jail Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

714.3.2 BEDDING AND LINEN EXCHANGE AND HANDLING

The following guidelines concerning the exchange of freshly laundered or dry-cleaned bedding and linen shall be adhered to by custody staff and trustees:

- (a) Clean bedding and linen will be kept in a separate location from soiled/dirty bedding/linen and will be clearly marked.
- (b) When handling bedding/linen, gloves worn for handling dirty bedding will be used and thrown away. The same pair of gloves will not be used to handle clean and dirty bedding and linen.
- (c) Clean bedding and linen when received from the contract laundry service will be stocked immediately in the clean bedding/linen area so as not to commingle it with dirty bedding/linen.
- (d) Bedding and linen shall be laundered/dry-cleaned and sanitized after each use utilizing the department contract laundry service.
- (e) When handling suspected bedding/linen infected with lice or scabbies please follow the protocols listed in section 710.
- (f) All bedding/linen suspected of being exposed to a biohazard will be appropriately placed in a red biohazard bag. Handling of all bedding exposed to a biohazard will follow our biohazard handling policy.

714.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

714.5 INCARCERATED PERSON ACCOUNTABILITY

To ensure incarcerated person accountability, incarcerated persons are required to exchange item for item when clean clothing, bedding, and linen exchange occurs.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Hygiene

Prior to being placed in a housing unit, incarcerated persons shall be provided with an incarcerated person handbook listing this requirement.

714.6 PERSONAL HYGIENE OF INCARCERATED PERSONS

Personal hygiene items, hair care services, and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among incarcerated persons in compliance with the requirements established by state laws as part of a healthy living environment.

Each incarcerated person held more than 24 hours who does not have the following personal care items because of either indigency or the absence of an incarcerated person canteen shall be issued the following items (15 CCR 1265):

- Toothbrush
- Dentifrice
- Soap
- Comb
- Shaving implements
- Sanitary pads, panty liners, and tampons as requested at no cost and no maximum allowance (Penal Code § 4023.5)

The Jail Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the incarcerated person's gender. Additional hygiene items shall be provided to incarcerated persons upon request, as needed.

Personal care items shall be issued within the first 12 hours of a housing assignment. Incarcerated persons shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the California Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Incarcerated persons, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Manager or the authorized designee may suspend this requirement for any incarcerated person who is considered a danger to others.

714.7 AVAILABILITY OF PLUMBING FIXTURES

Incarcerated persons confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for incarcerated persons in housing units is:

- One sink/washbasin for every 10 incarcerated persons (24 CCR 1231.3.2(2)).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Hygiene

- One toilet to every 10 incarcerated persons (urinals may be substituted for up to one-third of the toilets in facilities for male incarcerated persons) (24 CCR 1231.3.1).

714.8 INCARCERATED PERSON SHOWERS

Incarcerated persons will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible. Absent exigent circumstances, no person shall be prohibited from showering at least every other day following assignment to a housing unit. If showering is prohibited, it shall be approved by the Jail Manager or the authorized designee, and the reasons for prohibition shall be documented (15 CCR 1266).

There should be one shower for every 20 incarcerated persons unless federal, state, or local building or health codes differ. Showering facilities for incarcerated persons housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of incarcerated persons and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons (28 CFR 115.42).

714.9 INMATE CLOTHING REGULATIONS

All clothing taken from an inmate shall be recorded on the Arrest/Booking form under "Property" with a notation IF the items are held as evidence or contaminated.

Items of evidence will then be handled per Department standard procedures.

All contaminated clothing shall immediately be sealed in plastic bags and marked as to what type of contamination is suspected. The sealed bags are then to be placed in the Red Biohazard Containers for proper processing and/or disposal. If proper disposal methods are in doubt, the Los Angeles County Health Department shall be contacted for instructions. In the case of a suspected contagious disease, and the Health Department is not available, contact Presbyterian Hospital Emergency Room staff.

All clothing taken from an inmate as safekeeping should be recorded on the Arrest/Booking form under "Property" with a notation of "Inmate Property Storage." The following considerations should be followed and items placed in Inmate Property Storage.

Items that could be used to cause damage to the facility or its equipment will be confiscated. (i.e.: jackets with zippers).

Items that could be used to cause injury to themselves or others will not be allowed in the cell (i.e.: including and not limited to shoestrings; strings in jackets, pants, shorts, blouses or shirts: metal wire in undergarments.)

If the inmate property storage items are too bulky to fit in the plastic jail property bag or jail storage bins the property needs to be inventoried (WPD Property card completed) and booked into Property/Evidence located in the Property/Evidence Room with an annotation on the booking form.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Hygiene

Jail Clothing

In the event that an arrestee has no clothing on or only undergarments, at the time they enter the jail, jail issue clothing shall be given to the arrestee. The inmate will not be released from the jail without suitable clothing and at no time will they be released in their undergarments. The preferred jail issue clothing is a disposable type jump suit and when necessary disposable footwear.

Special Clothing

Trusties will be issued suitable additional clothing to enable them to perform such special work assignments as car washing, special cleaning details, etc.

Clothing Exchange

The Custody Officer shall provide for the regular exchange of clean inmate clothing. Outer garments, except footwear, shall be exchanged at least once each week, unless work, climatic conditions, or illness necessitates more frequent exchanges. Under garments and socks shall be exchanged twice each week.

714.10 RESPONSIBILITIES

The Jail Manager shall ensure the basic necessities related to personal care are provided to each incarcerated person upon entry into the general population. Appropriate additional personal care items may be available for purchase from the incarcerated person commissary.

714.11 ADDITIONAL PRIVACY REQUIREMENTS

Incarcerated persons shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an incarcerated person housing unit (28 CFR 115.15).

Chapter 8 - Food Services

Food Services

800.1 PURPOSE AND SCOPE

The Department recognizes the importance of providing nutritious food and services to incarcerated persons to promote good health, to reduce tension in the jail, and ultimately support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for incarcerated persons housed in the facility.

800.2 POLICY

It is the policy of this department that food services shall provide incarcerated persons with a nutritionally balanced diet in accordance with federal, state, and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq. (15 CCR 1245(a)).

800.3 MENU PLANNING

All menus shall be planned, dated, and available for review at least one month in advance of their use. Records of menus and of foods purchased shall be kept on file for one month. Menus shall provide a variety of foods and should consider food flavor, texture, temperature, appearance, and palatability. Menus shall be approved by a registered dietitian or nutritionist before being served to ensure the recommended dietary allowance for basic nutrition meets the needs of the appropriate age group. The dietitian shall ensure that the meals meet the nutritional and hot food requirements of 15 CCR 1240 and 15 CCR 1241(15 CCR 1242).

Any changes to the meal schedule, menu, or practices should be carefully evaluated by the food services manager in consultation with the Jail Manager, dietician, medical staff, and other professionals, and shall be recorded. All substitutions will be of equal or better nutritional value and meet the caloric requirements set forth in 15 CCR 1241. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (15 CCR 1242). Facility menus shall be evaluated at least quarterly by the food services supervisory staff to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews, and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules.

800.4 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift, but shall be checked and recorded at least once daily. Holding temperatures for cold and hot

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services

foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected (15 CCR 1245(a)).

800.5 RELIGIOUS DIETS

The food services manager, to the extent reasonably practicable, will provide special diets for incarcerated persons in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

800.6 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect incarcerated persons from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (15 CCR 1230).

Food production and services will be under staff supervision. Food production, storage, and food-handling practices will follow the appropriate federal, state, or local sanitation laws (15 CCR 1246).

800.7 MEAL SERVICE PROCEDURE

Incarcerated person meals that are served in a dining room or dayroom should be provided in space that allows groups of incarcerated persons to dine together, with a minimum of 15 square feet of space per incarcerated person. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food. Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that incarcerated persons receive meals that meet nutritional guidelines.

Incarcerated persons must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time, including a high-quality protein, such as meat, fish, eggs, or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals,

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services

approved snacks will be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

Incarcerated persons who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Approved snacks should be served to incarcerated persons on medical diets in less than the 14-hour period if prescribed by the Responsible Physician or registered dietitian. Incarcerated persons on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal (15 CCR 1240).

As the meal time approaches, facility staff should direct the incarcerated persons to get dressed and be ready for meals. Incarcerated persons should be assembled and a head count taken, to verify all incarcerated persons in the housing location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during incarcerated person movement and meals. Meals shall be served under the direct supervision of staff.

Staff should direct an orderly filing of incarcerated persons to the dining room or assigned seating in the dayroom. Staff should identify incarcerated persons who have prescribed therapeutic or authorized religious diets so those incarcerated persons receive their meals accordingly.

It shall be the responsibility of the jailers to maintain order and enforce rules prohibiting excessive noise and intimidation of other incarcerated persons to relinquish food during mealtime.

The dining room shall have an area designated for incarcerated persons who have been prescribed a longer time to eat by qualified health care professionals, a dietitian, or as deemed appropriate by a supervisor.

To the extent reasonably practical, an adequate number of food services staff and correctional personnel should supervise meal service in central dining areas. If reasonably possible, the supervisor should be present.

The Watch Commander should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food, and any health or security issues.

In the interest of security, sanitation, and vermin control, incarcerated persons shall not be allowed to take food from the dining area to their housing areas.

800.8 EMERGENCY MEAL SERVICE PLAN

The food services manager shall establish and maintain an emergency meal service plan for the facility (15 CCR 1243(k)).

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for incarcerated persons. In the event of an emergency that precludes the preparation of at least

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services

one hot meal per day, the Jail Manager may declare an "Emergency Suspension of Standards" pursuant to 15 CCR 1012 for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Manager shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

In the event that the incarcerated person food supply drops below that which is needed to provide meals for two days, the Jail Manager or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Chief should consider requesting assistance from allied agencies through mutual aid or the National Guard.

800.8.1 EMERGENCY PROCUREMENT PLAN

Custody Officer will notify Watch Commander/Custody Manager when a there is an emergency food shortage. Arrangements for an emergency purchase of food from the LASD-Correctional Food Services can be notified to prepare an order for pickup of additional menu items or the nearest Smart & Final .

800.9 FOOD SUPPLY AND EQUIPMENT MAINTENANCE

Food Supply:

- (a) All frozen meals to be served in the jail shall be kept in a freezer until placed in the microwave for cooking. It is the responsibility of the Jail Supervisor to provide the Jail Manager or their designee, with a total food inventory each Tuesday morning so that a minimum one (1) week supply can be maintained at all times.
- (b) Any time the supply of milk is below 31 servings (1 day meal service); it is the responsibility of the custody officer on duty to notify the Custody Manager who will see that the supply of milk is immediately replenished. At no time will milk be served on or past the expiration date on the carton.
- (c) Food supplies shall be purchased at the following locations:
 - 1. Frozen Meals: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213)893-5109 email: FoodServicesWhittierPD@lasd.org
 - 2. Bread: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213)893-5109 email: FoodServicesWhittierPD@lasd.org

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services

3. Milk & Juice: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213) 893-5109 email: FoodServicesWhittierPD@lasd.org

Equipment Maintenance and Vendors:

- (a) Facility (i.e. Cells, Water Heater, Drains, Lighting, fire extinguishers and the overall maintenance): (Bi-monthly Jail wash, emergency call-outs, and daily service needs.) City of Whittier Maintenance 13230 Penn Street Whittier, CA 90602 (562) 464-3412
- (b) Laundry Services Tony's Cleaners 14836 Whittier Blvd. Whittier, CA 90605 (562) 696-4082
- (c) Freezer/Refrigerator: Annual preventative service on equipment and any emergency call-outs. Norms Refrigerator 1175 N. Knollwood Circle Anaheim, CA 92801 (714) 236-3600
- (d) Microwave: Service as needed and replacement units. Today's Restaurant Supply 3150 Colima Rd., #B Hacienda Heights, CA 91745 (626)934-7712

Food Services Training

802.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury to staff, contractors, and incarcerated workers in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

802.2 POLICY

The Whittier Police Department ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff and incarcerated workers (15 CCR 1230; 15 CCR 1243(g); 15 CCR 1245(a)).

802.3 TRAINING

The Jail Manager will be responsible for ensuring all jail staff periodically attend a food safety manager class to maintain current training certification.

Food Services Workers' Health, Safety, and Supervision

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation, and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and incarcerated workers.

806.2 POLICY

The Whittier Police Department will ensure that meals are nutritionally balanced, safe, and prepared and served in accordance with applicable health and safety laws. All incarcerated person food services workers will be properly supervised by custody staff to ensure safety and security at all times (15 CCR 1243(h)).

806.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered, and served only under direct supervision by staff.

Work assignments shall be developed to ensure that sufficient food services staff is available to supervise incarcerated person food services workers. The food services manager should coordinate with the corrections supervisor to ensure that sufficient correctional staff is available to supervise incarcerated person meal service.

The food preparation area must remain clean and sanitary at all times. The food services manager or the authorized designee shall post daily, weekly, and monthly cleaning schedules for the equipment and food preparation area.

806.4 MEDICAL SCREENING

The food services manager shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed (15 CCR 1230):

- (a) All food services workers shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections, and other illnesses transmissible by food or utensils.
- (b) Periodic reexaminations of food services workers shall be given to ensure freedom from any disease transmissible by food or utensils.
- (c) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.
- (d) A supervisor shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services Workers' Health, Safety, and Supervision

- (e) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.
- (f) All food handlers shall wash their hands when reporting for duty and after using toilet facilities. Aprons shall be removed and secured in a clean storage area before entering the toilet facility.
- (g) Food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.
- (h) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.
- (i) Smoking at any time is prohibited in any food services area.
- (j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.
- (k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if they report symptoms such as vomiting, diarrhea, jaundice, sore throat with fever, or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

Food Preparation Areas

808.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

808.2 POLICY

It is the policy of this department to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

808.3 COMPLIANCE WITH CODES

The Jail Manager is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (15 CCR 1245(a)).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross contamination and remain free from vermin infestation (Health and Safety Code § 114259).

808.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state, and local building codes, comply with food and agricultural laws and standards, and include any required approvals from any local regulatory authority (Health and Safety Code § 113700 et seq.).

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation, and methods of meal services.

Floors, floor coverings, walls, wall coverings, and ceilings should be designed, constructed, and installed so they are smooth, non-absorbent, and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed, and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and incarcerated persons to perform necessary tasks (Health and Safety Code § 114252).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Preparation Areas

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes shall be provided if necessary (Health and Safety Code § 114149(a)).

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state, and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices, or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies and be stored in compliance with the provisions of Health and Safety Code § 114047.

808.5 TOILETS AND WASHBASINS

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and incarcerated workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the incarcerated person population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and incarcerated workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The food services manager shall be responsible for procedures to ensure:

- (a) All fixtures in the toilet facilities are clean and in good operating condition.
- (b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used shall have at least one covered waste receptacle.
- (c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times (Health and Safety Code § 113953.3).

If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

Food Budgeting and Accounting

810.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment, and supplies for the delivery of food services (15 CCR 1243(i)).

810.2 POLICY

The Whittier Police Department food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards.

810.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The Jail Manager/food services manager is responsible for establishing a per meal, per inmate budget for food, equipment, and supplies that are needed for the effective operation of the facility's food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based on the food service needs and storage availability. The Jail Manager/food services manager is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

810.4 PROCEDURE

The Jail food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures including but not limited to:

- (a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.
- (b) Establishing a per meal, per incarcerated person cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory (15 CCR 1243(i)).
- (c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:
 1. Meals prepared and served for each meal period.
 2. Meals served per location.
 3. Prescribed therapeutic diet meals served.
 4. Authorized religious diet meals served.
 5. Authorized disciplinary isolation diet meals served.
- (d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Budgeting and Accounting

- (e) Bulk-purchasing nonperishable items to maximize the budget dollars (15 CCR 1243(b)).
- (f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including but not limited to:
 - 1. Following planned menus.
 - 2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
 - 3. Purchasing food that is in season.
 - 4. Purchasing the grade of product best suited to the recipe.
 - 5. Following standard recipes.
 - 6. Producing and portioning only what is needed.
 - 7. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
 - 8. When reasonably practicable, responding to the incarcerated person's food preferences.
 - 9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
 - 10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety, and incarcerated person abuse.
- (g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain (15 CCR 1243(b)):
 - 1. The common name of the product.
 - 2. The amount to be purchased.
 - 3. The trade, federal, or other grade or brand required.
 - 4. The container size and either an exact or a range of the number of pieces in a shipping container.
 - 5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).
- (h) Establishing accounting procedures for financial statements and inventory control.
- (i) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, and inventory of food, supplies, and equipment for the required period of time, as mandated by the governing body of the facility.

810.5 MONTHLY REPORTING

The food services manager is responsible for ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the number of (15 CCR 1243(j)):

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Budgeting and Accounting

- (a) Meals prepared and served for each meal period.
- (b) Meals served per location.
- (c) Prescribed therapeutic diet meals served.
- (d) Authorized religious diet meals served.
- (e) Authorized disciplinary isolation diet meals served.

A monthly report summarizing all data should be provided to the Jail Manager.

All meal records shall be retained in accordance with department retention schedules and state statutory regulations.

Food Services Facilities Inspection

814.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and incarcerated persons.

814.2 POLICY

It is the policy of the Whittier Police Department that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law.

814.3 CLEANING AND INSPECTIONS BY STAFF

The food services manager shall ensure that all equipment, appliances, and utensils in the food preparation areas and dining areas are inspected weekly. Adequate hot and cold water should be available in the kitchen. The water temperature of all fixtures should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows, and vent hoods. Equipment, such as chairs, tables, fryers, and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semiannually
- Annually

The food services manager is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules. At the direction of the Jail Manager or the authorized designee, the food services manager shall take prompt action to correct any identified problems.

814.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Services Facilities Inspection

- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even, and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal, and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves, and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens, and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, washing sinks, and dishwashing machines meet minimum acceptable temperatures.
- Appropriate hand-washing stations are provided.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate, and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

Food Storage

816.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, Health and Safety Codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

816.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards (15 CCR 1243(c); 15 CCR 1245(a)).

816.3 PROCEDURES

The [DivisionJailOperations]/food services manager shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness, and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from vermin infestations, and maintained at the appropriate temperature for the type of food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and credit the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The Jailfood services manager will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range, and should include contingency plans for menu changes, food storage relocation or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established records retention schedules.

816.3.1 INVENTORY

Fresh food inventory will be kept for no more than one week and replaced weekly with a fresh delivery. Frozen food will be kept for no more than two weeks. The Jail practices the First-in, First-out (FIFO) method of inventory and storage to avoid spoilage and efficient use of all supplies in a manner that is fiscally responsible.

Food will not be stored in any of the following ways:

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Storage

- In locker rooms
- In restrooms
- In dressing rooms
- In refuse rooms
- In mechanical rooms
- Under sewer lines that are not shielded to intercept potential leaks or breaks.
- Under leaking water lines, including leaking automatic fire sprinkler heads or under lines on which water has condensed.
- Under stairwells
- Under other sources of contamination.

Inmate meals are counted and inventoried on a daily basis to ensure there is an adequate number of meals on hand to provide for jail population levels. Inmate meals arrive every Wednesday and are ordered through the Los Angeles County Sheriff's Inmate Food Service Unit. Orders are placed on Mondays by 1400 hours via email. Orders are emailed to LASD at foodserviceswhittierpd@lasd.org. Phone #323-568-4571. The Food Services Headquarters is located in Twin Towers Correctional Facility.

816.4 REFRIGERATED AND FROZEN STORAGE

Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy, and meat items, to extend shelf life. Other than the defrosting cycle, all freezers must maintain a temperature of 0 degrees or lower.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method.

816.4.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include dismantling and cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (15 CCR 1243(m)).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Food Storage

816.4.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS

Soaps, detergents, waxes, cleaning compounds, insect spray, and any other toxic or poisonous materials should be kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

816.5 WASTE MANAGEMENT

The Jailfood services manager shall develop and maintain a waste management plan that ensures the garbage is removed daily (15 CCR 1243(I)). This plan should also include methods to minimize the waste of edible food and to dispose of non-edible or waste food material without utilizing a landfill.

Chapter 9 - Programs for Incarcerated Persons

Incarcerated Person Welfare Fund

902.1 PURPOSE AND SCOPE

The Department is authorized to maintain a fund derived from proceeds from the commissary, vending machines, telephones, and other incarcerated person-related commerce activities to be used primarily to provide welfare and education programs for the benefit of the incarcerated person population.

902.2 INCARCERATED PERSON WELFARE FUND

The Jail Manager or his/her designee, in cooperation with the City Controller, will establish and maintain an Incarcerated Person Welfare Fund where proceeds derived from incarcerated person telephones, commissary profits, vending machines, and other income intended for the support of incarcerated person programs are deposited.

The Incarcerated Person Welfare Fund is allocated to support a variety of programs, services, and activities benefiting the general incarcerated person population and enhancing incarcerated person activities and programs. This includes capital construction and improvement projects in support of such programs, services, and activities (Penal Code § 4025).

902.3 INCARCERATED PERSON WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Incarcerated Person Welfare Fund account:

- (a) Proceeds from the operation of incarcerated persons telephones
- (b) Donations
- (c) Interest income earned by the Incarcerated Person Welfare Fund

902.4 EXPENDITURE OF INCARCERATED PERSON WELFARE FUNDS

The Incarcerated Person Welfare Fund shall be used solely for the welfare and benefit of the incarcerated person population or as otherwise permitted by law.

Expenditures permitted from the Incarcerated Person Welfare Fund include but are not limited to the following:

- (a) Education programs
- (b) Recreational goods and services, such as:
 - 1. Recreational equipment, games, and sporting goods
 - 2. Library books
- (c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of incarcerated persons or to facilitate incarcerated person programs
- (d) Welfare packages for indigent incarcerated persons
- (e) Alcohol and drug treatment programs

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Welfare Fund

- (f) Incarcerated person trust accounting system
- (g) Envelopes, postage, and personal hygiene items for indigent incarcerated persons
- (h) Approved non-prescription, over-the-counter health aids for incarcerated person use
- (i) Libraries designated for incarcerated person use
- (j) Visiting room equipment, supplies, and services
- (k) Incarcerated person activity programs, including:
 - 1. Activities equipment, supplies, and services
 - 2. Repair of equipment purchased from the Incarcerated Person Welfare Fund
 - 3. Food or supplies for special occasions
 - 4. Materials for faith-based programs

902.4.1 PROHIBITED EXPENDITURES OF INCARCERATED PERSON WELFARE FUND

Except as permitted by law, the Incarcerated Person Welfare Fund shall not be used to fund activities associated with any of the following:

- (a) Security-related functions, including staff, safety equipment, radios, weapons, or control devices that are specifically designated for use by the custody staff in maintaining the security, safety, and order in the facility
- (b) Food service, staff costs, equipment, and supplies
- (c) Medical/dental services, staff costs, equipment, and supplies
- (d) Maintenance and upkeep of department facilities not otherwise permitted by law
- (e) Janitorial services and supplies
- (f) Transportation to court, medical appointments, or other reasons not related to incarcerated person programs
- (g) Any other normal operating expenses incurred by the day-to-day operation of the Department

902.4.2 EXPENDITURE FOR REENTRY PROGRAMS

Expenditures from the Incarcerated Person Welfare Fund are also permitted for programs that assist indigent incarcerated persons with the reentry process within 30 days of release. These programs include work placement, counseling, obtaining proper identification, education, and housing (Penal Code § 4025.5).

902.5 FINANCIAL ACCOUNTING OF INCARCERATED PERSON WELFARE FUNDS

The Programs Coordinator in cooperation with the City Controller shall maintain an accounting system to be used for purchasing goods, supplies, and services that support incarcerated person programs (see the Financial Practices Policy).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Incarcerated Person Welfare Fund

902.6 POLICY

It is the policy of this department to maintain and administer an Incarcerated Person Welfare Fund that supports incarcerated person programs.

Mail

918.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection, and sending of incarcerated person mail.

918.2 POLICY

This department will provide ample opportunity for incarcerated persons to send and receive mail, subject to restriction only when there is a legitimate government interest.

918.3 MAIL GENERALLY

Incarcerated persons may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of staff, visitors, or other incarcerated persons, or pose an unreasonable disruption to the orderly operation of the facility.

However, incarcerated persons are only allowed to store a limited amount of mail in their cells as determined by the Jail Manager. Excess mail will be stored with the incarcerated person's personal property and returned at the incarcerated person's release.

918.4 CONFIDENTIAL CORRESPONDENCE

Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this department, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect incoming confidential correspondence for contraband. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the incarcerated person. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

918.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Manager whenever staff becomes aware of mail sent by an incarcerated person that involves (15 CCR 1083(f)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims, or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the facility, staff, or the public.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mail

The District Attorney or City Attorney should be consulted in cases where criminal charges are considered against an incarcerated person or there is an apparent liability risk to the Department that relates to suspension or restriction of mail privileges.

918.6 PROCESSING AND INSPECTION OF MAIL BY STAFF

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. All incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays, or during an emergency situation.

Assigned jailers should open and inspect all incoming and outgoing general mail of current incarcerated persons. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for incarcerated persons no longer in custody should not be opened.

Outgoing general mail may not be sealed by the incarcerated person and may be read by staff when:

- (a) There is reason to believe the mail would:
 - 1. Interfere with the orderly operation of the facility.
 - 2. Be threatening to the recipient.
 - 3. Facilitate criminal activity.
- (b) The incarcerated person is on a restricted mail list.
- (c) The mail is between incarcerated persons.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an incarcerated person is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

Incarcerated persons are allowed to correspond with other incarcerated persons in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Incarcerated persons shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the incarcerated person's file in accordance with established records retention schedules.

Cash, government checks, and money orders contained in incoming incarcerated person mail shall be removed and credited to the incarcerated person's account. Personal checks may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mail

918.6.1 DESIGNATION OF STAFF AUTHORIZED TO READ MAIL

Only staff members designated by the Jail Manager are authorized to read incoming and outgoing non-confidential mail. These staff members should receive training on legitimate government interests for reading and censoring mail and related legal requirements (15 CCR 1063).

918.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available.

The impact the correspondence may have on other incarcerated persons and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining facility security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
- (d) Preventing harassment of those who have requested that no mail be sent to them by the incarcerated person.

Correspondence and material identified for censorship shall be delivered to the Watch Commander, who shall make the decision if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple incarcerated persons.

918.6.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or reject or censor correspondence, a written record must be made of such action, to include:

- (a) The incarcerated person name and number.
- (b) A description of the mail in question.
- (c) A description of the action taken and the reason for such action.
- (d) The disposition of the item involved.
- (e) Signature of the officer.
- (f) Notification to the incarcerated person and sender (unless such notification jeopardizes any investigation or the security of the facility).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mail

918.7 BOOKS, MAGAZINES, NEWSPAPERS, AND PERIODICALS

Unless otherwise in conflict with this policy and prohibited by the Jail Manager, incarcerated persons are permitted to purchase, receive, and read any book, newspaper, periodical, or writing accepted for distribution by the U. S. Postal Service (15 CCR 1066(a)).

Publications, magazines, or newspapers shall be accepted only if they are mailed directly from the publisher to a named incarcerated person. A current newspaper in general circulation or other like source, including a non-English alternative shall be made available to interested people (15 CCR 1066(a)).

918.8 REJECTION OF MAGAZINES AND PERIODICALS

The Department may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books, newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, or pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for incarcerated persons.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Watch Commander whenever a decision is made to reject books, magazines, or periodicals. The Jail Manager or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals, and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

918.9 FORWARDING OF MAIL

Any non-legal mail received for a former incarcerated person should be returned to the sender with a notation that the incarcerated person is not in custody. Obvious legal mail should be forwarded

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Mail

to the former incarcerated person's new address if it is reasonably known to the facility. Otherwise, legal mail should be returned to the sender.

918.10 INDIGENT INCARCERATED PERSONS REQUESTS FOR WRITING MATERIALS

Indigent incarcerated persons shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Manager. Writing materials should include the following (15 CCR 1063):

- (a) At least four pre-stamped envelopes for correspondence with family and friends
- (b) At least eight sheets of writing paper
- (c) One pencil

Indigent incarcerated persons shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this department, elected officials, jail inspectors, government officials, and officials of the Board of State and Community Corrections. There shall be no limitation on the number of postage-paid envelopes and sheets of paper permitted for correspondence to the indigent incarcerated person's attorney and to the courts (15 CCR 1063(e)).

Requests shall be screened and granted based on need by the Programs Coordinator. Incarcerated persons should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

Telephone Access

920.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting incarcerated persons to access and use telephones.

920.2 POLICY

The Jail will provide access to telephones for use by incarcerated persons consistent with federal and state law. The Jail Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All incarcerated persons will be provided a copy of the telephone usage rules as part of their incarcerated person orientation during the booking process.

920.2.1 SPECIFIC CONSIDERATIONS FOR PHONE CALLS

Prisoners have an absolute right to complete a minimum of **three** telephone calls immediately upon being booked and no later than **three** hours after arrest. All telephone calls within the local dialing area shall be free of charge.

- (a) Custody Staff has the primary responsibility for making sure that the prisoner receives his/her authorized telephone calls. Custody Staff shall complete the "Telephone Calls" section on the reverse of the booking sheet. Custody Staff shall check that the Arrest Record accurately reflects the status of all legally authorized calls. Custody Staff shall insure that incomplete, or additional calls legally required, are completed by the inmate. Refer to Section 851.5 of the Penal Code)

Inmates shall be allowed reasonable access to a telephone beyond those calls which are required by Section 851.5 P.C. The granting of such calls shall be maximized as much possible and shall be given for, but not limited to, the following requests:

- (a) Bail bondsman, for initial contact or change in bail status.
- (b) Attorney, for initial contact or change in status of case.
- (c) A relative or other person.
- (d) When the inmate is identified as a custodial parent with responsibility for a minor child they shall be entitled to two additional calls to arrange child care in the parent's absence.
- (e) An emergency call due to a death in an inmate's family.

920.3 PROCEDURE

Incarcerated persons housed in general population will be permitted reasonable access to public telephones at scheduled times for collect calls unless such access may cause an unsafe situation for the facility, staff, or other incarcerated persons. The Jail Manager shall ensure a notice is

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Telephone Access

conspicuously posted near the phones, informing incarcerated persons that non-attorney calls may be monitored and recorded.

Incarcerated persons are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or the Jail Manager, all telephones will be turned off.

For security reasons, incarcerated persons who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Teletypewriter or other communication devices (e.g., videophones, third-party communications assistant) will be made available to persons who are known to have, or are perceived by others as having, hearing or speech impairments to allow them equivalent telephone access as those without these disabilities (15 CCR 1067).

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations. Reasons for denial of telephone access shall be documented and a copy placed into the incarcerated person's file. The rules governing the use of the telephone will be provided to persons during orientation and posted near the telephones.

The staff should monitor the use of public telephones to ensure incarcerated persons have reasonable and equitable access and that the rules of use are observed. Any incarcerated persons refusing to cooperate with the telephone rules may have their call terminated, telephone privileges suspended, and/or incur disciplinary action.

Requirements relating to the use of telephones during booking and reception are contained in the Reception Policy.

920.4 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific incarcerated person, the supervisor may direct that a person use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the incarcerated person is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court-ordered.

920.5 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of custody, whether the incarcerated person has been charged, tried, convicted, or sentenced, reasonable and non-recorded telephone access to an attorney shall be provided to the person at no charge to either the attorney or to the incarcerated person, in accordance with the Access to Courts and Counsel Policy.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Telephone Access

920.6 TELEPHONE CONTRACTS AND CHARGES

The Jail Manager or the authorized designee is responsible for ensuring that rates charged to incarcerated persons are similar to those charged to the general public and that incarcerated persons are afforded a range of feasible calling options.

Visitation

922.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for incarcerated person visits and visitors. Visitation is a privilege and is based on space availability, schedules, and on-duty staffing.

922.1.1 DEFINITIONS

Definitions related to this policy include (Penal Code § 4032):

In-person visit - An on-site visit that may include barriers. In-person visits include interactions in which an incarcerated person has physical contact with a visitor, the incarcerated person is able to see a visitor through a barrier, or the incarcerated person is otherwise in a room with a visitor without physical contact. "In-person visit" does not include an interaction between an incarcerated person and a visitor through the use of an on-site two-way audio/video terminal.

Video visitation - Interaction between an incarcerated person and a member of the public through the means of an audio-visual communication device when the member of the public is located at a local detention facility or at a remote location.

922.2 POLICY

It is the policy of the Whittier Police Department to allow incarcerated person visitation, including video visitation when applicable, as required by law.

922.3 PROCEDURES

The Department shall provide adequate facilities for visiting that include appropriate space for the screening and searching of incarcerated persons and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Jail Manager shall develop written procedures for incarcerated person visiting, which shall provide for as many visits and visitors as facility schedules, space, and number of personnel will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Video visitation if applicable (Penal Code § 4032; 15 CCR 1062).

The visiting area shall accommodate incarcerated persons and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to incarcerated persons and disabled visitors to facilitate a visitation period.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Visitation

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special incarcerated person visitation are subject to city legal review and interpretation.

922.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal, or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, address, and the relationship to the incarcerated person.
- (b) A valid identification shall include the following:
 - 1. A photograph of the person
 - 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification, or a business card/letterhead of the business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

922.3.2 VIDEO VISITATION NOT TO REPLACE IN-PERSON VISITATION

The Department may not substitute video visitation for in-person visitation to meet the requirements of 15 CCR 1062.

922.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

The area designated for a visitor to be searched prior to visiting with an incarcerated person shall have a notice posted indicating that any cellular telephone, wireless communication device, or any component thereof shall be confiscated for the period of the visitation and returned to the visitor upon departure from the facility (Penal Code § 4576(b)(3)).

922.5 VISITING SCHEDULE

The Jail Manager shall designate a person to develop a schedule for incarcerated person visitation that includes daytime, evening, and weekend hours. Each incarcerated person shall receive a copy of the visitation schedule in the incarcerated person handbook at orientation. The visiting hours will also be posted in the public area of the facility.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Visitation

922.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

The Jail Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause (15 CCR 1062). Danger to the security of the facility or other good cause includes but is not limited to the following:

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or incarcerated person violates facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying the visitor into the facility.
- (e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of the documentation will be placed into the incarcerated person's file and another copy will be forwarded to the Jail Manager (15 CCR 1062).

922.7 GENERAL VISITATION RULES

All visitors and incarcerated persons will be required to observe the following general rules during visitation:

- (a) A maximum of two adults and two children will be permitted to visit an incarcerated person at any one time. Children visiting incarcerated persons must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the incarcerated person and the parent or legal guardian, the incarcerated person will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.
- (b) An incarcerated person may refuse to visit with a particular individual.
- (c) Those incarcerated persons who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.
- (e) Inappropriate clothing, such as transparent clothing, halter-tops, excessively tight or revealing clothing, hats and bandannas, or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages, or

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Visitation

other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.

- (h) Food or drink is not permitted in the visitor's area.
- (i) Incarcerated persons will be permitted to sign legal documents, vehicle release forms, or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.

922.8 SPECIAL VISITS

The Watch Commander may authorize special visitation privileges, taking into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the incarcerated person
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

922.9 ATTORNEY VISITS

Incarcerated persons shall have access to any attorney retained by or on behalf of the incarcerated person, or to an attorney the incarcerated person desires to consult, in a private interview room. Staff shall not interfere with, suspend, or cancel official visits except in circumstances where the safety, security, or good order of the facility is compromised (see the Incarcerated Person Access to Courts and Counsel Policy).

Religious Programs

934.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of incarcerated persons to exercise their religion and for evaluating accommodation requests for faith-based religious practices of incarcerated persons (15 CCR 1072).

934.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Department, as opposed to something merely preferred, that can be furthered only by the policy under review.

Least restrictive means - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Department adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

Religious exercise - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the incarcerated person's sincerely held religious beliefs.

Substantial burden - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Department that places an incarcerated person in a position of having to choose between following the precepts of the person's religion and forfeiting benefits otherwise generally available to other incarcerated persons, or having to abandon one of the precepts of their religion in order to receive a benefit.
- The Department puts considerable pressure on an incarcerated person to substantially modify the person's behavior in violation of their beliefs.

934.2 POLICY

It is the policy of this department to permit incarcerated persons to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate governmental objectives of the facility.

934.3 DIETS AND MEAL SERVICE

In the event a religious diet or service is requested, the Watch Commander or Jail Manager should seek to transfer the inmate to the Los Angeles County Jail, which can more adequately accommodate religious diets and services.

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Religious Programs

934.3.1 PROHIBITION ON USE OF ALCOHOL OR DRUGS FOR RELIGIOUS OBSERVANCE

Illegal substances are prohibited from use in religious services under RLUIPA. Otherwise legal substances, such as alcohol, may be permitted in religious rituals provided that:

- There is a recognized legitimate religious practice of which the consumption of a substance is an essential aspect of the religious practice.
- No reasonable alternative (such as non-alcoholic) means exists to exercise such an essential aspect of an inmate's faith and this imposes a substantial burden on an inmate's faith.
- The quantity of the substance consumed as part of the ritual will not intoxicate or impair the inmate.
- Adequate controls on the substance and limits upon the quantity are provided by the chaplain and approved by the Jail Manager.
- The activity will not otherwise disrupt facility safety or control interests.

Limited exceptions may be made in writing by the Jail Manager based upon the chaplain's recommendation that there is significant compelling reason to permit ceremonial consumption.

934.4 HAIRSTYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, incarcerated persons who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility (Penal Code § 2607).

Any incarcerated person whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

934.5 RELIGIOUS TEXTS

Religious texts should be provided to the requesting incarcerated person, if the texts available do not pose a threat to the safety, security, and orderly management of the facility.

934.6 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security
- (c) Self-mutilation
- (d) Use, display, or possession of weapons
- (e) Self-defense or military training

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Religious Programs

- (f) Disparagement of other religions
- (g) Nudity or sexual acts
- (h) Profanity
- (i) Use of illegal substances or controlled substances without a prescription

934.7 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety, or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

934.8 RELIGIOUS GARMENTS AND CLOTHING

Incarcerated persons who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify incarcerated persons and maintain security (Penal Code § 2607). (See the Reception Policy for additional guidance.)

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of department-supplied head coverings when available and appropriate.

Incarcerated persons wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite gender, if they so desire. Religious garments that substantially cover the person's head and face shall be temporarily removed during the taking of booking and identification photographs.

To the extent reasonably practicable, alternative housing may be considered to accommodate an incarcerated person's need for religious attire, while meeting the security needs of the facility.

934.9 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any incarcerated person for participating or not participating in any religion or religious practice. Incarcerated persons are not required to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the incarcerated person population, particularly as it relates to religious practices.

934.10 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

Unless exigent circumstances exist, when a person in custody is wearing religious clothing or headwear, a jailer shall offer to conduct searches of the individual using a jailer of the same gender and offer the search to be out of view of members of a different gender (Penal Code § 2607).

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Religious Programs

Following a search, any religious clothing or headwear purchased, accessed, or retained shall be returned unless there is a reason to confiscate the item due to a security risk. If the item is not returned, the reason shall be documented (Penal Code § 2607).

Chapter 10 - Facility Design

Facility Description

1001.1 DEFINITIONS

The Jail is classified and utilized as a Type I facility with Corrections Standards Authority approved capacity of 31 inmates.

Cells 1-9 are temporary holding cells for male inmates waiting arraignment. Each cell is equipped with a stainless steel toilet and wash basin, security cameras for video monitoring, adequate lighting, a special phone, inmate communication with the command center and manual locking security doors with glass-viewing windows.

Cells 10-14 are temporary holding cells for female inmates waiting arraignment. Each cell is equipped with a stainless steel toilet and wash basin, security cameras for video monitoring, a special phone, inmate communication with the command center adequate lighting and manual locking security doors with glass-viewing windows.

Sobering Cell 1 & 2 are holding cells and will be utilized for the sobering of intoxicated inmates. The cell is equipped with a stainless steel toilet, wash basin and drinking faucet, CSA approved padded flooring, security cameras for video monitoring, adequate lighting, inmate communication with the command center and glass-viewing windows and manually locking security door.

Safety Cell 1 & 2 are temporary holding cells with a capacity of one each to be utilized for any inmate displaying bizarre behavior and poises a threat to themselves or others. The floor and walls are covered with approved padded walls and flooring. The cell is equipped with security cameras for video monitoring, adequate lighting and glass-viewing windows, inmate communication with the command center and manually locking security door.

Two secure **showers** are available in the jail facility. The male shower is located in the male housing section on the east wall. The female shower is located in the female housing section on the south wall just south of the command module. Both showers are available for special cases and for decontamination if chemical agents are employed during the arrest.

Temporary holding cells 1 & 2 are available along the east wall of the inmate processing area. The cells are equipped with a concrete bench, and small glass-viewing windows and manually locking security door and security cameras for video monitoring and adequate lighting. The cell is equipped with a stainless steel toilet, inmate communication with the command center, wash basin and drinking faucet. The temporary holding cells are to be utilized primarily for pre-booking and transport holding.

Visitor/Attorney Room is for inmate visitors, bail bondsmen and attorney visits. This room has a large glass viewing area. This room has no facilities and is located in the northwest portion of the jail.

Jail Facility Control Room is the central secure control pod located in the center of the jail. This area is equipped with phones, jail manual, inmate communication with each housing cell and supplies. It is located directly in the middle of the facility to monitor all cells and indirectly monitor all

Whittier Police Department

Whittier PD Custody Manual

Whittier PD Custody Manual

Facility Description

cells by video. It controls all jail cameras, fire alarm board, external door controls and emergency ventilation. This room houses the first aid kit, a fire extinguisher and suicide kit(s).

Live Scan Booking Area/Property Storage is the main booking area for criminal live-scan fingerprinting, digital imaging of the inmate, inmate phone calls, orientation and the temporary storage area of the inmate's property. It is located along the east wall directly across from the Main Jail Pod Room.

Inmate Processing Room is located between the sally port and the live scan area. The Intox machine is housed in this area along with the two temporary holding cells and an interview room. The room is also used as a preliminary booking room for the officers prior to transferring the inmate to the custody staff.

Janitorial/Laundry Room serves as the jail supply room for cleaning supplies for the jail, which is to be used only during special circumstances. It is located outside the secure perimeter on the basement level in the north corridor. Jail Supply Room serves as the storage place for the jail facility supplies (hygiene items, staff gloves, maternity breast pumps, mattresses, booking forms, booking supplies, etc.)

Food Preparation Room is located in the female housing section along the north wall of the jail. This room is to remain secure at all times and contains a sink, refrigerator, freezer, microwaves, food and plastic utensils.

Employee Bathroom is located on the east wall and is exclusively for authorized jail staff and officers. The bathroom contains a stainless steel sink and toilet basin.

Smoking and Tobacco Use

1002.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by members and others while on-duty or while in Whittier Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device intended to simulate smoking such as an electronic cigarette or personal vaporizer.

1002.2 POLICY

The Whittier Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore, smoking and tobacco use are prohibited by members, incarcerated persons, and visitors in all department facilities, building, and vehicles, and as is further outlined in this policy.

1002.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Department.

Smoking and the use of other tobacco products is not permitted inside department facilities or any department vehicle, or any other city building (Labor Code § 6404.05).

It shall be the responsibility of each employee to ensure that no person under their supervision smokes or uses any tobacco product inside city facilities and vehicles.

1002.4 ADDITIONAL PROHIBITIONS

No person shall smoke tobacco products within 20 feet of a main entrance, exit, or operable window of any public building, including any department facility or a building on the campuses of the University of California, California State University and the California community colleges, whether present for training or any other purpose (Government Code § 7596 et seq.).

1002.4.1 NOTICE

The Jail Manager or the authorized designee should ensure that proper signage regarding smoking and tobacco use prohibitions is posted at each entrance to the facility (Labor Code § 6404.5).

Crowding

1006.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the incarcerated person population to the number of beds constructed in each incarcerated person classification level. Occasionally, emergencies occur that will require the jail to exceed its approved bed capacity. This policy establishes the approved bed capacity of the facility, addresses temporary population excess, and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

1006.2 POLICY

It is the policy of the Whittier Police Department to manage the incarcerated person population to the extent as is reasonably possible to avoid exceeding the facility's approved bed capacity.

1006.3 DAILY INCARCERATED PERSON POPULATION REPORT

The Jail Manager or the authorized designee is responsible for ensuring that detailed daily logs of the facility's incarcerated person population and other demographic information are completed and maintained by the staff. These logs shall reflect the monthly, average daily population of sentenced and non-sentenced incarcerated persons by categories of each gender as of midnight of each day. The number of incarcerated persons occupying holding cells shall also be counted at midnight each day. An incarcerated person population report summarizing this information shall be created daily and distributed to the Chief and the Jail Manager (see the Population Management Policy). The Jail Manager shall provide the Board of State and Community Corrections with applicable incarcerated person demographic information as described in the Jail Profile Survey (15 CCR 1040).

1006.4 RESPONSIBILITIES

The Chief is responsible for ensuring that the facility has a sufficient number of housing units in an appropriate configuration so that incarcerated persons can be separated according to the facility's classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the incarcerated person population to the approved bed capacity as soon as reasonably practicable. The Department will take affirmative action to address excess population. In the event that the incarcerated person population remains over capacity or continues to increase, a crowding committee should be formed to examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

Whittier PD Custody Manual

Whittier PD Custody Manual

Attachments

INDEX / TOPICS