

El Monte Police Department

JAIL Policies

MISSION

The members of the El Monte Police Department are committed to improving the quality of life in the City of El Monte. We will strive to provide a safe environment and promote security. This will be done in partnership with the community utilizing courtesy and respect.

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PHILOSOPHY AND GOALS

The Custody Services Manual shall serve as a supplemental manual for, and shall be subordinate to, the Policies and Procedures Manual of the El Monte Police Department. In all cases where a conflict in written orders exist, the Policy Manual shall have precedence. This is to ensure there is no confusion regarding the rules of conduct governing this organization.

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CODE OF ETHICS

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

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

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

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

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

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

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Chapter 1 - Role and Authority

Jail Manual

100.1 PURPOSE AND SCOPE

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

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

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

100.1.1 DEFINITIONS

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

Adult - Any person 18 years of age or older.

Department -The Department.

Employee - Any person employed by the Department.

Jail Manual - The Department Jail Manual.

Juvenile - Any person under the age of 18.

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

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

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

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

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On-duty- Status during the period when an employee is actually engaged in the performance of assigned duties.

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

Rank - The job classification title held by a jailer.

Shall or will - Indicates a mandatory action.

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

100.2 POLICY

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

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

100.2.1 DISCLAIMER

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

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

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

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

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100.3.1 ORGANIZATIONAL CHART

The Jail Manager should ensure the development and update of an organizational chart identifying the chain of command.

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

100.3.2 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

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

100.4 DISTRIBUTION OF MANUAL

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

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

100.5 MANUAL ACCEPTANCE

As a condition of employment, all members are required to read and obtain necessary clarification of this 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 Jail Manual.

100.6 REVISIONS TO POLICIES

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

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

Facility Inspection

101.1 PURPOSE AND SCOPE

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

101.2 POLICY

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

101.3 FACILITY MANAGER RESPONSIBILITY

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

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

101.4 INSPECTION AREAS

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

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

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correction or additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.

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

101.5 FOCAL POINTS FOR INSPECTIONS

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

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

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

Chapter 2 - Organization and Administration

Staffing

200.1 PURPOSE AND SCOPE

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

200.2 POLICY

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

200.3 STAFFING PLAN REQUIREMENTS

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

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

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

200.4 STAFFING ANALYSIS

The Chief or the authorized designee shall complete an annual comprehensive staffing analysis to evaluate personnel requirements and available staffing levels. The staffing analysis will be used to determine staffing needs and to develop staffing plans.

The Jail Manager, in conjunction with the Prison Rape Elimination Act of 2003 (PREA) Coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.113). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and department policies. If deficiencies are noted,

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the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

- (a) Operational changes
- (b) Equipment requirements
- (c) Additional training
- (d) Supervisory intervention
- (e) Additional personnel

200.4.1 DATA COLLECTION FOR ANALYSIS

Data that should be collected for the annual staffing analysis include:

- All categories of leave usage for each staff member working in the jail.
- Date of hire or assignment to a jail position for each employee.
- Date of transfer from the jail to another non-custody position for each member.
- Annual hours of authorized overtime expended during the previous year.
- Number of part-time or extra personnel hired during the previous year.
- Details of any unusual occurrence or significant medical issues in the jail that were related to staffing during the previous year.
- Details of claims or litigation, if any, that were related to staffing levels and were initiated against the jail in the previous year.
- Labor contracts/collective bargaining agreements relating to corrections and medical personnel.
- Annual training requirements that affected staffing levels in the jail.
- Concerns expressed by members of the public.
- Any investigations or reports by the grand jury or other government agency, jail monitor or ombudsman.
- Other data that may influence the number of personnel available to occupy posted positions.

200.5 REPORTING

The Chief or the authorized designee will submit a report of the findings of the staff analysis to the officials responsible for funding the jail operation.

Supervision of Incarcerated Persons

201.1 PURPOSE AND SCOPE

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

201.2 POLICY

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

201.3 SUPERVISION OF INCARCERATED PERSONS

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

When persons held at this jail are not all the same gender, a minimum of one custody officer from each gender, who are custody trained and on-duty, should be immediately accessible for the supervision of the incarcerated persons (Penal Code § 4021).

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, bathrooms for incarcerated persons 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.

201.4 PROHIBITION OF INCARCERATED PERSONS CONTROL

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)).

Records of Incarcerated Persons

202.1 PURPOSE AND SCOPE

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

202.2 POLICY

It is the policy of this department that all records shall be complete and comprehensive, resulting in reliable data that provides information about each incarcerated person's period of confinement, as well as histories of previous confinement in this jail. 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.

202.3 RECORD MAINTENANCE

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

- Information gathered during the admission process as provided in the Reception and Housing Policy
- Photographs and fingerprints cross referenced to the booking number
- Commitment papers
- Cash and property inventory and receipts
- Housing history records
- Reports of rule violations and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Special visit forms
- Court orders, appearances, documents, and the disposition of hearings
- Work documentation
- Program documentation
- Visitation records
- Telephone records
- Medical orders and staff response

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Records of Incarcerated Persons

- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, and medications
- Information regarding disabilities and other limitations

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

202.3.1 SUPERVISORS RESPONSIBILITY

Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration and the offenses that allowed for the transfers (Government Code 7284.6(c)(2)).

202.4 RELEASE OF INCARCERATED PERSON RECORDS

Records of an incarcerated person are confidential and shall be used for official business only. Any release of a person's record 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.

202.5 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.

202.6 RECORDS RETENTION

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

Tool, Equipment, Key, and Electronic Access Device Controls

203.1 PURPOSE AND SCOPE

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

203.2 POLICY

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

While there are times that specific incarcerated workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (15 CCR 1029(a)(6)) to reduce the risk of such items becoming weapons.

203.3 KEY IDENTIFICATION

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

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

203.4 KEY CONTROL

All jail keys shall be maintained in a locked key box within a secure and designated area. This room shall have controlled access for members only. Each employee assigned to the jail shall report to the on duty custody officer upon beginning their shift in order to receive jail keys. At the end of a shift, members shall return their keys to the on duty custody officer to be secured in the locked key box.

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

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

Supervisors shall, at the beginning and end of their respective shifts, inventory the key box and its contents. 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.

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203.5 LOCK POLICY

All security perimeter entrances, Main Control doors and cell doors shall be kept locked, except when used for admission or exit of employees, inmates 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.

203.6 EMERGENCY KEY SET

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

203.7 MISSING KEYS

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

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

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

203.8 DAMAGED KEYS OR LOCKS

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

203.9 ELECTRONIC ACCESS DEVICES

Proximity cards, fobs, or other devices may be issued to members to allow access to restricted or controlled areas of the jail. In the event of a lost or stolen device, an employee shall notify

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their supervisor as soon as it is known the device is missing. The device shall be immediately deactivated to prevent unauthorized use.

203.10 TOOL AND EQUIPMENT CONTROL

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

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

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

Any tool that is used within the secure perimeter of the jail must be closely monitored and controlled by the member supervising the area so that the tool cannot be used as a weapon (15 CCR 1029(a)(6)). Incarcerated persons who are assigned tasks that require these tools shall be closely supervised.

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

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

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

Daily Activity Logs and Reports

204.1 PURPOSE AND SCOPE

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

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

204.2 POLICY

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

204.3 PROCEDURES

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

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

- (a) Black ink pen shall be used, unless entries are logged into an electronic record.
- (b) Entries should be legible and provide sufficient detail to ensure that the log entry properly reflects the events of the day.
- (c) Entries shall include the name and 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.

204.4 SHIFT ACTIVITY LOG

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

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

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Daily Activity Logs and Reports

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

204.5 REPORT PREPARATION

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

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

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Daily Activity Logs and Reports

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 they are specifically identified as such.

204.5.1 INCIDENT REPORTING

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

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

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

204.6 SUPERVISOR RESPONSIBILITIES

Supervisors shall review the daily activity log and 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 jail.

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

- Date and time the incident began
- Specific location of the incident
- Times of significant response measures taken during the incident
- Name, identification number and time of arrival of personnel on-scene

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- Orders issued by the incident commander
- Significant events that occurred as a result of the incident

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

Accessibility - Facility and Equipment

205.1 PURPOSE AND SCOPE

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

205.1.1 DISABILITY DEFINED

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

205.2 POLICY

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

205.3 ACCOMMODATIONS

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

- Vehicle parking areas that accommodate cars and vans or other vehicles with wheelchair lifts.
- Public areas that are wheelchair accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- 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.

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205.4 ADA COORDINATOR

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

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

205.5 DISSEMINATION OF INFORMATION

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

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

205.6 TRAINING

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

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

Community Relations and Public Information

206.1 PURPOSE AND SCOPE

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

206.2 POLICY

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

206.3 RESPONSIBILITIES

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

- (a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility procedures affecting incarcerated persons as specified in 15 CCR sections:
 - (a) 1045, Public Information Plan
 - (b) 1062, Visiting
 - (c) 1063, Correspondence
 - (d) 1064, Library Service
 - (e) 1065, Exercise and Out of Cell Time
 - (f) 1066, Books, Newspapers, Periodicals and Writings
 - (g) 1067, Access to Telephone
 - (h) 1068, Access to Courts and Counsel
 - (i) 1069, Orientation
 - (j) 1071, Voting
 - (k) 1072, Religious Observance
 - (l) 1073, Grievance Procedure
 - (m) 1081, Plan for Discipline
 - (n) 1200, Responsibility for Health Care Services

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

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

206.4 PROHIBITED MATERIALS

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

206.5 TOURS OF THE JAIL

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

- (a) Persons who tour this jail 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 jail tours should be maintained in accordance with applicable retention requirements.

206.6 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:

- (a) The full name and occupation of the incarcerated person
- (b) The incarcerated person's physical description, including date of birth
- (c) Date and time of arrest
- (d) Date and time of booking
- (e) Location of arrest
- (f) The factual circumstances surrounding the 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

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

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

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

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

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

206.6.1 RESTRICTED INFORMATION

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

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

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

Victim Notification

207.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure victims of crimes receive notice when an incarcerated person held for those crimes is released or escapes, and that victims receive any other notification required by California law.

207.2 POLICY

It is the policy of this department to act in accordance with all laws regarding victim notification.

207.3 PROCEDURE

The Jail Manager shall ensure that a system is in place for individuals to request release or escape information on any incarcerated person housed in this jail.

Notification requests or requirements that are known during the booking process should be documented in the appropriate designated section of the incarcerated person's booking file.

207.4 NOTIFICATION

Members tasked with the release of an incarcerated person or investigating an escape shall verify whether there is a required release notification in the incarcerated person's file.

Members shall document notification efforts in the incarcerated person's file.

Unless ordered by the court or a supervisor, no victim or witness information shall be provided to any incarcerated person by any member of this department. Any unauthorized access or release of victim information is a direct violation of victim confidentiality and applicable policies, and may subject the person releasing the information to disciplinary action, up to and including termination from employment and/or criminal prosecution.

207.4.1 REQUIRED NOTIFICATIONS

The Watch Commander or the authorized designee shall make a reasonable and good faith effort to make notifications required by law by using one of the following methods:

- (a) Information on an incarcerated person's custody status may be provided to VINE® (Victim Information and Notification Everyday). Instructions, including the telephone number for VINE and how to register for automatic notification when a person is no longer in custody should be provided to individuals upon request (Penal Code § 646.93).
- (b) If VINE is not used to provide information regarding custody status, a telephone number shall be available to the public to inquire about an incarcerated person's release or bail status. If an incarcerated person is transferred to another incarceration facility and is no longer in the custody of this jail, the transfer date and new incarceration location shall be available to individuals calling this telephone number (Penal Code § 646.93).
- (c) Incarcerated person release or escape information should be provided to victims of crime who have requested to be notified (Penal Code § 679.02(12)).

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Victim Notification

Notification should be made by telephone or electronic mail using the method of communication selected by the person to be notified, if that method is reasonably available. In the event the person's contact information provided to the Department is no longer current, the Department shall make a diligent, good faith effort to learn the whereabouts of the victim in order to comply with these notification requirements. Notification shall only be left on a messaging system if the person has indicated in the notification request that such notification is acceptable or if the staff has attempted and cannot make other contact with the person.

If contact cannot be made and no means exist to leave a message with the person, the Watch Commander or the authorized designee should request the law enforcement agency having jurisdiction where the person resides perform a welfare check. Subsequent and continuing attempts shall be made to contact the person using the numbers listed in the notification request. All attempts to contact shall be documented on the victim notification request form.

Chapter 3 - Recruitment, Selection and Training

Employee Orientation

300.1 PURPOSE AND SCOPE

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

300.2 POLICY

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

300.3 NEW EMPLOYEE ORIENTATION

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

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

300.4 EMPLOYEE ACKNOWLEDGEMENTS

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

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

Custody Training Officer

301.1 PURPOSE AND SCOPE

The jail Custody Training Officer (CTO) program is intended to provide a standardized program to facilitate the custody officer's transition from the academic setting to the actual performance of general corrections duties.

301.2 POLICY

It is the policy of this department to assign all new custody officers to a structured jail TO program that is designed to prepare the new custody officer to perform in a custody assignment, and to provide training on all skills needed to operate in a safe, productive and professional manner.

301.3 TRAINING OFFICER

The TO is an experienced custody officer trained in the art and science of supervising, training and evaluating entry-level custody officers in the application of their previously acquired knowledge and skills.

301.3.1 SELECTION PROCESS

Training officers will be selected based on certain requirements, including:

- (a) A desire to perform the training mission.
- (b) A minimum of three years as a custody officer.
- (c) A demonstrated ability to be a positive role model.
- (d) Successfully passed an internal oral interview selection process.
- (e) An evaluation by supervisors and current TOs.
- (f) A certificate from the state's law enforcement certifying agency, where applicable.

301.3.2 TRAINING

All TOs shall successfully complete a 40-hour course of instruction prior to being assigned a trainee.

All TOs must complete a 24-hour update course every three years while assigned to the position of TO.

301.4 JAIL TRAINING PROGRAM PHASES

The custody training program is designed to build upon the conceptual foundation taught in the basic academy, whereupon the theoretical knowledge gained in the academy can be molded into a practical skill set. The custody training program is documented in the Custody Training Manual.

301.5 PROBATIONARY PERIOD EVALUATION

Probationary employees and trainees will receive a written evaluation of their job skills and learning progress at least once a month or at the completion of each phase of training, whichever occurs first. Prior to being permanently appointed, each trainee will receive a final evaluation. These

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evaluations shall be in writing and discussed with the trainee by his/her supervisor. The final evaluation shall be made a part of the trainee's personnel record. After the final training evaluation, the trainee will receive an evaluation every two months for the remainder of the probationary period. Evaluations may be more frequent at the direction of the Training Manager, based on the performance of the trainee.

301.6 TRAINING OFFICER RESPONSIBILITIES

TOs shall complete and submit a written evaluation on the performance of their assigned trainee to the TO's immediate supervisor on a daily basis.

TOs shall review the performance evaluations with the trainee each day.

A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the TO at the end of each phase of training.

TOs shall be responsible for signing off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of the assigned trainee.

301.7 TRAINING OFFICER PROGRAM SUPERVISOR

The department's Training Manager will serve as the TO program supervisor and shall possess supervisory credentials from the state's law enforcement certifying agency, where applicable. The supervisor's responsibilities include the following:

- (a) Assign trainees to TOs.
- (b) Conduct TO meetings.
- (c) Maintain and ensure TO/trainee performance evaluations are completed in a timely manner.
- (d) Maintain, update and issue the training materials to each trainee.
- (e) Monitor individual TO performance.
- (f) Monitor the overall TO program.
- (g) Develop ongoing training for TOs.

Training

302.1 PURPOSE AND SCOPE

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

302.2 POLICY

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

302.3 MINIMUM TRAINING REQUIREMENTS - TYPE 1 FACILITIES

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

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

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

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

302.3.1 MANAGER AND SUPERVISOR TRAINING - TYPE 1 FACILITIES

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

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

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

302.3.2 CONTINUING EDUCATION TRAINING – TYPE 1 FACILITIES

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

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302.4 SPECIALIZED TRAINING

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

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

302.5 BRIEFING TRAINING

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

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

302.6 SUPPORT PERSONNEL TRAINING

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

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

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

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- Incarcerated person rules and regulations
- Incarcerated person rights and responsibilities
- CPR and first aid

302.7 VOLUNTEER TRAINING

The Training Manager or the authorized designee should be responsible for developing and maintaining training curriculum and any related forms specific to volunteer assignments. The Training Manager or the authorized designee should be responsible for ensuring that volunteers are provided with an orientation program to acquaint them with the Department, personnel, and policies and procedures that have a direct impact on their work assignments. The training/ orientation will include but is not limited to the following topics:

- (a) Department policies and procedures
- (b) Rules related to contraband in the jail
- (c) Prohibition on carrying weapons in the jail
- (d) Volunteer/offender relationship and general rules of conduct
- (e) Safety and emergency information
- (f) An overview and history of the Department

The Training Manager shall be responsible for creating and maintaining records of all training provided to each volunteer.

302.8 TRAINING RECORDS

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

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

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

Training records shall contain the following information:

- The name of the member
- Date of hire
- Education and training background (education and training received before hire)
- Type of training received
- Date the training was received and successfully completed

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- Title of the training and name of the provider
- Test scores or training benchmarks

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

302.9 MINIMUM TRAINING REQUIREMENTS - TEMPORARY HOLDING FACILITIES

All custody officers and supervisors, full- or part-time, shall successfully complete specialized training as described in 15 CCR 1024, within six months after the date of assignment. The specialized training may be waived upon successful completion of the Corrections Officer Core Course or Corrections Officer Basic Academy Supplemental Core Course as described in 15 CCR 1020.

Eight hours of refresher training shall be completed once every two years. Successful completion of the continuing professional training requirements in 15 CCR 1025 may be substituted for the eight-hour refresher (15 CCR 1024)

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

Chemical Agents Training

303.1 PURPOSE AND SCOPE

This policy establishes the required training for custody officers to be authorized to carry and use chemical agents.

303.2 POLICY

The Department authorizes the use of selected chemical agents. Chemical agents are weapons used to minimize the potential for injury to custody officers, incarcerated persons, and others. Chemical agents should only be used in situations where such force reasonably appears justified and necessary.

303.3 CHEMICAL AGENT TRAINING

Only custody officers trained and having shown adequate proficiency in the use of any chemical agent and the Use of Force Policy are authorized to carry the device.

All initial and proficiency training for chemical agents will be documented in the custody officer's training file.

Custody officers failing to demonstrate continuing proficiency with chemical agents or knowledge of the Use of Force Policy will lose their authorization to carry or use the devices and will be provided remedial training.

The Training Manager shall be responsible for ensuring that all personnel who are authorized to use chemical agents have also been trained in the proper medical treatment of persons who have been affected by the use of chemical agents. Training should include the initial treatment (e.g., providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.

303.4 PROFICIENCY TESTING

The Training Manager shall ensure that all training delivered to members should also test proficiency in order to document that the employee understands the subject matter, and that proficiency training is monitored and documented by a certified weapons or tactical instructor.

303.5 TRAINING RECORDS

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

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

The Training Manager shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

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303.6 REVIEW, INSPECTION AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the Rangemaster or the designated instructor for a particular device.

Prison Rape Elimination Act Training

304.1 PURPOSE AND SCOPE

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

304.2 POLICY

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

304.3 MEMBER TRAINING

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

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

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

Training shall be tailored according to the gender of the incarcerated persons at the jail. Members should receive additional training on security measures and the separation of both gender populations in the same facility if the member has been reassigned from a facility that houses only one gender of incarcerated persons.

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

304.4 SPECIALIZED INVESTIGATIVE TRAINING

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

Chapter 4 - Emergency Planning

Facility Emergencies

400.1 PURPOSE AND SCOPE

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

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

400.2 POLICY

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

400.3 PROCEDURE

The facility emergency plan is intended to provide members with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the jail or compromise the safety of members, incarcerated persons, or the community.

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

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

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

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

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The emergency response plan should include procedures for continuing to house incarcerated persons in the jail, 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.

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

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

400.4 LOCKDOWN

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

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

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

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

400.5 EVACUATION PLAN

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

- Location of jail building and floor plans
- Procedures on how 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 members

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- Reporting requirements

The Jail Manager should 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 should be maintained in the Administration office and in command areas.

400.5.1 EXITS AND EVACUATION ROUTES

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

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

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

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

400.5.2 EMERGENCY HOUSING OF INCARCERATED PERSONS

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

400.6 RESPONSE TO DISTURBANCES

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

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

400.7 RIOTS

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

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

400.7.1 RESPONSE TO RIOTS

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

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

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

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

400.8 HOSTAGES

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

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

The Jail Manager shall use all available resources necessary to bring about a successful end to a hostage situation (15 CCR 1029(a)(7)(B)).

(15 CCR 1029[SG1](a)(7)(B)

[SG1] I don't think this is correct. I think it should be 15 CCR 1029(a)(7)(B).

Agreed. lg

400.8.1 HOSTAGE RESCUE

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the members to open doors will not be met. A hostage rescue team should be immediately summoned and the established protocols for resolving the situation implemented.

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The Jail Manager and Chief should be consulted regarding decisions faced by the hostage rescue team.

In the event that the jail does not have a hostage team, mutual aid may be requested from any allied agency.

400.9 ESCAPES

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

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

400.9.1 INCARCERATED PERSON COUNTS

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

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

400.9.2 SEARCH

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

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

400.9.3 REPORTING

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

400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL

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

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

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

400.11 REPORTING AND DEBRIEFING

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

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

400.12 REVIEW OF EMERGENCY PROCEDURES

The Jail Manager should ensure that there is a review of emergency procedures at least annually. This review should be documented with reports submitted to the Jail Manager or the authorized designee within 10 days of the review for approval. This review should also include the signatures or initials of the member responsible for the review. At a minimum, the review should include:

- Assignment of persons to specific tasks in emergency situations.
- Instructions in the use of the alarm systems and signals.
- Systems for the notification of appropriate persons outside of the jail.
- Information on the location and use of emergency equipment in the jail.
- Specification of evacuation routes and procedures.

400.13 TRAINING

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

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

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

The Training Bureau shall forward an annual report to the Chief and Jail Manager on the status of emergency response plan training. Any deficiencies identified in the report should be rectified within 90 days of the report.

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

400.14 INSPECTION AND TESTING

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

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

Power generators should be inspected and tested by a qualified individual at least weekly.

All testing and inspections shall be documented and the results included in a report to the Jail Manager.

400.15 PREVENTIVE MAINTENANCE

It is the responsibility of the Chief and Jail Manager to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the jail to operate continuously for a three-day period, if necessary, without external resources.

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

Fire Safety

401.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the jail represents a significant risk to the safety and security of the community, the members, 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 jail on the emergency plans for fire safety and evacuation.

401.2 POLICY

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

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

401.2.1 FIRE CODES

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

401.2.2 FIRE PREVENTION RESPONSIBILITY

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

401.3 FIRE SUPPRESSION PRE-PLANNING

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

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

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401.4 FIRE PREVENTION EQUIPMENT

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

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

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

401.5 FIREFIGHTING EQUIPMENT

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

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

401.6 FIRE TRAINING

The Training Manager is responsible for ensuring that within the first six months of assignment to the jail all members receive training on the use of the SCBA sufficient to demonstrate proficiency. The members should also be trained in the use of the jail's firefighting equipment sufficient to demonstrate proficiency. The members should receive refresher training at least annually on the use of firefighting equipment.

Each shift will have at least one designated member who is trained to maintain the jail's firefighting equipment, including the SCBA.

401.7 INSPECTIONS

The Department shall be inspected by an appointed member who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained. These inspections will be focused on, but not limited to, fire prevention, member training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and member 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 members conduct weekly fire and safety inspections of the jail and that all fire safety equipment is tested at least quarterly (15 CCR 1029(a)(7)(E)).

A member shall be assigned to coordinate with local or state fire officials for the required inspections (Health and Safety Code § 13146.1(a); Health and Safety Code § 13146.1(b)). The

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result of all fire inspections and fire equipment testing shall be provided to the Jail Manager and the Chief and maintained for a minimum of two years (15 CCR 1032(b)).

401.7.1 FURNISHINGS

All furnishings allowed in the jail shall meet fire authority standards for fire performance characteristics. Prior to the introduction of any furnishing into the jail, members shall receive clearance from the local fire authority as to its appropriateness.

401.7.2 FLAMMABLE, TOXIC, AND CAUSTIC MATERIALS

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

401.8 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 jail, 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.

Chapter 5 - Inmate Management

Population Management

500.1 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 jail 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.

500.2 POLICY

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

500.3 INCARCERATED PERSON POPULATION REPORTS

The Jail Manager or the authorized designee is responsible for ensuring that detailed daily reports of the jail's incarcerated person population are completed and maintained by the members. The reports shall reflect the average daily population of sentenced and non-sentenced incarcerated persons by categories of adult gender.

Daily logs of the incarcerated person population, its demographics, and the number of incarcerated persons in holding cells should be documented as of midnight of each day. An incarcerated person population report summarizing this information shall be created daily and distributed to the Chief and the Jail Manager. The Chief or the authorized designee should maintain the data in an accessible format for historical purposes, trend analysis and response to funding opportunities. The Jail Manager shall provide the Board of State and Community Corrections (BSCC) with applicable incarcerated person demographic information as described in the Jail Profile Survey.

Counts

501.1 PURPOSE AND SCOPE

Incarcerated person counts are vital to the security of the jail, the safety of the members, 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.

501.2 POLICY

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

501.3 PROCEDURE

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

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

Any discrepancy in the count should immediately be reported to the Jail Manager and resolved prior to the release of the shift personnel responsible for the count. A formal count in which all inmates are personally identified by custody 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 jail.

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.

All prisoner counts are documented in the Department's CAD/RMS system.

Reception and Housing

502.1 PURPOSE AND SCOPE

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

502.2 POLICY

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

502.3 PRE-BOOKING SCREENING

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

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

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

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

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

502.3.1 NON-DETAINABLE INCARCERATED PERSON SCREENING

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

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

502.3.2 IMMIGRATION DETAINERS

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

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

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

502.3.3 SCREENING FOR MEDICAL SYMPTOMS

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

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supervisor shall ensure that the arrestee receives appropriate medical attention. The arrestee should be transferred to an appropriate facility.

The screening documentation should include the following:

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

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

502.3.4 IMMIGRATION INQUIRIES PROHIBITED

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

502.3.5 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 the individual 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.

502.4 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 transporting officer shall be documented on the arrestee's booking record.

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

502.5 CLASSIFICATION

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

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

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

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

- Gender identity
- Age
- Criminal sophistication
- Seriousness of crime charged
- Assaultive/non-assaultive behavior
- Medical problems
- Mental state (including developmental disabilities)
- Sexual orientation (evaluate whether the arrestee may be at a high risk of being sexually abused based on all available known information) (28 CFR 115.141)
- Prior acts of sexual abuse, prior convictions for violent offenses, and history of institutional violence or sexual abuse, as known to the Department
- Any other criteria deemed appropriate by the Chief or the authorized designee
- Any other requirements for classification plan under 15 CCR 1050.

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

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

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

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

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

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

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502.5.1 HOUSING ASSIGNMENTS

Incarcerated persons should be housed based upon the following criteria:

- Classification level
- Age
- Gender
- Legal status (e.g., pretrial or sentenced)

502.5.2 [RESTRICTIVE HOUSING]

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

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

502.6 ADMISSION PROCESS

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

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

- Identifying information (including name and any known aliases or monikers)
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting officer and transporting personnel, 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

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- Preferred emergency contact including name, address, telephone number, and relationship to incarcerated person
- Driver license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the 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
 - 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
- 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

502.6.1 LEGAL BASIS FOR DETENTION

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

502.6.2 INCARCERATED PERSON SEPARATION

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

Incarcerated persons of different genders shall be housed to ensure visual and physical separation.

Pre-arraigned incarcerated persons shall be housed separately from post-arraigned incarcerated persons, if practicable.

Civil detainees shall be housed separately from incarcerated persons.

502.7 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 incarcerated person and the booking custody officer and referenced to the booking number before the admission is completed. The original copy of the property receipt should be retained and placed in the incarcerated person file and/or with the property. A second copy should be presented to the incarcerated person at the time of booking.

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Excess personal clothing should 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.

502.7.1 VERIFICATION OF INCARCERATED PERSON'S MONEY

All monies belonging to the incarcerated person and retained by the booking custody officer shall be verified in front of the incarcerated 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. Currency totaling \$1000 or more shall be booked into the Watch Commander's safe for safekeeping.

502.7.2 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.

502.8 TELEPHONE CALLS

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

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

502.8.1 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.

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

502.8.2 POSTING OF TELEPHONE INFORMATION

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

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 Section 7296.2 of the Government Code, who are served by this agency (Penal Code § 851.5).

502.8.3 ONGOING TELEPHONE ACCESS

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

502.9 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 housing (see the Incarcerated Person Hygiene Policy).

502.10 SENTENCED INCARCERATED PERSON BOOKINGS

Incarcerated persons may serve their sentences with a pay-to-stay arrangement that may include work, education, or other release program. Upon confirmation of the court order, acceptance of the conditions of confinement, and a deposit of funds, the incarcerated person should be admitted according to this policy.

Other incarcerated persons may be admitted upon court order, either for their own safekeeping or having been sentenced as an incarcerated person worker.

The Jail Manager may have any sentenced incarcerated person transferred from this jail with the approval of the court if a transfer has not already been ordered.

502.11 JUVENILE DETAINEES

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

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object unless secure custody is authorized by the Watch Commander. Only a juvenile offender 14 years of age or older who has been taken into temporary custody and who presents a serious security risk of harm to self or others may be placed in secure custody.

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- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant during this brief holding period unless secure custody has been authorized. If secure custody has been authorized, there shall be unscheduled safety checks no less than every 15 minutes on an irregular schedule. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.
- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.
- (e) Members shall inform a juvenile offender in secure custody the reason for the detention, the estimated length of the detention, and that the detention may last a maximum of six hours.

Handbook and Orientation

503.1 PURPOSE AND SCOPE

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

503.2 POLICY

The Jail Manager shall provide an effective method of orienting all incoming incarcerated persons that includes orientation materials or 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 housing (15 CCR 1069). Orientation should be an ongoing process in the housing area so that the information is available to incarcerated persons throughout their entire time in custody.

503.2.1 INITIAL ORIENTATION

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

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

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5. Treatment and counseling for victims of sexual abuse or sexual harassment
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring, and mandatory reporting
 - (m) Contacting foreign consuls
 - (n) Requests for religious accommodations
 - (o) Emergency procedures (e.g., fires, evacuations)
 - (p) Voting, including registering to vote
 - (q) An approved list of items that incarcerated persons are permitted to possess
 - (r) Direction for pregnant incarcerated persons, including the information required in Penal Code § 3407(e)
 - (s) 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.

503.2.2 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED, AND DEAF OR HARD-OF-HEARING INCARCERATED PERSONS

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

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

Safety Checks

504.1 PURPOSE AND SCOPE

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

504.2 POLICY

It is the policy of the El Monte that all members shall conduct safety checks at least once every 60 minutes on all incarcerated persons, or more frequently as determined by incarcerated person custody status.

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

504.3 SAFETY CHECKS

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

- (a) Safety checks shall be conducted at least every 60 minutes and more frequently if necessary.
- (b) Safety checks shall be conducted on an irregular schedule (staggered) so that incarcerated persons cannot predict when the checks will occur.
- (c) Safety checks shall be done by personal observation of the custody officer and shall be sufficient to determine whether the 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 direct visual observation.
- (e) Safety checks will be clearly documented on permanent logs in accordance with the Daily Activity Logs and Reports Policy.
- (f) Actual times of the checks and notations should be recorded on the daily activity logs.
- (g) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.
- (h) Special management and intoxicated incarcerated persons shall be checked every 30 minutes until they are deemed safe for housing in a regular cell or transferred from the jail.

504.4 SPECIAL MANAGEMENT INCARCERATED PERSONS

While awaiting transfer to an appropriate facility, incarcerated persons who are suicidal, violent, have mental health problems, or who demonstrate behavior that is easily identified as out of the

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ordinary or bizarre should be personally observed by a member every 15 minutes on an irregular schedule.

Management of Weapons and Control Devices

505.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

505.2 POLICY

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

505.3 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

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

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

Control of Incarcerated Person Movement

506.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of incarcerated persons between areas within the jail and transportation from the facility to court, medical appointments, or other jurisdictions (15 CCR 1029(a)(6)).

506.2 POLICY

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

506.3 MOVEMENT OF INCARCERATED PERSONS

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

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

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

Use of Restraints

507.1 PURPOSE AND SCOPE

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

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

507.2 POLICY

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

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 member and the documents placed in the appropriate file before the end of the member's shift.

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

507.3 USE OF RESTRAINTS - CONTROL

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

Restraint devices shall only be used on an 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, but no longer than two hours. If the above goals cannot be achieved by applying the restraints set forth in this policy, the incarcerated person should be transferred to the designated facility.

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The use of restraints for purposes other than for the controlled movement or transportation of an 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 the 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 face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.
- (d) Incarcerated persons in restraints shall be housed either alone or in an area designated for restrained people.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the incarcerated person or others from harm.
- (f) 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.
- (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.

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- (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 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 person cannot be safely removed from restraints after eight hours, the incarcerated 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.

507.3.1 COURT APPROVAL

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

507.4 RANGE OF MOTION

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 (e.g., right arm and left leg) for a minimum of 10 minutes every two hours (15 CCR 1058).

507.5 FOOD, HYDRATION, AND SANITATION

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 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 person's response (receptive, rejected). Incarcerated persons shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints (15 CCR 1058).

507.6 AVAILABILITY OF CPR EQUIPMENT

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

507.7 RESTRAINED INCARCERATED PERSON HOLDING

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

507.8 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 members, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

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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 person should be advised of the policies and procedures regarding the restraint of pregnant incarcerated persons (Penal Code § 3407; 15 CCR 1058.5).

507.8.1 INCARCERATED PERSONS IN LABOR

No incarcerated person who is in labor, delivering, or recovering from a birth shall be 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 members, or the medical facility staff.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.
- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

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

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

507.8.2 INCARCERATED PERSONS' RECOVERY AFTER TERMINATED PREGNANCY

Incarcerated persons recovering from a termination of pregnancy shall not be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body unless an exception identified in the Incarcerated Persons in Labor subsection 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

508.1 PURPOSE AND SCOPE

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

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

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

508.1.1 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 incarcerated person's clothing, once it has been removed.

Pat-down search - The normal type of search used by custody officers within this jail to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the custody officer, the 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 of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia, or breasts are visible to the monitoring member.

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508.2 POLICY

It is the policy of this department to ensure the safety of members, 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.

508.3 PAT-DOWN SEARCHES

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

- (a) When incarcerated persons leave their cells to participate in activities elsewhere in the jail (e.g., exercise yard, medical, program, visiting) and when they return.
- (b) When incarcerated persons leave their housing areas to participate in activities outside of the jail (e.g., court, medical appointment) and when they return.
- (c) During physical plant searches of housing areas.
- (d) When incarcerated persons come into contact with other incarcerated persons housed outside of their housing areas, such as work details.
- (e) Any time members believe 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 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 115.115).

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

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

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

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

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

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

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

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508.4.2 SEARCHES OF INCARCERATED PERSONS IN HOUSING

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

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

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

The member conducting a modified strip or strip search shall:

- Document in writing the facts that led to the decision to perform a strip search of the incarcerated person.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date, and location of the search.
- Document the names of members present, their gender and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the department's current evidence procedures.
- If appropriate, complete a crime report and/or incident report.
- Ensure the completed 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.

508.4.3 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

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

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

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

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

- (a) The searching member will instruct the 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 member can inspect the incarcerated 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 member can inspect the interior of the incarcerated person's mouth. Remove dentures if applicable.
 - 6. Turn around and raise one foot first, then the other so the member can check the bottom of each foot.
 - 7. For a visual cavity search, turn around, bend forward, and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the incarcerated person should be instructed to dress in either their street clothes or jail-supplied clothing, as appropriate.

508.4.4 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

- (a) No person shall be subjected to a physical body cavity search without approval of the Jail Manager or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the 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 (Penal Code § 4030). Only the necessary members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the incarcerated person.

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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 member 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 member shall complete a crime report.

508.5 TRANSGENDER SEARCHES

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

508.6 HOUSING AREA SEARCHES

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

- (a) All incarcerated persons shall vacate their living areas and be searched by members.
- (b) Incarcerated persons should be escorted to a separate holding area.
- (c) Members shall search 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.
- (e) Members shall attempt to identify the incarcerated person who possessed the contraband and file appropriate incident and/or crime reports.
- (f) Any alcoholic beverage possessed by incarcerated persons shall be seized and the appropriate incident and/or criminal charges should be filed.

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- (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 area search, closely supervised incarcerated person workers should clean the area. All authorized incarcerated person personal property shall be respected and living areas should be returned to an orderly condition.

508.7 PHYSICAL PLANT SEARCHES

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

- (a) Out of cell areas shall be searched for contraband before and after each use.
- (b) Cells shall be searched before and after each incarcerated person occupies the cell.
- (c) Group areas, such as multipurpose rooms, shall be searched after each use.
- (d) Laundry areas shall be searched before and after each use.
- (e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.
- (f) Incarcerated person visiting and public areas shall be frequently inspected for contraband.
- (g) The jail perimeter shall be searched at least once each shift for contraband.

508.7.1 CANINE-ASSISTED SEARCHES

It is the policy of this department to use canines to assist members in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol, and weapons, will be allowed within the secure perimeter of the jail. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the jail.

Canines will generally be used to assist members in general physical plant or living area searches. Contact between incarcerated persons and canines should be kept to a minimum (see the Canines Policy).

508.8 CRIMINAL EVIDENCE SEARCHES

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

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

508.9 TRAINING

The Training Manager shall provide training for members in how to conduct pat-down, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive

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manner possible, consistent with jail security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex incarcerated persons (28 CFR 115.115).

Reporting In-Custody Deaths

509.1 PURPOSE AND SCOPE

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

509.1.1 DEFINITIONS

Definitions related to this policy include:

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

509.2 POLICY

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

509.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required.

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

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

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

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

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 as provided by Penal Code § 10008.

509.4 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 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.

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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 Public Information Officer. Custody officers shall not make a public comment.

509.5 IN-CUSTODY DEATH REVIEW

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

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

The in-custody death review should be 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)).

Staff and Incarcerated Person Contact

510.1 PURPOSE AND SCOPE

Interaction with incarcerated persons allows for continual assessment of the safety and security of the jail 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.

510.2 POLICY

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

510.3 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) shall be answered in a timely manner. Such communication shall be filed with the incarcerated 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 members to give incarcerated persons direction in a firm, determined, and authoritative manner in order to maintain proper supervision and control. Authoritative directions to incarcerated persons are particularly instructed when activities or events pose a threat to the safety or security of this jail.

510.4 ANTI-FRATERNIZATION

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

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

Prohibited interactions include but are not limited to:

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

510.4.1 EXCEPTIONS

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

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

510.5 REPORTING

Members shall promptly report all attempts by 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:

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

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

Transportation of Incarcerated Persons Outside the Secure Facility

511.1 PURPOSE AND SCOPE

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

511.2 POLICY

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

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

511.3 PROCEDURES

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

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

- (a) Verifying the incarcerated person's identity and obtaining all necessary paperwork for the incarcerated person being transported.
- (b) 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 leg restraints/irons or waist restraints while being transported (see the Use of Restraints Policy).
 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)).
- (c) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (d) Thoroughly searching the transporting vehicle for contraband before any incarcerated person is placed inside, and again after removing the incarcerated person from the transporting vehicle.
- (e) Ensuring that any known threat or danger the incarcerated person may pose, such as escape risk, suicidal potential, or medical condition, is recorded on the incarcerated

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person's booking documentation and transported with the incarcerated person to the next facility. The transporting member shall ensure that the threat or danger is communicated to intake personnel at the facility.

511.4 TRAINING

The Training Manager shall ensure that all employees charged with incarcerated person transportation duties receive training appropriate for the assignment.

Documentation of all training presented shall be retained in the employee's training file in accordance with established records retention schedules.

511.5 TRANSPORTATION OF INMATES

Custody Officers shall have the primary role of transporting inmates to and from the El Monte Police Department Jail Facility. This shall include but not limited to:

- (a) Inmates under the care, custody, and control of the El Monte Police Department requiring transfer to the Los Angeles County Jail – Inmate Reception Center.
- (b) Inmates under the care, custody, and control of the El Monte Police Department requiring transfer to the Los Angeles County Jail – Century Regional Detention Facility.
- (c) Inmates under the care, custody, and control of the El Monte Police Department requiring transfer to the El Monte Superior Court.
- (d) Inmates under the care, custody, and control of an outside agency requiring transfer to the El Monte Police Department Jail (such as warrant arrest transfers, inmates being released from medical treatment and/or mental health evaluations, special details, etc)

511.5.1 TRANSPORTATION PERIODS

The Custody Supervisor will designate an appropriate transportation period throughout the week which will allow for a Custody Officer inside the jail and a Custody Officer to conduct transportation. Based on jail activity it will be at the discretion of the on-duty Custody Officers when to transport inmates within the designated transportation period.

- (a) Inmates with medical and/or mental health conditions shall be transported at the soonest available time.

511.5.2 OFFICER SAFETY

Custody Officers may transport as a one-man unit when safely able to do so. Custody Officers shall take into consideration the criminal history, physical stature, and demeanor of inmates being transported. Custody Officers shall have the ability to use another Custody Officer to assist with transportation when feasible, not to jeopardize facility security or inmate welfare. Any personnel involved in transporting an inmate who is hostile or combative may use (2) Patrol Officers for transportation.

Sobering Cells

512.1 PURPOSE AND SCOPE

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

512.1.1 DEFINITIONS

Definitions related to this policy include:

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 person(s) 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 person(s).

512.2 POLICY

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

A sobering 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.

512.3 SOBERING CELL PROCEDURES

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

- (a) A sobering cell log shall be initiated every time an incarcerated person(s) is placed into a sobering cell. The log shall be maintained for the entire time the incarcerated person(s) is housed in the cell. Cell logs will be retained in accordance with established department records 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. Custody officers shall receive a verbal acknowledgment from the incarcerated person. Each visual observation of the incarcerated person by members shall be documented. Supervisors shall check the logs for completeness every two hours and document this action on the sobering cell log.
- (c) Under no circumstances shall an incarcerated person(s) be held in a sobering cell for more than six hours without being evaluated by qualified medical personnel to ensure that the incarcerated person(s) does not have an urgent medical issue.
- (d) Incarcerated person(s) 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 person(s) will be detained in separate sobering cells based on gender.

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- (f) At 12 hours from the time of placement, all incarcerated person(s) will receive an evaluation by responsible health care staff. Intermittent direct visual observation of incarcerated person(s) held in the sobering cell shall be conducted no less than every half hour. Such observation shall be documented.

Biological Samples

513.1 PURPOSE AND SCOPE

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

513.2 POLICY

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

513.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following 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.

513.4 PROCEDURE

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

513.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the 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 California DOJ to perform the collection and take steps to avoid cross contamination.

513.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

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

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order 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) Another custody facility with additional resources, where the incarcerated person can be transferred to better facilitate sample collection.

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

513.5.1 VIDEO RECORDING

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

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

513.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

513.6.1 DOCUMENTATION RELATED TO FORCE

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

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

513.6.2 BLOOD SAMPLES

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

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

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

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513.6.3 STATE MANDATES

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

Over-Detention and Inadvertent Releases

514.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to members and management in the event of an inadvertent release.

514.1.1 DEFINITIONS

Definitions related to this policy include:

Inadvertent release - Any instance of an incarcerated person being mistakenly released.

Over-detention - Any instance of an incarcerated person being mistakenly detained beyond their scheduled release date.

514.2 POLICY

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

514.3 INADVERTENT RELEASE

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

514.3.1 INADVERTENT RELEASE INVESTIGATION

The Watch Commander should immediately initiate an investigation to determine the cause of the inadvertent release.

The Watch Commander will coordinate a response based upon the seriousness of the threat the incarcerated person may pose to the community. The threat assessment should be based upon the incarcerated person's criminal history and the reason they are currently in custody, among other factors.

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

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

514.3.2 RETURNING THE INCARCERATED PERSON TO CUSTODY

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

Canines

515.1 PURPOSE AND SCOPE

The canine program aids members in locating contraband and maintaining the security of this jail. This policy outlines requirements of the program, its members and the expectations of the Department.

515.2 POLICY

The El Monte Police Department is committed to ensuring its jail is free from contraband and drugs. This is done by employing trained canine teams to assist in the detection of drugs and other contraband, in accordance with all applicable laws, regulations and Department policies and procedures.

515.3 GUIDELINES FOR THE USE OF CANINES

Canines may be used to assist members in conducting searches for contraband, perimeter patrol, building searches, and area searches. At no time may a canine be used to demean, punish, or psychologically torment an incarcerated person. Contact between canines and incarcerated persons should be minimal. Canines should not be used to search individuals. Canines may be used for:

- Searching incarcerated person housing areas as described in the Searches Policy.
- Physical plant searches, as described in the Searches Policy.
- Searching unoccupied intake/booking areas.
- Searching unoccupied transportation vehicles before and after incarcerated person use.
- Searching for or tracking escaped offenders.
- Any other search-related use authorized by a supervisor.

A canine team shall only be used to perform tasks for which it has been trained or certified.

515.3.1 WARNINGS AND ANNOUNCEMENTS

When a canine is used to search a building or area for an individual, unless it would otherwise increase the risk of injury or escape, two clearly audible warnings to announce that a canine will be released if the person does not come forth shall be made and a reasonable response period will be provided prior to releasing a canine. The canine handler, when practicable, shall first advise the supervisor of their decision if a verbal warning is not given prior to releasing the canine. In the event of an apprehension, the handler shall document in any related report whether a verbal warning was given and, if none was given, the reasons why.

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515.3.2 REPORTING CANINE USE, BITES AND INJURIES

Whenever the canine is deployed, a canine use report shall be completed by the handler and turned in to the Watch Commander before going off-duty. The on duty Custody Officer will enter the canine search in the jail log.

Whenever the use of the canine results in a bite or any injury, a canine use report shall be completed and included with any related incident report. The injured party should receive required medical attention as soon as possible.

Photographs should be taken of the bite or injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained with the canine use report until the potential need for use in any related civil proceeding has expired.

If a subject alleges an injury that is not visible, a supervisor shall be notified and the location of the alleged injury should be photographed as described above.

Chapter 6 - Inmate Due Process

Incarcerated Persons with Disabilities

600.1 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).

600.1.1 DEFINITIONS

Definitions related to this policy include:

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

600.2 POLICY

This department will take all reasonable steps to accommodate 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. This department prohibits all forms of discrimination based on disability.

600.3 JAIL MANAGER RESPONSIBILITIES

The Jail Manager, in coordination with the Responsible Physician and the ADA Coordinator (see Accessibility - Facility and Equipment Policy), will establish procedures to assess and reasonably accommodate disabilities of incarcerated persons. The procedures will include but are not limited to:

- (a) Establishing housing areas that are equipped to meet the physical needs of disabled incarcerated persons, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with incarcerated persons.
- (b) Establishing classification criteria to make housing assignments to incarcerated persons with disabilities.
- (c) Assigning individuals with adequate training to assist disabled incarcerated persons with basic life functions as needed.
- (d) Establishing transportation procedures for moving incarcerated persons with limited mobility.
- (e) Establishing guidelines for services, programs, and activities for the disabled and ensuring that incarcerated persons with disabilities have an equal opportunity to participate in or benefit from all aspects of the jail's efforts to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.116).
- (f) Enlisting or contracting for trained service personnel who have experience working with disabled people.
- (g) Establishing procedures for the request and review of accommodations.

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- (h) Establishing guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight and mobility impairments or developmental disabilities, or have common medical issues, such as epilepsy.
- (i) Identification and evaluation of all incarcerated persons with developmental disabilities, including contacting the regional center for the developmentally disabled to assist with diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends (15 CCR 1057).

The Jail Manager is responsible for ensuring the El Monte Police Department Jail is designed or adapted to reasonably accommodate incarcerated persons with disabilities. At a minimum this includes:

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for incarcerated persons who are deaf or hard of hearing or have a speech impairment.
- If orientation videos are used to explain jail rules to newly admitted incarcerated persons, subtitles may be displayed on the video presentation to assist incarcerated persons who have impaired hearing.
- Some cells and dormitories should be equipped with wheelchair-accessible toilet and shower facilities. Incarcerated persons with physical disabilities should be allowed to perform personal care in a reasonably private environment.
- Tables designed for eating should be accessible to those in wheelchairs.

600.4 CUSTODY OFFICER'S RESPONSIBILITIES

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

Members should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate's disability. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the jail.

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

600.5 ACCOMMODATION REQUESTS

Inmates shall be asked if they have any accommodation requests during the intake classification process. Any such request will be addressed according to the classification process.

600.6 TRAINING

The ADA Coordinator should work with the Training Manager to provide periodic training on such topics as:

- (a) Policies, procedures, forms, and available resources for incarcerated persons with developmental disabilities.

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- (b) Working effectively with interpreters, telephone interpretive services, and related equipment.
- (c) Training for management staff, even if they may not interact regularly with disabled individuals, so that they remain fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

Incarcerated Person Rights and Protection

601.1 PURPOSE AND SCOPE

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

601.2 POLICY

It is the policy of this department that all incarcerated persons' rights shall be protected. Members shall 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 members. These protections extend to administrative decisions, (e.g., classification, access to programs, the availability of services).

601.3 RESPONSIBILITY

It shall be the responsibility of all members to adhere to policies, procedures, and practices to protect incarcerated persons and to ensure reasonable and comparable access to services and programs. 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 Jail Manager.
- Referring sick or injured incarcerated persons to a care liaison without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in jail logs and incident reports as applicable.

601.4 INCARCERATED PERSON ACCESS TO COURTS AND COUNSEL

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

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

- Confidential attorney visiting areas that include the means by which the attorney and the 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 courts or counsel.

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 orientation material that is provided during incarcerated person orientation.

601.4.1 CONFIDENTIALITY

All communication between an inmate and his/her attorney 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.

601.4.2 INCARCERATED PERSON REQUEST FOR ASSISTANCE

Written materials addressing how an incarcerated person can access local attorneys and key legal documents shall be available in each housing area. Members shall provide these materials to any incarcerated person upon request. However, members shall not provide legal advice or assist any incarcerated person in the completion of any legal document.

Habeas corpus forms shall be made available to any incarcerated person by members upon request.

Legal forms filled out by the incarcerated person shall be forwarded to court administration directly or via an appointed legal assistant.

601.4.3 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 ensure 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 that the incarcerated person's defense was hindered due to the length of time allowed for the legally authorized visit. The length of these visits should not interfere with the security, order, and discipline of this jail. The permissible time for visitation should be flexible

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but shall not substantially interfere with other facility schedules, such as meal service or other required activities.

- (b) Only materials brought to this jail by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by members and shall be routed through the Watch Commander for logging and distribution.

601.5 FOREIGN NATIONALS AND DIPLOMATS

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

Foreign nationals shall be provided access to the diplomatic representative of their countries of citizenship. Members shall assist them upon request. Domestic and international calling cards are available through the incarcerated person commissary.

601.6 TRAINING

The Training Manager shall be responsible for developing and delivering a training curriculum on the topic of incarcerated person rights and protections to all members. A roster of attendees shall be maintained from each class. Training completion documents shall be filed in each member's training file.

601.7 VOTING

Inmates do not have the ability to participate in voting. Any person participating in a pay-to-stay program as a sentenced inmate must make arraignments to vote via absentee ballot prior to submitting to custody if they intend to vote in any election.

Grooming

602.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure incarcerated person grooming standards are based upon legitimate governmental interests.

602.2 POLICY

It is the policy of this jail to allow incarcerated persons choice in personal grooming, except when a legitimate government interest justifies that grooming standards be established. The Jail Manager or the authorized designee shall establish incarcerated person grooming standards specific to incarcerated person classification, work status, jail safety and security, or incarcerated person health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the orientation materials.

602.3 SHAVING

Incarcerated persons may shave daily. Facial hair shall be clean and well groomed. Long beards may allow incarcerated 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.

Incarcerated persons should be restricted from significantly changing their appearance for purposes of identification in court.

602.4 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, members should not allow personal care items to be shared.

Grievances

603.1 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.

This policy does not apply to grievances related to sexual abuse and sexual harassment (see the Prison Rape Elimination Act Policy).

603.2 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, recreation opportunities, classification actions, rule violations, program participation, and telephone, mail, and visiting procedures (15 CCR 1073).

Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions, and probation/parole actions.

603.3 ACCESS TO THE GRIEVANCE SYSTEM

All incarcerated persons shall be provided with a grievance process for resolving complaints arising from jail 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 orientation materials. Information regarding the grievance process will be provided to incarcerated persons in the language they understand.

The information will include (15 CCR 1073):

- A grievance form or instructions for registering and appealing a grievance, including relevant deadlines.
- A process for submitting and handling anonymous grievances.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.
- A provision for a non-automated initial response with a reasonable time limit that shall not exceed a period of 15 calendar days.
- A provision for resolving questions of jurisdiction within the jail.
- Provision for providing a copy of the grievance, appeal, response, and related documents to the incarcerated person.
- Consequences for abusing the grievance system.

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603.4 GRIEVANCE PROCEDURES

Members 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 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. Members may take reasonable steps to assist the incarcerated person in the preparation of a grievance if requested.

Upon receiving a completed grievance form, the member shall acknowledge receipt of the grievance by signing the form and giving a copy to the incarcerated person. The member receiving the form shall gather all associated paperwork and reports and immediately forward it to a supervisor.

603.4.1 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 area or place their grievance in a sealed envelope labeled "Grievance" and deposit it in the regular mail boxes. These envelopes will be delivered directly to the Jail Manager and not forwarded to the United States Postal Service.

603.4.2 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 Responsible Physician or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the Watch Commander. 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 Watch Commander and the findings forwarded to the Jail Manager, along with any recommendations. Any appeals shall be forwarded to the Jail Manager as the final level of appeal.

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Other grievances relating to programs or other services provided by the Department shall be investigated by the member with the assistance of the supervising employee in charge of those services. Findings relating to the investigation will be forwarded to the Watch Commander. Any appeals shall be forwarded to the Jail Manager as the final level of appeal.

603.4.3 APPEALS TO GRIEVANCE FINDINGS

Incarcerated persons may appeal the finding of a grievance to the Jail Manager 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.

603.4.4 RECORDING GRIEVANCES

The Jail Manager should maintain a grievance log in a central location accessible to all supervisors. The supervisor who originally receives a grievance shall record the grievance along with its finding on the grievance log. Periodic reviews of the log should be made by the Jail Manager or the authorized designee to ensure that grievances are being handled properly and in a timely manner. A copy of each grievance should be filed in the incarcerated person's official record and maintained throughout the person's period of incarceration.

The original grievance should be retained in a file maintained by the Jail Manager or the authorized designee, and shall be retained in accordance with established records retention schedules.

603.4.5 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 a transfer to the county jail.

603.4.6 REVIEW OF GRIEVANCES

The Jail Manager or the authorized designee shall conduct regular review of grievances, responses, and appeals (15 CCR 1073).

603.5 GRIEVANCE AUDITS

The Jail Manager should perform an annual audit of all incarcerated person grievances and complaints filed the previous calendar year. The Jail Manager should forward a memorandum to the Chief detailing the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints. Specific identifying information regarding dates, times, or individuals named in the complaints is not part of this process and should not be included in the memorandum.

The Chief should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Manager, who will be responsible for ensuring all necessary and required training is scheduled and completed.

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603.6 TRAINING

The Training Manager shall ensure that all members receive initial and periodic training regarding all aspects of the Grievances Policy. All training delivered should include testing to document that the employee understands the subject matter.

Discipline

604.1 PURPOSE AND SCOPE

This policy addresses the discipline process within the jail.

604.2 POLICY

It is the policy of this department that incarcerated person discipline will not be administered (15 CCR 1081).

604.3 RESPONSIBILITIES

Members who reasonably believe an incarcerated person has violated jail rules should contact a supervisor.

Supervisors may authorize an incarcerated person who is being held pending arraignment to be transferred to the county jail.

If not already ordered, supervisors may seek permission from the appropriate court to transfer other incarcerated persons who violate jail rules.

Chapter 7 - Medical/Mental Health

Screening and Evaluations

700.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for screening and evaluating incarcerated persons for health care issues.

This policy is limited to screening and evaluations. Subsequent care and treatment is addressed in the Availability and Standards of Care Policy and other related policies.

700.2 POLICY

The Department recognizes that incarcerated persons should be screened when they initially arrive at the jail and evaluated at regular intervals so all incarcerated persons receive adequate health care (15 CCR 1200 et seq.).

700.3 INMATES NOT ACCEPTED INTO THE FACILITY

No person with a reasonably identified condition that appears to need immediate medical care or other disqualifying condition identified by the Watch Commander should be accepted at the jail without a medical clearance from a qualified health care provider.

700.4 INITIAL SCREENINGS

Trained members shall perform a health care screening on each incarcerated person upon his/her initial arrival at the jail. This includes those transferred from another facility. Findings shall be recorded on the appropriate form. The screening will include the name of the screener, date and time of the screening, and information and observations regarding (15 CCR 1029(a)(8); 15 CCR 1051; 15 CCR 1052; 15 CCR 1207):

- (a) Current and historical medical, dental and mental health care information, including any allergies.
- (b) Current and historical use of medication, alcohol and drugs, including types, amounts and frequency used, method of use, date or time of last use and history of any problems after ceasing use.
- (c) Suicide risk and mental health assessment. Generally, we will not house incarcerated person(s) with a history of suicide risk or mental health issues. These incarcerated person(s) will generally be transferred to the Los Angeles County Sheriff's Department.
- (d) Pregnancy and associated issues (15 CCR 1207.5).
- (e) Communicable disease risk assessment including tuberculosis and other airborne diseases (15 CCR 1206.5(a); 15 CCR 1207).
- (f) Special needs that would significantly impair an inmate's ability to adapt to the jail environment, such as a learning disability (see the Inmates with Disabilities Policy).
- (g) Other health care information as designated by the Responsible Physician or Health Care Adviser.
- (h) Observations of the following:

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1. Behavior/conduct
2. Signs of impaired consciousness or other health issues (e.g., coughing, sweating, tremors, sleepiness, trouble breathing)
3. Body deformities and body movements
4. Skin (injuries, rashes, needle marks, sores)
5. Other observations as designated by the Health Care Adviser

Any incarcerated person(s) who appears to be unable to adequately answer the initial medical screening questions shall be transported to receive a medical clearance before acceptance into the jail.

Incarcerated person(s) requiring segregation for suspected communicable disease pursuant to 15 CCR 1051 shall be separated until transferred to the Los Angeles County Jail.

Incarcerated person(s) who refuse to answer these questions should be placed under observation until the screening can be completed or until sufficient information is obtained to allow the members to make appropriate decisions concerning housing and care.

Initial screening forms should be retained in the inmate's files..

700.5 HEALTH EVALUATIONS

Custody officers shall complete an in-person health evaluation of each incarcerated person(s) who appears to be in need of medical, mental health or developmental disability treatment at any time during incarceration (15 CCR 1208).

Any findings that may significantly impact the health, safety or welfare of the incarcerated person(s) or others should be communicated to the Jail Manager or the authorized designee. Health care needs that may affect housing, program participation or other conditions of confinement shall be communicated and documented.

700.5.1 RELEASE OR TRANSFER

The Department will assist incarcerated persons in meeting their health care needs following release or transfer to another facility, as provided by state law (15 CCR 1209; Penal Code § 4011.6; Penal Code § 4011.8).

Suicide Prevention and Intervention

701.1 PURPOSE AND SCOPE

This policy is intended to reduce the risk of incarcerated person suicide through risk identification and appropriate intervention.

701.2 POLICY

The Department will develop a suicide prevention plan to identify and monitor potentially suicidal incarcerated persons and appropriately intervene (15 CCR 1029(a)(8); 15 CCR 1030).

701.3 MEMBER RESPONSIBILITIES

Any member who identifies an inmate who displays suicidal signs shall immediately notify a supervisor. The inmate shall be personally monitored until transferred from the jail.

701.4 SUICIDE PREVENTION PLAN

The Health Care Adviser and Jail Manager will develop a suicide prevention plan (15 CCR 1030). The plan should address:

- (a) Initial screening and follow-up assessments.
- (b) Referrals to mental health care providers as soon as practicable.
- (c) An evaluation and treatment responsibility to include strategies to address underlying causes and heightened risk opportunities.
- (d) Training (initial and annual training on risk identification, prevention, and intervention).
- (e) Monitoring incarcerated persons at risk for suicide.
- (f) Appropriate cells, clothing, and effects for incarcerated persons at risk for suicide.
- (g) Communication between members and care providers.
- (h) Responses to suicide attempts, including first-aid measures.
- (i) Notification requirements.
- (j) Documentation requirements.
- (k) Care for affected members and incarcerated persons.
- (l) Facility inspections for physical or operational modifications that may reduce the risk of incarcerated person suicide.
- (m) Communication between members and arresting/transporting officers.

The suicide prevention plan should be developed in conjunction with the Health Care Adviser, Jail Manager and staff, treatment providers, and local public health agencies, as appropriate.

701.5 PRECAUTIONARY STEPS

The following inmates should be placed on suicide watch:

- Any inmate who has expressed suicidal thoughts

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- Any inmate who has a recent history of self-injurious behavior
- Any inmate who has attempted to commit suicide or committed an act in furtherance of suicide

Inmates placed on suicide watch shall be housed in a cell that has been designed to be suicide resistant. Prior to placing a suicidal inmate in any cell, members should carefully inspect the area for objects that may pose a threat to the inmate's safety.

Physical restraints should only be used as a last resort. The decision to use or discontinue use of restraints should be made in consultation with the Watch Commander.

If safety cells or other temporary holding areas are not available, immediate arrangements should be made to transfer the inmate to a designated medical or mental health facility.

Until the inmate is evaluated by a mental health professional, the inmate shall be subject to continuous direct visual observation.

701.6 OBSERVATION LOGS

Observation logs shall be maintained and documented in at least 15-minute intervals for all incarcerated persons on suicide watch. The Watch Commander and the Responsible Physician, or the authorized designee, must observe the incarcerated person at least once every five hours and make notations in the observation log. Each 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 incarcerated person's behavior.

701.7 DOCUMENTATION

Members shall document, in accordance with the Safety and Sobering Cells and Daily Activity Logs and Reports policies, any time an incarcerated person's suicide watch status and housing assignment changes and the reasons for not providing clothing, personal and issued items as applicable.

The incarcerated person's health care record should be updated to reflect all contacts, treatment and any other relevant information.

701.8 SUICIDE ATTEMPTS

Any suicide attempt is a medical emergency and life-saving measures shall be initiated by a trained member until he/she is relieved by a qualified health care professional, who shall initiate appropriate medical evaluation and intervention.

The Watch Commander should be notified in situations when referral and transportation to an emergency room or local hospital is required. Members should take action to preserve and collect evidence as necessary.

701.8.1 SUICIDES

All deaths resulting from suicide should be investigated and documented in accordance with the Reporting In-Custody Deaths Policy.

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701.9 DEBRIEFING

Any suicide or attempted suicide requires a staff debriefing. Information will be communicated to the oncoming Watch Commander and members to apprise them of the incident and actions taken with regard to the incident.

Stress management debriefings for involved members and inmates to discuss post-incident thoughts and reactions should be provided.

701.10 TRANSFER AND RELEASE

Ongoing care of suicidal incarcerated persons during transfers and after release should be considered. When an incarcerated person is being transferred for observation or treatment, a member should complete the necessary forms, documenting the reasons why the incarcerated person is believed to be suicidal. The completed forms should accompany the released incarcerated person to the designated facility.

When an incarcerated person with a history or risk of suicide is transferred, the transporting custody officer should ensure that the suicide threat or other danger is clearly communicated to personnel at the receiving facility.

Incarcerated persons who are at risk for suicide and are being released should be encouraged to work with local or area mental health resources and shall be provided with the appropriate contact information.

Aids to Impairment

702.1 PURPOSE AND SCOPE

This policy addresses how members should balance reasonable security concerns with an incarcerated person's need for an aid or adaptive device that assists them in dealing with an impairment.

702.2 POLICY

It is the policy of the Department that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices will be permitted or supplied in a timely manner when the health of an incarcerated person would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability (42 USC § 12101 et seq.; 15 CCR 1206(d); 15 CCR 1207).

702.3 ADAPTIVE DEVICES

Subject to safety and security concerns, an incarcerated person should be permitted to retain an orthopedic, orthodontic, or prosthetic appliance if it is prescribed by or recommended and fitted by a physician or dentist. However, if the appliance presents a risk of bodily harm to any person, is a risk to the security of the jail or is not used for its intended purpose, it may be removed and stored with the incarcerated person's property (Penal Code § 2656).

The removal of the appliance shall be reported to the supervisor and documented in the incarcerated person's health care chart and behavior log. The appliance shall be returned to the incarcerated person when the risk abates. A jail incident report should be written at the direction of the supervisor whenever an adaptive device is removed or returned.

Within 24 hours of any removal of a prosthetic, orthodontic, or orthopedic appliance, the incarcerated person shall be examined by a physician or dentist to determine whether the removal of the adaptive device may be injurious to the health or safety of the incarcerated person. If the Jail Manager determines that an adaptive device should not be returned because of safety or security concerns, and as a result, the health or safety of the incarcerated person is a concern, options include:

- Reassigning the incarcerated person to another housing area or transferring the incarcerated person out of this jail.
- With physician or dentist approval, modifying the adaptive device to meet the medical needs of the incarcerated person and the safety and security needs of the jail.
- Providing the incarcerated person with an opportunity to petition the court for the return of the device, in accordance with local, state and federal law.

Any adaptive devices that are brought to the jail by family members or others after the person has been incarcerated shall be subject to a security check. The jail shall accept no responsibility for loss or damage to any adaptive device.

Health Care Records and Confidentiality

703.1 PURPOSE AND SCOPE

This policy is intended to provide guidance in the management of, and access to, incarcerated person health care records, thereby ensuring that such records are available to those who need them, while controlling access in order to protect incarcerated person privacy (15 CCR 1205; 15 CCR 1206(m)).

703.2 POLICY

The Department will protect incarcerated person health care records in compliance with the law.

703.3 RECORDS TO BE KEPT

The Jail Manager should establish the format of health care records. Individual inmate health care records should include, but not be limited to (15 CCR 1205(a)):

- (a) Initial screening and subsequent health assessment records.
- (b) Inmate requests for care or complaints about care.
- (c) Consultation and treatment records including the names of the care providers.
- (d) Dates, times and locations of treatment.
- (e) Limitations and disabilities of the inmate.
- (f) Instructions for inmate care, including what should be communicated to members.
- (g) Special diet instructions.
- (h) Activity restrictions.
- (i) Prescribed and/or delivered medication and any associated stop dates in accordance with 15 CCR 1216.

703.4 ACCESS TO RECORDS

Qualified health care professionals should have access to all records that may be relevant to the incarcerated person(s) health and treatment, including general custody records. Relevant information should be included in all mental health, medical and dental records of an incarcerated person(s), including known allergies, current health problems and medications.

703.5 CONFIDENTIALITY

Physician/patient confidentiality applies to an incarcerated person's health care records and to the person's care. These records shall be maintained apart from the incarcerated person's other records.

Health care information obtained in the course of screening or care shall be communicated to members only when it is necessary to protect the welfare of the incarcerated person or others, to facilitate management of the jail, or to maintain jail security and order. Members who learn of an incarcerated person's health condition incidental to their assignments shall keep that information confidential and shall not disclose that information to any unauthorized person (15 CCR 1205).

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703.6 PRIVACY OFFICER

The Jail Manager shall designate a privacy officer who is responsible for all matters relating to the privacy of incarcerated person health care information. The privacy officer shall (45 CFR 164.530):

- (a) Develop a Health Insurance Portability and Accountability Act (HIPAA) compliance plan for the jail.
- (b) Resolve complaints under HIPAA.
- (c) Mitigate, to the extent practicable, any harmful effects known to the jail regarding any use or disclosure of incarcerated person health care information in violation of this policy or HIPAA regulations.
- (d) Ensure members are trained in the proper handling of incarcerated person health care information and the requirements of HIPAA and state law.
- (e) Ensure technical and physical safeguards are implemented to maintain security and confidentiality of incarcerated person health care information and to allow access only to those persons or software programs that have access rights.
- (f) Establish procedures for the release and disclosure of incarcerated person health care information.

703.7 MEMBER RESPONSIBILITIES

Members shall protect the security, confidentiality, and privacy of all incarcerated person health care records in their custody at all times.

Unauthorized possession, release, or distribution of incarcerated person health care information is prohibited and may violate HIPAA and/or other applicable laws.

Members who have not received jail training on the proper handling of these records shall not access incarcerated person health care records.

703.7.1 ELECTRONIC RECORDS

All computer workstations and servers within the jail shall require appropriate security measures, such as user identification and login passwords, to access electronic health care records (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when they are left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic records (45 CFR 164.310; 45 CFR 164.312).

Remote access to jail computer workstations requires that appropriate security measures be provided for access (45 CFR 164.312).

Incarcerated person health care information may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the

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recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic health care information traveling outside a secure network environment, via the internet, requires encryption and authentication measures (45 CFR 164.312(e)).

703.7.2 HARD COPIES

Hard copies of incarcerated person health care records shall be kept in a secured area when unattended by authorized personnel. An area is unattended when staff is physically outside the office area and unable to maintain record security. This includes but is not limited to breaks, lunch, or meetings outside the jail.

Hard copies of records should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Incarcerated person health care records shall not be removed from the jail without express authorization from the Health Care Adviser.

703.8 TRAINING

Members with access to incarcerated person health care records and information shall receive training on maintaining confidentiality (45 CFR 164.530).

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704.1 PURPOSE AND SCOPE

This policy will provide overall guidance for the continued care of incarcerated persons who need health care.

704.2 POLICY

The Department is committed to providing humane conditions of confinement by ensuring that incarcerated persons receive adequate care to meet their serious health care needs.

704.3 INMATE ACCESS TO HEALTH CARE

Inmates may access health care in the following manner:

- (a) Sick call will be conducted:
 - (a) As directed by the Watch Commander.
 - (b) Scheduled so an inmate's custody status (e.g., at court, work assignment, other release program) does not preclude his/her access (15 CCR 1211).
- (b) Inmates may request care for an emergency medical condition in any manner, to any member. All such requests should be addressed appropriately and immediately by the member, including prompt notification to a supervisor and/or the appropriate medical care provider.
- (c) Inmates may question or complain about their care or denial of care through the grievance system. Health care-related grievances are to receive priority attention and shall be forwarded to a supervisor as soon as practicable. Grievances should be promptly forwarded by the supervisor to the Jail Manager, unless the inmate is complaining about the care provided by that person.
 - (a) A supervisor shall be notified as soon as practicable when an inmate claims he/she is being denied emergency care for an emergency medical condition.
 - (b) All inmates' care-related complaints shall be reviewed daily by Jail Manager.
- (d) Inmates may be treated by a personal licensed physician, dentist or mental health care provider at their own expense, with the approval of the Jail Manager.
- (e) Costs, including those related to security procedures, will not be used as justification for withholding necessary or emergency medical care.

704.4 INCARCERATED PERSON PRIVACY

Patient information, treatments, and discussions regarding treatment should be held in private and in a manner that prevents such discussions from being observed or overheard by anyone not involved in the treatment or discussion.

704.5 RESPONSIBILITIES

Clinical judgments involving health care are the responsibility of the health care professional qualified to make such a decision.

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Members shall accept clinical judgments and not deny access to care by making, assuming, or ignoring a clinical decision.

Members and qualified health care professionals should work together to coordinate security and health care needs. Qualified health care professionals and members should communicate with each other about incarcerated person health care needs that may significantly impact the health, safety or welfare of the incarcerated person or others. Information regarding ongoing treatment plans shall be communicated to members to the extent necessary to coordinate and cooperate in the ongoing care of the (15 CCR 1210).

Communication between members and qualified health care professionals regarding health care needs that may affect housing, program participation, or other conditions of confinement should be documented.

704.6 MEDICAL CARE

The treating qualified health care professional shall develop a written treatment plan for each incarcerated person requiring ongoing treatment, including any need for off-site treatment or a specialist (15 CCR 1210).

The jail shall have first-aid kits and Automated External Defibrillators (AEDs) readily available to members in housing and booking areas and any other location approved by the Health Care Adviser (15 CCR 1220).

704.6.1 ELECTIVE PROCEDURES

Elective procedures will generally not be provided to incarcerated persons. A determination regarding whether a procedure is elective or is a component of a current, medically necessary standard of treatment will be made only by the Responsible Physician. Procedures that are elective may be approved by the Jail Manager or the authorized designee after verification that the incarcerated person will pay all associated costs.

704.6.2 PREGNANT INCARCERATED PERSONS

Medical care, pre-natal care and visits, postpartum care, and counseling services (mental health, social, religious) will be available to pregnant incarcerated persons (15 CCR 1206).

An incarcerated person shall have the right to summon and receive the services of any physician, nurse practitioner, certified nurse midwife, or physician assistant of their choice in order to determine whether they are pregnant. The Jail Manager may develop reasonable rules and regulations governing the conduct of such examinations. If found to be pregnant, the incarcerated person is entitled to a determination of the medical and surgical services needed from the medical professional of their choice. Expenses incurred by services not provided by the Jail shall be borne by the incarcerated person (Penal Code § 4023.6).

The rights provided for pregnant incarcerated persons by Penal Code § 4023.6 and Penal Code § 4028 shall be posted in at least one conspicuous place to which all incarcerated persons have access.

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No member shall interfere with or impede an incarcerated person's decision to have an abortion, to keep the child, or place the child for adoption. If an incarcerated person chooses to have an abortion, she shall be requested to sign a statement acknowledging that she has been provided the opportunity for related counseling and chooses to have an abortion. Any financial obligations for elective abortions will be handled consistent with state law as provided in Penal Code § 4011.1 and 15 CCR 1200. The jail shall provide necessary transportation and supervision for such services. Members who object to facilitating an incarcerated person's elective abortion (including arrangements, transportation, security) should not be required to perform such duties.

The Jail shall not confer authority or discretion to nonmedical staff to decide if a pregnant incarcerated person is eligible for an abortion. Conditions or restrictions on abortion access shall not be imposed. Impermissible restrictions include but are not limited to imposing gestational limits inconsistent with state law, unreasonably delaying access to the procedure, or requiring court-ordered transportation (Penal Code § 4028(a)).

If the pregnant incarcerated person decides to have an abortion, the person shall be offered, but not forced to accept, all due medical care and accommodations until no longer pregnant. A pregnant incarcerated person who decides to have an abortion shall be referred to a licensed professional as specified in Business and Professions Code § 2253(b) (Penal Code § 4023.8(c)).

The Jail Manager or the authorized designee should work with the pregnant incarcerated person, community agencies, or other relevant persons so the child is appropriately placed after an in-custody birth. Child welfare workers may interview and counsel the incarcerated person at the jail.

704.7 DENTAL CARE

Emergency dental care will be provided to incarcerated person(s). Emergency dental care will be available to all incarcerated person(s) on a 24-hour basis. Severe dental pain qualifies as an emergency.

Dental care that is a necessary standard of treatment will be available to all incarcerated person(s). Decisions as to whether dental care is a necessary standard of treatment will be made by a qualified dental care professional.

704.8 EMERGENCY CARE

Emergency health care shall be available to all incarcerated persons on a 24-hour basis. No incarcerated person shall be deprived of care for emergency medical, mental health or dental service due to the time of day or night. An ambulance will be provided when necessary for proper care.

At least one staff person who has received basic first-aid and CPR training shall be available 24 hours a day.

704.9 TRANSPORTING INMATES FOR HEALTH CARE

Inmates shall be safely transported to all health care appointments. When an inmate is being transported outside the jail:

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- (a) Transporting members should have instructions regarding any medication or accommodation that may be necessary during transport.
- (b) Patient confidentiality shall be maintained during transport.

704.10 EVIDENCE COLLECTION

An incarcerated person's treating or regular care provider should not assist in evidence collection for purposes of prosecution, discipline, or any other adversarial proceeding. However, evidence may be collected from a victim of sexual assault with the consent of the victim.

Qualified health care professionals of this jail are prohibited from being involved in psychological evaluations for use in adversarial proceedings.

704.11 SUPERVISION OF INMATES

Custody Officers shall have the primary role of supervising incarcerated person(s) once admitted into the Los Angeles County Medical Center (LCMC). This shall include:

- (a) Incarcerated person(s) under the care, custody, and control of the El Monte Police Department requiring medical treatment and/or admitting into the Los Angeles County Sheriffs – Jail Medical Ward (LCMC).

704.11.1 SPECIAL HOUSING NEEDS

Watch Commanders and/or Supervisors shall notify the Custody Supervisor of any unusual or anticipated long term housing of arrestees and incarcerated person(s) outside of the El Monte Police Jail Facility. Such outside locations include, but are not limited to, admittance at local hospitals, mental health facilities, or other locations requiring longer than normal care, treatment, and medical clearance.

- (a) The Custody Supervisor shall coordinate the tracking, documentation, and supervision of the person being treated.
 1. Tracking consists of the incarcerated person(s) information entry into the Spillman system, followed by the on-duty Custody Officer entering the incarcerated person(s) into the booking system, obtaining a LA County Sheriff booking number, preparing an absentee booking packet, and updating the housing information in the Spillman Jail system.
 2. Documentation consists of a Probable Cause Declaration (PCD) being completed and approved. The 48-hour PCD rule is paused while the incarcerated person(s) receives medical and/or mental health treatment. The time restarts once discharged from treatment.
 3. Appropriate supervision of incarcerated person(s) being admitted into LCMC consists of the Custody Supervisor first utilizing on-duty Custody Officers, so as to not jeopardize the officer safety, facility security, and incarcerated person(s) welfare of the El Monte Police Department Jail Facility while meeting a (2) two Custody Officer minimum. Following any available on-duty personnel, the Custody Supervisor shall then schedule any Custody personnel on overtime shifts, followed by sworn personnel.

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Once the inmate is discharged for treatment, they will return to the El Monte Police Department Jail Facility to complete the booking process, followed by the appropriate housing.

Chapter 8 - Environmental Health

Sanitation, Maintenance, and Safety Inspections

800.1 PURPOSE AND SCOPE

The El Monte Police Department has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances, and regulations. This policy establishes a plan of housekeeping tasks and inspections to identify and correct unsanitary or unsafe conditions or work practices in this facility.

800.2 POLICY

It is the policy of the Department to maintain a safe and sanitary jail. To accomplish this goal, the Department will maintain a written plan that contains schedules and procedures for conducting weekly and monthly sanitation, maintenance and safety inspections of the jail.

800.3 SAFETY AND SANITATION PLAN

The Jail Manager will ensure that the plan addresses, at a minimum (15 CCR 1280):

- (a) Schedules of functions (e.g., daily, weekly, monthly, or seasonal cleaning, maintenance, pest control and safety surveys).
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the jail.
- (c) Procedures, schedules, and responsibilities for coordinating annual inspections by the health department having jurisdiction, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals, and related materials used in the jail, and instructions on how to operate, dilute or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms, and actions taken to correct deficiencies.
- (f) Training requirements for members and incarcerated workers on accident prevention and avoidance of hazards with regard to jail maintenance.
- (g) Supervision of the members 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.
- (h) All incarcerated person responsibilities, which should be included in the incarcerated person orientation materials.
- (i) Detailed processes for the procurement, storage, and inventory of cleaning supplies and equipment.
- (j) A process for the preventive maintenance of equipment and systems throughout the jail.

Consideration should be given to general job descriptions and/or limitations relating to members or incarcerated persons assigned to carrying out the plan. Specialized tasks, such as changing

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air filters and cleaning ducts or 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 members. When incarcerated work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

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.

All members shall report any unsanitary or unsafe conditions to a supervisor. Members shall report repairs needed to the physical plant and equipment by submitting a work order to a supervisor. The Jail Manager will designate a member to receive these work orders and take appropriate action to ensure the repairs are made or action is taken. All work and action taken will also be documented.

Reports for budget resources above and beyond already budgeted maintenance items shall be reported to the Chief.

800.4 SANITATION SCHEDULE AND INSPECTION

Jail members should implement a site-specific plan for cleaning and maintenance. A daily, weekly, and monthly cleaning schedule will be established for each area of the jail (e.g., housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following recommendations include but are not limited to specific areas and items:

- (a) Daily cleaning:
 - 1. Sweep and then wet mop the entire jail floor
 - 2. Clean all cell block areas
 - 3. Empty all trash receptacles
 - 4. Clean all toilets and sinks
 - 5. Clean all showers
- (b) Weekly cleaning:
 - 1. Dust bars and window ledges
 - 2. Clean air conditioning/heating grates
 - 3. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new incarcerated person)
 - 4. Pour water down floor drains to test for flow
- (c) Monthly cleaning:
 - 1. Walls
 - 2. Ceilings
 - 3. Bunk pans

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800.4.1 INSPECTION CHECKLIST

The Jail Manager or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly and monthly basis throughout the jail.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Jail Manager or the authorized designee for annual review, filing and retention as required by the established records retention schedule.

800.4.2 TRAINING

All members and incarcerated workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals, and areas of responsibility.

800.5 INCARCERATED PERSON SAFETY

This jail will establish an effective safety program, investigating incarcerated person injuries and taking corrective actions as necessary to reduce accidents and injury (15 CCR 1280).

The Jail Manager shall appoint a member who will be responsible for the development, implementation, and oversight of the safety program. This program will include but is not limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of incarcerated person injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

800.5.1 INVESTIGATION OF REPORTED INCARCERATED PERSON INJURY

Whenever there is a report of an injury to an incarcerated person that is the result of accidental or intentional acts, other than an authorized use of force, the Jail Manager or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified.

800.5.2 INVESTIGATION REPORTS

The Watch Commander shall ensure that reports relating to an incarcerated person's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Health record entries
- Any other relevant documents

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800.5.3 ANNUAL REVIEWS

The Chief or the authorized designee shall conduct an annual review of all injuries involving incarcerated persons for the purpose of identifying problem areas and documenting a plan of action to abate circumstances relating to incarcerated person injuries.

The plan of action should include, but not be limited to:

- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- The person or persons responsible for taking corrective action and the target completion date.

The Chief shall consult with the department risk manager to coordinate corrective action or to seek managerial/administrative guidance for implementing corrective action.

800.6 VERMIN AND PEST CONTROL

The Jail Manager or the authorized designee shall be responsible for developing and implementing a plan for sanitation and control of vermin and pests. In cooperation with the Responsible Physician and the local public health entity, medical protocols for treating incarcerated person clothing, personal effects, and living areas, including specific guidelines for treating an infested incarcerated person, will be established (15 CCR 1264).

800.6.1 PEST CONTROL SERVICES

The Jail Manager or the authorized designee shall be responsible for procuring the services of a licensed pest control professional if necessary to perform inspections of the jail as needed and to treat areas as required to ensure that vermin and pests are controlled.

800.6.2 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted 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.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the jail or cleaned and treated by the following methods, as appropriate, or as directed by the pest control provider or the Responsible Physician (15 CCR 1264):

- Washing in water at 140 degrees for 20 minutes

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- 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

800.6.3 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by incarcerated persons.

800.7 SAFETY DATA SHEETS (SDS)

Materials and substances used in the operation and maintenance of the jail may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous material and substances, including instructions on safe handling, storage, and disposal, prohibited interactions and other details relative to the specific material.

The Jail Manager shall be responsible for ensuring that a written hazard communication plan is developed, implemented and maintained at each workplace. Each area of the jail in which any hazardous material is stored or used shall maintain a SDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

- (a) A list of all areas where hazardous materials are stored.
- (b) A physical plant diagram and legend identifying the storage areas of the hazardous material.
- (c) A log for identification of new or revised SDS materials.
- (d) A log for documentation of training by users of the hazardous material.

800.7.1 SDS USE, SAFETY, AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Members and 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)(1)(ii)):

- (a) Supervisors shall conduct training for all members 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, members and incarcerated persons shall sign the acknowledgement form kept with each SDS in their work areas.
- (c) Members 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 in their workplace.

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800.7.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition or replacement hazardous material shall review the accompanying SDS. If additions or changes have occurred, the revised SDS shall be incorporated into the file and a notation shall be made in the SDS revision log.

Supervisors shall review SDS information in their work areas semi-annually to determine if the information is up-to-date and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the maintenance supervisor or the authorized designee.

800.7.3 SDS RECORDS MASTER INDEX

The maintenance supervisor or the authorized designee will compile a master index of all hazardous materials in the jail, including locations, along with a master file of SDS information. They will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semi-annual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, up-to-date list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

800.7.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and 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)).

800.8 WATER SUPPLY TESTING

In compliance with standards set by law, this jail will ensure the continued supply of safe potable water for use by incarcerated persons, members and visitors through rigorous annual testing of water supplies (42 USC § 300f et seq.).

The Jail Manager shall ensure that the jail's potable water source is tested by an independent public or private testing service at least once each year. Water quality will be certified to be in compliance with all state and local regulations. Corrective measures shall be promptly taken if the test results fall below acceptable regulatory standards.

In the event that water testing reveals any significant hazards to the incarcerated persons or members at the jail, the Chief, Jail Manager and the health department having jurisdiction shall take immediate action to mitigate the problem.

The testing results, valid certificates of the sampling entity and the testing laboratory shall be kept in accordance with established records retention schedules.

Where the jail's water supply is obtained from a private source, the source shall be properly located, constructed, and operated to protect it from contamination and pollution and the water shall meet all current standards set by the applicable state and/or local authority regarding bacteriological, chemical, and physical tests for purity.

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For facilities not served by a public or regulated private water supply, the water should be tested daily by the local authority within the jail's jurisdiction.

800.8.1 EMERGENCY WATER SUPPLY PLAN

The Jail Manager and the health department having jurisdiction shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for a minimum of three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

Incarcerated Person Hygiene

801.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every incarcerated person in the El Monte Police Department jail is maintained. The El Monte Police Department recognizes the importance of each incarcerated person maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels, and other necessary personal hygiene items.

801.2 POLICY

It is the policy of El Monte Police Department facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good 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 members and visitors.

801.3 STORAGE SPACE

There should be adequate and appropriate storage space for incarcerated persons' 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 jail, including the exchange or disposal of soiled or depleted items. Members shall ensure that the storage areas are properly maintained and stocked. The Jail Manager should be notified if additional storage space is needed.

801.3.1 BEDDING ISSUE

Upon entering a living area of the El Monte Police Department jail, every incarcerated person who is expected to remain in the jail for over eight hours shall be issued bedding and linens, including but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with jail operational laundry rules.
- (b) One clean, firm, nontoxic, fire-retardant mattress (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.
 2. Mattresses will be cleaned and disinfected when an incarcerated person is released or upon reissue. Mattresses shall meet the most recent requirements of the state fire marshal, the California Department of Consumer Affairs' Bureau of Household Goods and Services test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).

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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 sleeping bag may be issued in place of one mattress cover or one sheet at the request of the incarcerated person.
- (d) One clean washcloth, hand towel, and bath towel.
- (e) 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 jail to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

801.3.2 CLOTHING ISSUE

An incarcerated person admitted to the jail for 72 hours or more and assigned to a housing area shall be issued a set of jail clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, and easily laundered and repaired. Issued clothing shall include but is not limited to the following (15 CCR 1260):

- (a) Clean socks
- (b) Clean outer garments
- (c) Clean undergarments (e.g., shorts, undershirts, bras, two pairs of panties)
- (d) Footwear

An incarcerated person who is issued a change of clothing upon admission to the jail may have their personal clothing returned after laundering, at the discretion of the Jail Manager.

Clothing shall be exchanged twice each week, at a minimum (15 CCR 1262). All exchanges shall be documented on the daily activity log. The Watch Commander or unit supervisor shall review the daily activity log at least once per shift.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An incarcerated person's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each incarcerated person assigned to a special work area, such as food services and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires all issued clothing shall be clean, free of holes, and tears (15 CCR 1261).

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The Jail Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the jail to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Manager or the authorized designee shall ensure that the jail maintains a sufficient inventory of extra clothing to ensure each incarcerated person shall have neat and clean clothing appropriate to the season.

An incarcerated person's excess personal clothing shall be mailed to, picked up by, or transported to a designated family member, or stored in containers designed for such purpose.

All personal property shall be properly identified, inventoried, and secured. Incarcerated persons shall sign and receive a copy of the inventory record.

801.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen, and bedding needs are met.

801.5 ACCOUNTABILITY

To ensure accountability, incarcerated persons are required to exchange item for item when clean clothing, bedding, and linen exchange occurs.

Prior to being placed in a housing area, incarcerated persons shall be provided incarcerated person orientation materials listing this requirement (15 CCR 1069).

801.6 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 shall be issued, at a minimum, the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Sanitary pads, panty liners, and tampons as requested at no cost 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 persons upon request, as needed.

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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 State 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 person who is considered a danger to themselves or others.

801.7 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 areas is:

- One sink/washbasin for every 10 incarcerated persons (24 CCR 1231.3.2(2)).
- One toilet to every 10 incarcerated persons (urinals may be substituted for up to one-third the toilets in facilities depending on the gender of the incarcerated persons) (24 CCR 1231.3.1).

801.8 SHOWERS

Incarcerated persons will be allowed to shower upon assignment to a housing area and 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 persons housed at this jail 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 members, 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).

801.9 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

801.10 ADDITIONAL PRIVACY REQUIREMENTS

Incarcerated persons shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia,

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except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite gender shall announce their presence when entering a housing unit (28 CFR 115.15).

801.11 RESPONSIBILITIES

The Jail Manager shall ensure the basic necessities related to personal care are provided to each incarcerated person upon entry into housing. Appropriate additional personal care items may be available for purchase from the incarcerated person commissary.

Chapter 9 - Food Services

Food Services

900.1 PURPOSE AND SCOPE

The Department recognizes the importance of providing nutritious food and services to incarcerated persons to promote good health, reduce tension in the jail, and ultimately support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for persons housed in the jail.

900.2 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 the Health and Safety Code, § 113700 et seq. and California Retail Food Code (15 CCR 1245(a)).

900.2.1 FOOD SERVICES PLAN

The Jail Manager shall ensure the preparation of a food service plan. The plan shall include, but is not limited to the following policies and procedures (15 CCR 1243):

- (a) Menu planning
- (b) Purchasing
- (c) Storage and inventory control
- (d) Food preparation
- (e) Food serving
- (f) Transporting food
- (g) Orientation and ongoing training
- (h) Personnel supervision
- (i) Budgets and food cost accounting
- (j) Documentation and record keeping
- (k) Emergency feeding plan
- (l) Waste management
- (m) Maintenance and repair
- (n) Three-day mainline sample tray

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900.3 FOOD SERVICES

The Jail Manager shall be responsible for oversight of the day-to-day management and operation of food services, including:

- Developing, implementing and managing a budget for food services.
- Ensuring members are assigned to carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for members and incarcerated person workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Establishing written procedures for education and ongoing monitoring and cleanliness of food handlers (15 CCR 1230).
- Developing procedures for food found to be contaminated, expired, showing signs of spoilage, or otherwise not fit for human consumption (15 CCR 1243).
- Other duties and activities as determined by the Jail Manager.

900.4 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 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.

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)).

900.5 THERAPEUTIC DIETS

The Watch Commander should be responsible for ensuring that all incarcerated persons who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals.

Persons who are known to be pregnant or lactating shall be provided a balanced, nutritious diet approved by a physician (15 CCR 1248).

900.6 RELIGIOUS DIETS

The Watch Commander, 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).

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900.7 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect incarcerated persons from food-borne illness. Members shall adhere to sanitation and food storage practices, and there shall be proper medical screening and clearance of all food handlers (15 CCR 1230).

Food production and services will be under staff supervision. Food production, storage, and food handling practices will follow the appropriate federal, state or local sanitation laws (15 CCR 1246).

900.8 MEAL SERVICE PROCEDURE

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food. Any deviation from this requirement shall be subject to the review and approval of the Jail Manager to ensure that incarcerated persons receive meals that meet nutritional guidelines.

Incarcerated persons should be provided a minimum of 15 minutes dining time for each meal. There should be no more than 14 hours between a substantial evening meal and breakfast.

Incarcerated persons who miss, or may miss, a regularly scheduled meal should be provided with a beverage and a sandwich or substitute meal. Approved snacks should be served to persons on medical diets in less than the 14-hour period if prescribed by the Responsible Physician. Incarcerated persons on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal (15 CCR 1240).

900.9 EMERGENCY MEAL SERVICE PLAN

The Jail Manager shall establish and maintain an emergency meal service plan for the facility (15 CCR 1243(k)).

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for incarcerated persons. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Manager may declare an "Emergency Suspension of Standards" pursuant to 15 CCR 1012 for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Manager shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

Depending on the severity and length of the emergency, the Chief should consider requesting assistance from allied agencies through mutual aid or the National Guard.

Dietary Guidelines

901.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the incarcerated persons are met and that overall health is promoted through the use of balanced nutritious diets.

901.2 POLICY

It is the policy of this department that diets provided by this facility will meet or exceed the guidelines established in the current publications of the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA).

901.3 REVIEW OF DIETARY ALLOWANCES

The food services manager is responsible for developing the facility's menus and shall ensure that all menus served by food services comply with the DGA guidelines. Any deviation from the DGA guidelines shall be reviewed by the Chief and/or the Jail Manager and the Responsible Physician.

The Jail Manager or the authorized designee shall ensure that the El Monte Police Department's menus and dietary allowances are evaluated annually by a registered dietitian, and that any changes meet the DGA guidelines. A registered dietitian must approve menus before they are used.

Menus should be evaluated at least quarterly by the Jail Manager or the authorized designee.

901.4 MENU CYCLE PLANNING

The Jail Manager or the authorized designee should plan the menus one month in advance of their use.

Any changes to the menu must be recorded and kept until the next annual inspection. Any menu substitutions must use better or similar items.

Menus should include the following minimum food group allowances per day (15 CCR 1241):

- (a) Dairy Group: Three servings of fat-free or low-fat milk or food providing at least 250 milligrams of calcium and equivalent to 8 ounces of fluid milk. Four servings for people who are pregnant or lactating.
- (b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one serving shall be from each of the following three categories:
 1. One serving of a fresh fruit or vegetable.
 2. One serving of a Vitamin A source, fruit or vegetable, containing at least 200 micrograms retinol equivalents or more.
 3. One serving of a Vitamin C source containing at least 30 milligrams or more.
- (c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains.

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- (d) Protein Group: Three servings of lean meat, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, or textured vegetable protein, equivalent to 14 grams or more of protein. In addition, a fourth serving from the legumes category shall be served three days a week.
- (e) Total dietary fat should not exceed 30 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable.

Additional servings of dairy, vegetable-fruit, and grain groups must be provided in amounts to meet caloric requirements when the minimum servings outlined in the requirements above are not sufficient to meet the caloric requirements of an incarcerated person.

Chapter 10 - Inmate Programs

Mail

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection, and sending of incarcerated person mail.

1000.2 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.

1000.3 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 members, visitors, or other incarcerated persons, or pose an unreasonable disruption to the orderly operation of the Jail (15 CCR 1063(a)).

However, incarcerated persons are only allowed to store a limited number of letters as determined by the Jail Manager in their cells. Excess mail will be stored with the incarcerated person's personal property and returned at the incarcerated person's release.

1000.4 CONFIDENTIAL CORRESPONDENCE

Incarcerated persons may correspond confidentially with courts, any member of the bar, officials of this department, elected officials, jail inspectors, government officials, or officers of the court (15 CCR 1063).

This jail will also accept and deliver a fax or inter-office mail from these entities.

Members may inspect incoming confidential correspondence for contraband. Members may inspect outgoing confidential correspondence for contraband before it is sealed. In the event that confidential correspondence is inspected, members shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read or photocopy the content of the correspondence itself. All inspections are to be completed in the presence of the incarcerated person (15 CCR 1063(c)).

1000.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Manager whenever members become aware of mail sent by an 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 jail, members, or the public.

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.

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1000.6 PROCESSING AND INSPECTION OF MAIL BY STAFF

Members should process incoming and outgoing mail as expeditiously as reasonably possible. Incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays or during an emergency situation.

Members should open and inspect all incoming and outgoing general mail of current 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 members when:

- (a) There is reason to believe the mail would:
 - 1. Interfere with the orderly operation of the jail.
 - 2. Be threatening to the recipient.
 - 3. Facilitate criminal activity.
- (b) The 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 persons mail shall be removed and credited to the 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.

1000.6.1 DESIGNATION OF MEMBERS AUTHORIZED TO READ MAIL

Only members designated by the Jail Manager are authorized to read incoming and outgoing non-confidential mail. These members should receive training on legitimate government interests for reading and censoring mail and related legal requirements.

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1000.6.2 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 members is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining jail security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
- (d) Preventing harassment of those who have requested that no mail be sent to them by the incarcerated person.

Correspondence and material identified for censorship shall be delivered to the Watch Commander, who shall make the decision whether such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple incarcerated persons.

1000.6.3 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's name and number.
- (b) A description of the mail in question.
- (c) A description of the action taken and the reason for such action.
- (d) The disposition of the item involved.
- (e) Signature of the member.
- (f) Notification to the incarcerated person and sender (unless such notification jeopardizes any investigation or the security of the facility).

1000.7 NEWSPAPERS

A current newspaper or other like source, including a non-English alternative, shall be made available to interested incarcerated persons (15 CCR 1066(b)).

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1000.8 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 to the former incarcerated person's new address if it is reasonably known to the jail. Otherwise, legal mail should be returned to the sender.

1000.9 INDIGENT INCARCERATED PERSON 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) 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 and legal counsel department (15 CCR 1063(e)).

Requests shall be screened and granted based on need by the programs member. Incarcerated persons should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

Telephone Access

1001.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting incarcerated persons to access and use telephones.

1001.2 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 orientation during the booking process.

1001.3 PROCEDURE

Incarcerated persons in housing will be permitted reasonable access to public telephones at scheduled times for collect calls unless such access may cause an unsafe situation for the jail, members, or other incarcerated persons. The Jail Manager shall ensure a notice is conspicuously posted near the telephones informing the 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 jail 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 incarcerated persons known to have, or perceived by others as having, hearing or speech impairments to allow equivalent telephone access as incarcerated persons without these disabilities (15 CCR 1067).

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify additional 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, in addition to being provided to incarcerated persons during orientation, be posted near the telephones.

Members 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 person refusing to cooperate with the telephone rules may have their call terminated or telephone privileges suspended.

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Requirements relating to the use of telephones during booking and reception are contained in the Reception and Housing Policy.

1001.4 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the jail, or a supervisor determines there is a legitimate need for a free telephone call for a specific incarcerated person, the supervisor may direct that a person use a jail telephone at no charge. Calls placed from a jail telephone should be dialed by a member. The member should be responsible for ensuring that the incarcerated person is not calling a number that has been restricted by a court order or by request of the recipient. Such a call should be recorded to the same extent authorized for calls that are not court-ordered.

1001.5 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 Incarcerated Person Rights and Protection Policy.

1001.6 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 in the general public and that incarcerated persons are afforded a range of feasible calling options.

Visitation

1002.1 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.

1002.2 RESPONSIBILITIES

The Jail Manager shall develop written procedures for incarcerated person visiting, which provide for as many visits and visitors as jail schedules, space, and number of staff will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. Sentenced incarcerated persons are allowed at least two visits totaling at least one hour per week, and non-sentenced incarcerated persons will be afforded a visit no later than the calendar day following arrest. These procedures are subject to safety and security requirements.

Court orders granting a special incarcerated person visitation are subject to city legal review and interpretation.

1002.3 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.

Limitations on the number of visitors and allotted visiting time are determined by:

- The jail's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.

The Jail Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

The visiting area should accommodate 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 visitors with developmental disabilities to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

1002.3.1 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.

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- (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 (e.g., attorney license/ Supreme Court card, police identification, a business card/letterhead of business with the visitor's name).

Failure or refusal to provide a valid identification is reason to deny a visit.

1002.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this jail are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the jail. All searches shall be made in accordance with current legal statutes and case law.

1002.5 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 their orientation materials. The visiting hours will also be posted in the public area of the jail (15 CCR 1062).

1002.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the jail or there is other good cause, including but not limited to the following (15 CCR 1062):

- (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 jail rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying the visitor into the jail.
- (e) Visitors attempting to enter this jail with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the jail, should have actions and reasons documented. A copy of the documentation will be placed into the incarcerated person's file and another copy will be forwarded to the Jail Manager (15 CCR 1062).

1002.7 GENERAL VISITATION RULES

All visitors and incarcerated persons will be required to observe the following general rules during visitation.

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- (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 (15 CCR 1062).
- (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 jail.
- (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 members to be unacceptable, will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the jail with handbags, packages, or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The jail is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.
- (i) 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.

1002.8 SPECIAL VISITS

The Watch Commander may authorize special visitation privileges. The Watch Commander who authorizes the special visit will take into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the 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.

1002.9 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. Members shall not interfere with, suspend, or cancel official visits except in circumstances where the safety, security, or good order of the jail is compromised (15 CCR 1068(b)).

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1002.10 POLICY

It is the policy of the El Monte Police Department to allow incarcerated person visitation, including video visitation when applicable, as required by law.

Religious Programs

1003.1 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).

1003.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method of determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the 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.

Exercise of religion - Any action or practice performed whether compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the incarcerated person's sincerely held religious beliefs.

1003.2 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 government objectives of the jail.

1003.3 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further a compelling government interest of the jail and is the least restrictive means of furthering that compelling government interest.

The Jail Manager and the Chief shall be informed of all approved accommodations.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

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1003.3.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS

In an emergency or extended disruption of normal jail operations, the Jail Manager may suspend any religious accommodation. The Jail Manager may also revoke or modify an approved religious accommodation if the accommodated incarcerated person violates the terms or conditions under which the accommodation was granted.

1003.3.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Incarcerated persons may appeal the Jail Manager's denial, suspension, or revocation of an accommodation through the incarcerated person appeal process.

1003.4 DIETS AND MEAL SERVICE

The Jail Manager should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the jail.

1003.5 HAIR STYLES AND GROOMING

Unless it is necessary for the health and sanitation of the jail, 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.

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.

1003.6 RELIGIOUS TEXTS

Religious texts should be provided to the requesting incarcerated person, if available, and if the texts do not pose a threat to the safety, security, and orderly management of the jail.

1003.7 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to jail safety or security
- (c) Self-mutilation
- (d) Use, display or possession of weapons
- (e) Self-defense or military training
- (f) Disparagement of other religions
- (g) Nudity or sexual acts
- (h) Profanity
- (i) Use of illegal substances or controlled substances without a prescription

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Religious Programs

1003.8 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the jail. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

1003.9 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.

Head coverings shall be searched before being worn in the housing area of the jail and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of 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 incarcerated person's head and face shall be temporarily removed during the taking of booking and identification photographs.

1003.10 TRAINING

The Department shall provide training to members on the requirements of this policy.

1003.11 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. Members 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.

Chapter 11 - Facility Design

Space and Environmental Requirements

1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

1100.2 POLICY

It is the policy of this department to comply with federal and state laws, codes and correctional standards in matters relating to jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the jail should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the jail should facilitate personal communication with inmates and direct visual observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal communication.

All parts of the jail that are accessible to the public should be accessible to and usable by disabled persons.

1100.3 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings, and equipment should have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or incarcerated person housing area doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the jail in the event of an emergency.

1100.4 ENVIRONMENTAL REQUIREMENTS

1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for members and inmates to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of inmates to sleep.

1100.4.2 NATURAL LIGHT

All incarcerated person living areas should provide incarcerated persons with exposure to natural light, unless prohibited by security concerns.

1100.4.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow incarcerated persons to sleep. Nothing in this policy is intended to limit or impair in any way members' ability to monitor the jail in a manner that is consistent with safety and security and good correctional practices.

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1100.4.4 VENTILATION

Ventilation systems, including those in toilet rooms and cells with toilets, should be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes and jail standards.

1100.4.5 TEMPERATURE LEVELS

Temperature and humidity levels should be maintained at a level established by facility maintenance personnel and deemed comfortable and cost efficient.

1100.5 CELL FURNISHINGS

Each inmate housed in this jail should be provided with the following items:

- A sleeping surface and mattress in accordance with federal and state laws, codes and jail standards

1100.6 JANITOR CLOSETS

Janitor closets should be located near or inside each housing area. Each janitor closet should contain a sink and the necessary cleaning implements. Access to the janitor closets shall be controlled and supervised by members.

1100.7 EMERGENCY POWER

The jail shall be equipped with a sufficient emergency power source to operate communications, security, and alarm systems in control centers, and emergency lighting in corridors, stairwells, all incarcerated person housing areas, security control points, and audio-visual monitoring systems.

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Attachments

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